

**SPRINGFIELD TOWNSHIP, BUCKS COUNTY
BOARD OF SUPERVISORS MEETING
OCTOBER 11, 2005
SPRINGTOWN FIRE COMPANY
SOCIAL HALL**

The meeting was called to order at 7:30 p.m. by Chairman Rod Wieder with the Pledge of Allegiance. Members present were Vice Chairman Pete Lamana, Chuck Halderman, Rob Zisko and Jim Brownlow. Solicitor Jim McNamara was present.

Rod Wider announced this meeting is a regular township meeting. Rob requested that residents hold comment about the water system until it comes up on the agenda. The Board of Supervisors has an obligation to look at all options. Despite false rumors, the members would never do anything to jeopardize the drinking water or jeopardize Cooks Creek.

MINUTES OF SEPTEMBER 27, 2005

Pete Lamana moved to approve the minutes as presented. Second by Rob Zisko. Vote was unanimous.

BILLS FOR APPROVAL

The Treasurer presented a bills list for the period from September 27 through October 7, 2005 showing payments of \$58,645.03. Rob Zisko moved to approve the bills as presented for the period September 27, 2005 through October 7, 2005. Second by Jim Brownlow. Vote was unanimous.

REPORTS

Road Department and Code Enforcement Officer reports are posted at the township building.

Police Report – Chief Huber reported a total of 108 calls during the month of September. There were 4 traffic accidents involving 7 vehicles. There were 8 traffic arrests and 2 traffic warnings.

Trick or Treat night for the township is October 31st, Halloween. The hours are between 6 p.m. and 8 pm. Police will patrol in higher density housing areas. If parents are not going out with their children make sure a teen age sibling or other adult is with them. Check all candy when the children return home. Costume with eye holes should be checked to be sure there is adequate room for the child to see where he/she is going. Also, reflective gear on the costume is a good precaution. Talk to the children about talking to strangers. Be sure to have a flashlight for additional safety if walking on the sidewalk or alongside the road. Chief Huber wished everyone a safe holiday.

PUBLIC COMMENT AGENDA ITEMS

Dennis Steskal - reminded the supervisors we are not just talking about the water system, we are talking about the water franchise.

Ken Simmons – Asked to make a presentation at the September 27, 2005 meeting on behalf of the citizens of Springtown. Ken thanked the supervisors for continuing the dialog. Ken encouraged the supervisors to create an ad hoc committee to look at alternate ways to improve the system. During the past few months, Ken has met many people with special talents who are willing to help. He awaits the thoughts of the supervisors concerning this important matter.

Carol Mease – reminded the supervisors that on April 12, 2005 a petition containing 191 names of residents was presented to the Board. The signors of the petition requested that the water system not be sold. The vast majority of the names on the list were water users. Carol believes the water system needs to be in the control of the local elected officials.

Hans Reimann – agrees with Dennis Steskal’s comments. This decision involves everyone because of the water rights. Wholesale rights could drain the aquifer and send water to Doylestown.

Rod Wieder responded the water system is not for sale it was an option.

PUBLIC HEARING
**ORDINANCE #131 CREATING THE OFFICE OF SPRINGFIELD TOWNSHIP MANAGER,
PROVIDING FOR THE APPOINTMENT, REMOVAL, AND QUALIFICATIONS OF SAID
OFFICE; FIXING THE AMOUNG OF BOND AND METHOD OF COMPENSATING SUCH
OFFICER; ESTABLISHING THE POWERS AND DUTIES OF SAID OFFICER; BY AMENDING
THE CODE OF THE TOWNSHIP OF SPRINGFIELD TO ADD A CHAPTER – TOWNSHIP
MANAGER**

Solicitor Jim McNamara explained the position of Township Manager was created by Ordinance in 2002. The consultant who is working with the township to hire a township manager has redrafted the ordinance to more specifically detail the duties of the position.

The Ordinance was duly advertised in the Morning Call for action at the meeting this evening.

Solicitor McNamara presented some of the high-lights of the Ordinance:

The Manager shall be appointed by a majority vote of the Board of Supervisors. The Manager shall serve at the pleasure of the Board and may be removed with or without cause at any time by a majority vote of said Board of Supervisors.

The Manager shall be chosen on the basis of his/her educational accomplishments, executive, budgetary and administrative abilities, and experience with particular reference to the duties of his/her office as hereinafter outlined.

Before entering upon his/her duties and continuously thereafter, the Manager shall provide a bond to the township with a bonding company, as surety, to be approved by the Board of Supervisors, in the sum of \$50,000, conditioned upon the faithful performance of his/her duties. The premium for said bond will be paid by the township from the general fund.

The Manager shall be the chief administrative officer of the township, and he/she shall be responsible to the Board as a whole for the proper and efficient administration of the affairs of the township. The powers and duties of administration of all township business shall be vested in the Manager, unless imposed or conferred by statute upon other township officers.

Jim McNamara reviewed the duties.

