

Board of Supervisors Meeting

MINUTES

January 22, 2008

Jim Brownlow, Chairman, called the meeting to order at 7:50 p.m. and opened with the Pledge of Allegiance. Jim apologized for the late start of the meeting and said the supervisors held an executive session before the meeting to discuss real estate matters.

All Supervisors Present: Karen Bedics, Jim Brownlow, Chuck Halderman, Barb Lindtner and Rob Zisko.

Also present: Terry Clemons, Solicitor; Sandy Everitt, Secretary/Treasurer; Rich Schilling, Township Manager; and Bob Wynn, Township Engineer.

Approval of Minutes

Karen Bedics **moved** to adopt the December 22, 2007, minutes as presented. Rob Zisko **seconded** the motion. Voting **Yes:** Karen Bedics, Jim Brownlow, Chuck Halderman, Rob Zisko. **Abstaining:** Barb Lindtner.

Rob Zisko **moved** to adopt the January 2, 2008, reorganization meeting minutes as presented. Barbara Lindtner **seconded**; the motion **passed** unanimously.

Jim Brownlow **moved** to adopt the January 8, 2008, minutes as corrected. Karen Bedics **seconded**; the motion **passed** unanimously.

Bills for Approval

Karen Bedics **moved** to approve the bills listed on the January 1 – 22, 2008, bills list (\$54,591.74). Jim Brownlow clarified that the \$25,380.77 payment to MRM Property & Liability Trust was an annual premium for liability insurance. Barbara Lindtner **seconded**; the motion **passed** unanimously.

Public Comments on Agenda Items – None

Public Hearing

Ordinance 146 – Authorizing Issuance of a General Obligation Note for \$150,000 to Assist Springtown Fire Company in the acquisition of a 2007 Aerial Ladder truck – Terry Clemons said an incorrect depository was submitted on the application to DCED for the sinking fund in the previous ordinance and thus a new ordinance was required. The Ordinance was duly re-advertised and is ready for public comment and adoption. Barbara Lindtner requested background on this. Terry Clemons indicated that the township was providing the borrowing base for one portion of the total cost (\$500,000+) of the fire truck. He opened the hearing for public comment. Karen Bedics **moved** to adopt Ordinance 146 increasing the indebtedness of Springfield Township, Bucks County, by issue of a General Obligation note in the amount of \$150,000; making a covenant for the payment of the debt service on the note; providing for the appointment of a sinking fund depository for the note; and authorizing execution, sale and delivery thereof. Chuck Halderman **seconded**; the motion **passed** unanimously.

Planning Matters

High Meadow Farms – Maintenance Period expires 1/22/08 – The applicant requested an extension of the maintenance period until 4/30/08 to permit completion of two items that require warmer weather. Rob Zisko **moved** to extend the maintenance period until April 30, 2008. Karen Bedics **seconded**; the motion **passed** unanimously.

Old Business

Open Space Properties – The Board met in Executive Session to discuss a recommendation by Ted Evans, Natural Lands Trust, to authorize a Resolution to purchase an easement on the Herz property. Action would take place on the easement at the February 12 Board meeting. Chuck Halderman **moved** to authorize our solicitor to prepare a Resolution to purchase the Herz Conservation Easement. Barbara Lindtner **seconded**; the motion **passed** unanimously.

New Business

1. Springtown Water Authority Resolution 07-06 – John Reiss, Attorney for the Springtown Water Authority, requested Springfield Township to prepare a resolution which backs Resolution 07-06 enacted by the Springtown Water Authority to regulate connections to the water system, establish standards for connections from buildings to mains, establish penalties for violation of the provisions of the Resolution, etc. Without such an ordinance, the Authority does not have any mechanism to enforce their Resolution; the enforcement action must come from the municipality. Rob Zisko **moved** to authorize our solicitor to prepare and advertise an Ordinance that would mirror the Springtown Water Authority's Resolution 07-06 to permit enforcement of the actions contained therein. Chuck Halderman **seconded**; the motion **passed** unanimously.

2. Request for Stone Bid – Rich Schilling noted that the local supplier that the Road Department previously purchased stone from is no longer in business. In view of escalating stone prices, Rich feels the Township should put the stone out for bid to lock in a price. Bob Wynn added that if the bid requires delivery of the stone by the supplier, there should be a mileage charge as part of the bid. Chuck Halderman **moved** to authorize Bob Wynn and Rich Schilling to prepare a stone bid for 2008. Rob Zisko **seconded**; the motion **passed** unanimously.