The Solicitor asked if there was any public comment. Hans Reimann asked if it was true the manager serves at the will of the Board. Jim McNamara responded according to Commonwealth law that is true.

Jim Brownlow moved to adopt Ordinance 131. Second by Pete Lamana. Vote was unanimous.

PLANNING

Sienicki Subdivision Major Subdivision – Jim Brownlow stated the planning commission at their meeting on October 5th recommended final approval to the subdivision is located on Mink Road and consists of two ten acre parcels and one eight acre. The recommendation for approval was based upon completion of the outstanding items listed in the Wynn Associates engineering review dated September 26th and a note being placed on the record plan. The note must indicate that Lot 3 shall access Mink Road via the existing twenty-five feet wide access easement shown on the east side of the lot. Jim stated the last request for the note on the plan was contentious.

Jim Brownlow moved to grant Final approval for the Sienicki Subdivision conditioned upon the outstanding items listed in Wynn Associates review letter dated September 26, 2005 being completed and a note placed on the plan indicating Lot 3 shall access Mink Road via the existing twenty-five feet wide access easement shown on the east side of the lot. Pete Lamana second.

Discussion: Attorney Robert Moffett, representing Mr. Sienicki stated the applicant and engineer, Scott Mease, contend that this condition was not part of the Preliminary Plan approval in August. They believe it is contrary to other applications before the township. Shared driveways are an option. However they are concerned that restricting Lot 3 in perpetuity will prevent the possibility of constructing a driveway in the future.

Jim McNamara stated he reviewed the situation with the Chairman of the Planning Commission prior to the meeting. The requirement for the shared driveway must be shown on the plan. When the applicant says he won't accept the condition, he has fifteen days to supply information and 30 days to appeal the restriction. Jim McNamara does not believe the applicant wants to be bound in perpetuity to the shared driveway.

Scott Mease stated this is a 28 acre parcel being divided into three lots 10-10- and 8. Lot 3 is 10 acres. Mr. Sienicki agreed to restrict the subdivision to just three lots. The property is located in the RP Zoning District, 3 acre minimum. This lot has 200 feet of road frontage. They are agreeable to the shared driveway; however they disagree with a note on the plan to say this has to be. At some point they may want to construct their own driveway. There was no talk of a note at preliminary plan state.

Chuck Halderman doesn't see what the problem is sharing a driveway. Scott Mease stated they believe a situation could arise where the owner of the lot may want to put their own driveway in.

Jim Brownlow stated everyone walked out of the planning commission meeting under the impression that the shared driveway would be the only access to Lot #3. Jim continued there would be 4 driveways for 3 lots. This issue took 45 minutes of discussion at the planning commission meeting.

Chairman Wieder called for the Vote. Vote was 4 –YES. Rob Zisko abstained.

Jim Brownlow reported the planning commission has received a Mini Open Space Plan from Lower Saucon Township. They have to November 7th to respond. They will get something back to the Supervisors of Lower Saucon.

OLD BUSINESS

Bucks County Water & Sewer Authority Operations Agreement Renewal - Jim Brownlow moved to approve renewal of the Operations and Maintenance Agreement with Bucks County Water & Sewer Authority for one year at the same terms as the contract for 2005. Second by Rob Zisko.

Discussion:

Chuck Halderman asked Solicitor McNamara if the Operations & Maintenance Agreement covers repairs or just water treatment. Jim McNamara replied it does not cover repairs. Chuck asked the Solicitor if the Township could do our own digging and repairs. The Solicitor asked where Chuck was going with his question. Chuck replied we will have a new Solicitor next year. He has issues with Mr. McNamara. Pete Lamana told Chuck he is out of order to talk to the Solicitor in that manner. The Solicitor replied that is his understanding from the contract. Vote was unanimous.

Chief Robert Cressman, Springtown Fire Company – Reflecting House Numbers – Chief Cressman reported the fire company has sold 50 of the reflecting house numbers since the meeting on September 27, 2005. He explained the fire company was out earlier this evening to distribute free smoke detectors that they received from the county. He explained how difficult it is to locate people in an emergency situation. When an emergency call is dispatched, they fire company or ambulance is given a house number, not a name. At one time, the fire company knew who lived where. However, with the influx of more people over the past few years, this is no longer true. He strongly encouraged residents to purchase the reflective house numbers. They make it east to locate a property in the event of an emergency. To purchase a reflecting house number, please contact a fireman or call the fire house at 610-346-8383 and leave a message on the answering machine. The cost is \$10.00.

Springtown Water System – Jim Brownlow stated at the meeting on September 27th, the supervisors listened to a lot of presentations and comments. There were many good ideas presented. Several alternatives were presented as to what should be done with the water system. The majority centered around a committee to study all issues. A second suggestion was to put the question on the ballot and a third, ask the planning commission to review the situation. Jim thanked everyone who commented publicly and privately.