3. Subdivision and Land Development Ordinance Amendment – Bob Wynn said at the recent Work Session of the Planning Commission, they reviewed a draft SALDO amendment created to achieve consistency between the Zoning Ordinance adopted in October 2007 and the Subdivision Ordinance. The Board was given a copy of the revised draft in which the Planning Commission made some revisions and editorial changes.

One policy matter needs clarification by the Board. Several years ago when the Springfield Township Authority ceased operations, Ordinance 128 removed reference to Springfield Township Authority with respect to reviewing any water systems. Because the township had no specifications for centralized water systems, Ordinance 128 referenced the specifications from Bucks County Water and Sewer Authority as a source document to design its centralized water systems. The current draft amendment still states Bucks County Water and Sewer Authority. The Board needs to determine if they want the Springfield Township Authority to handle this. If so, does the Authority have adequate design standards in place so that a developer could acquire those construction standards before they design a system.

After discussion with Ken Simmons and Bob Wynn, the Board determined that the Authority does not currently have design standards in place to cover this, and Bob thinks the draft Ordinance should retain Bucks County Water and Sewer Authority. Terry Clemons clarified that BCWSA would not be involved in the approval process; their standards would simply be referenced as the standard by which systems would need to be designed. Ken Simmons will provide a copy of the current standards of the Springtown Water Authority to Bob Wynn.

Secondly, although the meeting of the Planning Commission was a work session, it was the consensus of the Planning Commission members to request that the Board of Supervisors authorize forwarding the draft ordinance amendment to the Bucks County Planning Commission to begin the review period. The Planning Commission will officially recommend adoption of the Ordinance at a future regular meeting. Barbara Lindtner **moved** to authorize sending the Ordinance to amend the SALDO to the Bucks County Planning Commission and the Springfield Township Planning Commission for review and authorizing advertising of the ordinance for adoption. Karen Bedics **seconded** the motion. Voting **Yes**: Karen Bedics, Jim Brownlow, Chuck Halderman, Barbara Lindtner. **Abstaining**: Rob Zisko. The motion **carried**.

Correspondence

Jim Brownlow noted that the supervisors received copies of the correspondence listed on the agenda.

Rich Schilling asked for Board action on the letter from Attorney Ed Wild, Benner and Wild, regarding the extension and supplemental information for the Cohen Subdivision and also Ed Wild's letter requesting an extension of the action period for the Reed/Schnell Subdivision.

Cohen Subdivision - Bob Wynn said the developer had previously discussed granting a conservation easement to preserve an area along Lehnenberg Road, the area that is the subject of the proposed wetland study. At their recent work session, the Planning Commission discussed reconsidering their prior suggestion that the Board requesting a township consultant to perform a second wetlands study, which the Board did authorize at their last meeting. On behalf of the Planning Commission, Bob asked a second review of the Cohen property wetlands be held until the Planning Commission was able to discuss this further with the developer at their February 6 meeting.

Bob Wynn stated that there was also discussion by the Planning Commission about the need to change the language under the wetland delineation section of the SALDO. However, in order to expedite the SALDO amendment currently under consideration, they will include that change in a later amendment. Terry said that many developers think that the Army Corps of Engineers' decisions on wetlands override the township consultant's determination. That is not accurate. Terry and Scott MacNair are working on a revision of the SALDO application so that the developer expressly agrees when he signs the application that escrow funds can be used to pay a township consultant to conduct a review when the Township feels it is warranted.

Chuck Halderman **moved** not to hire the township's consultant to review wetlands on the Cohen Subdivision until the Planning Commission talks further with the developer and reports back to the Board. Rob Zisko **seconded**; the motion **passed** unanimously.

Reed Lane Subdivision – Terry Clemons reviewed the Subdivision and Financial Agreements prepared for this subdivision by the township's prior solicitor. They contain a provision that the Township must give the developer 30 days to complete the required repairs if he did not get them completed in the specified period. In November, the applicant requested an extension of time to complete required improvements, one of which was the paving of Reed Lane. During that same period, PP&L cut down all the trees along the frontage of the property. As directed, Terry Clemons notified the developer that they are in default and initiated the 30-day process with them in which they needed to complete the improvements. In response to Terry's letter, the contractor contacted Bob Wynn, advising him that they would stone and pave Reed Lane the following week. Bob could not permit this, because roadwork of this type cannot be completed in 30° weather. The developer requested and Bob provided his decision in writing. The Board needs to determine how to proceed from this point. Terry and Bob suggested that the township grant an extension to the developer until the end of May 2008 to accomplish the remaining work.

When questioned, Bob Wynn said the applicant did not respond to his request for how he would resolve the issue of the trees PP&L cut down that, according to the approved subdivision plan, were to remain. Bob pointed out that he added language to the current draft SALDO Amendment to prevent this from happening in the future. He read Article XIII, Section 527, which prevents a developer from granting easements or right-of-way after subdivision or land development plan recordation unless the proposed easement or right-of-way location/plan and documents are reviewed and approved by the Township.

Jim Brownlow **moved** to authorize Terry Clemons to write a letter extending the period for completion of required improvements to May 30, 2008, and requesting the applicant to submit a design for replacing the street trees for review and approval by the Township by their first meeting in March. He is to indicate in the letter that if the applicant does not comply, the Township will draw from the applicant's Letter of Credit to accomplish the work. Chuck Halderman **seconded**; the motion **passed** unanimously. The Board also authorized Terry Clemons to obtain a copy of the PP&L easement for this subdivision.

Reed/Schnell Subdivision – Attorney Ed Wild, Benner and Wild, submitted a letter for Grant Reed requesting a one-year extension for completion of improvements on this subdivision. His current period expires in February 2008. Mr. Reed is exploring options relative to conservation of his property. He does not wish to complete the improvements until he knows if he can move forward with the conservation easement. Bob Wynn stated the improvements involved are on-lot improvements (stormwater facilities, etc.), not street or sidewalk improvements.

Rob Zisko **moved** to grant another one-year extension for completion of improvements on the Reed/Schnell Subdivision. Barbara Lindtner **seconded**; the motion **passed** unanimously.

Kristy A. Aller, an aquatic/wetlands biologist, Environmental Planning Consultants, a division of Environmental Liability Management, Inc., submitted a letter indicating her interest in being a member of the Open Space Committee. Rich Schilling indicated that a recent Resolution passed requires that appointments to the various committees must appear on a Board agenda for action. He requested that the Board defer action on her request until the February 12 meeting. Karen Bedics asked Rich to invite Kristy to attend that Board meeting. Rich will also explore whether she would be interested in serving on the EAC, or perhaps on both the Open Space Committee and the EAC because of her credentials.

Public Comments

Rose Strong – Rose suggested that the Township purchase a digital recorder for the recording secretary. Jim Brownlow deferred that decision to the Township Manager.

Supervisors Comments

Karen Bedics indicated some residents were interested in having a farmers' market in the Township, a number of whom were present at this meeting, including Tom Colbaugh and Lorraine Mineo. Rose Strong talked with the Springtown Fire Department about having such a market on their grounds and received a favorable response to the idea. A grant is available, but the deadline for submission for this grant is February 6.

Jim Brownlow asked what the Township's responsibility would be for the market. Rose said she thought that a 10% match might be required from the Township for a grant of \$10,000. Jim asked who would carry out the work related to organizing the farmers' market. Barbara Lindtner feels this is a great idea, but she pointed out that in order to write a grant, there needs to be an organization, bylaws, etc. There was a discussion between the Board and the interested residents covering issues such as liability insurance, donations to the Fire Company for use of their property, how to advertise such a market, what the grant might possibly cover, etc.

Rich requested a copy of the grant, which Rose Strong provided. After a cursory review, Rich volunteered to write the narrative and submit the grant application. However, someone will need to provide him with information relating to budget needs, etc. Lorraine Mineo said they were working with the Bucks County Food Shed Alliance, an organization that helped organize other farmers' markets. She offered to put Rich in touch with someone at that organization, and further noted that they wanted only a minimal grant amount the first year to permit them to advertise, etc. She asked if Rich could write the grant in generalities so they would not need to use the funds in a certain way. Rich said grant applications require very specific information relating to expenditure of the funds. If he submitted the application in generalities, they would probably deny it. Jim again expressed concern about organization for the project—who will sign up the farmers, organize the table set ups, authorize expenditure of funds, etc., etc. The residents felt the Bucks County Food Shed Alliance might be willing to help. Jim is still concerned about who the Food Alliance will be "helping." He does not feel it is appropriate for the Township to manage the farmers' market, although he does feel it is appropriate to help with submitting the grant application.

Karen Bedics **moved** to authorize Rich Schilling to work with the Bucks County Food Shed Alliance to write a grant application and to obtain more information about supporting a farmers' market. Barbara Lindtner **seconded**; the motion **passed** unanimously.

Karen commended the local emergency workers on their handling of the car accident on Richlandtown Pike at Pleasant View Road on Thursday, January 17. In addition to caring for the injured, they also were careful to ensure that when traffic began moving again, they permitted only one car at a time to descend the icy hill, thus preventing additional accidents.

Karen requested clarification about how a conservation easement applicant obtains a soil conservation plan. Terry Clemons said in the past, someone from the National Resource Conservation Service (NRCS) provided this service free of charge. However, the Board became aware in their Executive Session earlier that there is no one on staff at this time at NRCS to do the soil conservation plans, although having a soil conservation plan is a County requirement for any conservation easement they fund. Further describing what a Soil Plan actually is, Rob Zisko

said the plan generally outlines how products should be grown on a particular property to prevent soil erosion—strip farming, contour farming, etc. If there is a swale area, they recommend no plowing of the swale area, thus preventing erosion.. The plan can also suggest such things as elimination of invasive plant species. Currently, applicants would need to hire someone outside of the NRCS to prepare the plan and pay that individual for the plans. Terry Clemons feels that the NRCS will ultimately hire someone to resume doing the plans.

Chuck Halderman questioned whether the Board should consider having enough copies made of the new Zoning Ordinance to mail to Township residents to enable them to better understand the requirements of the Ordinance. Rich Schilling told Chuck the entire Zoning Ordinance is available on the Township website.

Barbara Lindtner asked if there were applicants for the Parks & Recreation Committee other than the one Karen gave her. She asked if the Township could advertise for additional applicants. Rich Schilling noted that a Park & Recreation plan, prepared by a specialized consultant obtained through an RFP, is required before a developer can be charged a recreation fee. Construction of the plan will probably cost between \$15,000 and \$24,000. A grant is also possible, but is a long, tedious process. Rich pointed out that there is no money in this year's budget to fund producing a Parks & Recreation Plan. Although the County typically sets aside some money for each township for recreation, they will not give that money out unless the township has a Parks & Recreation Plan. Jim Brownlow questioned why the Board was discussing this when the Planning Commission was tasked with researching the Parks & Recreation issue. Barbara indicated she stated at the last Board meeting that this needed to be put "on the fast track." This topic was low on the list of items tasked to the Planning Commission and they will probably not get to it for several years. For this reason, she would like to see a baseline Parks & Recreation Plan put in place to enable the Planning Commission to charge Recreation fees to developers before a full plan is in place. Jim asked if the Planning Commission was returning this project to the Board. Barbara said they still want to work on this, but she does not feel they can get to it soon enough. If a Steering Committee or working group interested in the project could do the preliminary work to gather information, it would be very helpful.

Rob Zisko **moved** to authorize the Township Manager to advertise for five applicants for the Parks & Recreation Steering Committee. Barbara Lindtner **seconded**; the motion **passed** unanimously. This committee will gather information for the Planning Commission who will in turn report to the Board of Supervisors. There was discussion about how to collect funds from developers in the meantime. Terry Clemons said that Warwick Township requests the value of a developable acre of land. Wrightstown Township stipulates that if the developer does not contribute land, they must contribute a fee. Rich Schilling suggested that Terry discuss the options for obtaining money from developers prior to having a Parks & Recreation plan further with the Planning Commission.

To comply with the Second Class Township Code, Rob Zisko submitted a letter to the Board requesting that be able to participate in the Township's health insurance plan at his own expense. Jim Brownlow **moved** to approve Rob Zisko's request to be added to the Springfield Township's health care plan. Karen Bedics **seconded** the motion. Voting **Yes**: Karen Bedics, Jim Brownlow, Chuck Halderman, Barbara Lindtner. **Abstaining**: Rob Zisko. The motion **carried**.

Jim Brownlow reminded the residents to attend the important meeting scheduled with PP&L on February 19 at the Springtown Fire Department regarding the proposed power station in Springfield Township. Rich Schilling will work with Rose Strong to develop a press release for the meeting and will also advertise it in the Penny Power.

Adjournment

At 9:30 p.m., Rob Zisko **moved** to adjourn the meeting. Karen Bedics **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt
Secretary/Treasurer

Next meeting: February 12, 2008
Approved: February 12, 2008