Jim Brownlow moved that the Board of Supervisors permit the organization of an ad hoc committee to study any and all proposals specifically designed to solve the problems associated with up-dating the Springtown water system and that the committee be limited in number of no less than five and no more than seven members and that the committee meet on a regular basis until it is ready to recommend to the Board of Supervisors a viable solution to the problem. Second by Pete Lamana.

Discussion:

Rob Zisko believes it is a good idea to form an ad hoc committee to look at the Springtown Water System.

Chuck Halderman feels it is a good start to form a committee of 5 to 7 people. A couple of other townships have expressed interest in being involved. Chuck doesn't believe a committee of this size can address the scope of the water system. The supervisors should consider everything involved and use the help offered by other townships.

Vote was unanimous to form the committee.

Pete Lamana read a prepared statement discussing the four options: (1) not to sell the system to the Bucks County Water and Sewer Authority. (2) place a question in the form of a referendum on the November ballot, (3) give the planning commission an opportunity to study the matter as it relates to future

development and(4) organize an ad hoc committee to suggest what should be done based on any one acceptable proposal.

After serious consideration, it was suggested the Board meet with the users of the system and give them an opportunity to give input, resulting in the meeting held two weeks ago.

Pete stated at the September 20th meeting 51 individuals spoke. Eleven mentioned formation of an ad hoc committee. He moved that the following individuals be appointed to serve on an ad hoc committee. If any one declines to serve or resigns, the replacement shall be named by the Board of Supervisors.

Ted Koven – Ted is a resident of Springtown and a water user. He is a principal owner of Castle Valley Consultants.

Jeff Mease – Jeff is the liaison for the Board in its relationship with the Bucks County Water & Sewer Authority.

Jim Brownlow – Jim is Chairman of the Planning Commission and Chairman of the zoning ordinance steering committee. He is also a member of the Board of Supervisors. Because of his proven leadership abilities, I include in my motion that Jim be given the assignment of Chairman of the ad hoc committee.

Ken Simmons – Ken has been active in the movement to save the water system as a local endeavor.

Dennis Steskal – Over the past several years Dennis has been a strong advocate for preserving the water system.

Richard Cernok – Richard is Chairman of the Zoning Hearing Board and a registered plumber and teacher at the Lehigh Valley Community College.

Chris Hershey – User of the water system. Chris worked on the system.
Second by Rob Zisko.

Discussion:

Chuck Halderman does not agree with the appointments. Chuck believes the committee should be larger and have more users represented.

Rob Zisko believes the list is fair. The committee will look out for the interests of the users. The steering committee meetings will be open. Any resident of the township can attend.

Rod Wieder stated the Supervisors have not set a time limit for the committee to report back. They did not want to pressure for a recommendation. He wants the residents to remember the Supervisors are ultimately responsible for the health, safety and welfare of the people. The Board has to retain control. The Township will turn over any information they have to the Committee. Rod believes the people appointed to serve on the committee are good people. It is a good cross section with specific skills that are necessary to prepare the report.

Chairman Wieder called for the vote; 4 YES, Chuck Halderman voted NO.

Ken Simmons approached the Supervisors with a list of 11 names. The people on Ken's list bring all kinds of talent. Ken has a gentleman who is willing to volunteer his time who runs a small water system in upstate New York.

Pete Lamana hopes the committee will call on qualified people to assist.

Liz Krukshank Durham Township EAC, is concerned that the townships that offered assistance are not part of the committee.

Jim Brownlow stated residents who attend planning commission meetings and the re-write of the zoning ordinance know he runs an open meeting. That will happen going forward. Committees made up of 11-15-21 members are not realistic. Issues or points of view will have an opportunity to be presented. The reality of the situation is that the issue has grown from leaking pipes to a water shed issue. The committee will look at all issues and keep the water system operating for the users. The meetings will be advertised and at the end of the day all comments will be incorporated into the recommendations to the Board of Supervisors.

Chuck Halderman feels the motion does not reflect the watershed. Bartley Millette, Supervisor from Durham Township and Scott Douglas should be part of the committee.

Scott Douglas thanked the Supervisors for forming the committee. He stated he requested an opportunity to give a presentation on the science of the watershed this evening. However, he was not placed on the agenda. Scott discussed how the issues of the water system and the watershed are related in his opinion. Scott would like to give the presentation to the Supervisors at a later date.

Stefani Campbell knows Jim Brownlow runs a good meeting. However she is concerned about his appointment to the committee. Stefani believes Scott, as Chairman of the EAC should be a member of the committee.

Rob Zisko agrees that the watershed is important, however, the real issue before the Supervisors is how do we fix the Springtown Water system and not expand the system past the 237 users?

Rod Wieder stated you can't satisfy everyone. Rod feels the committee is a good start. Ultimately the decision will come down to the Board.

Jim Hopkins addressed the question of placing the water system as a referendum on the ballot. Jim stated this type of issue cannot be placed on a referendum by law. Jim McNamara agreed with Jim.

Authorize the Solicitor to Advertise the Cable TV Customer Service Ordinance – Pete Lamana moved to authorize the advertising. Second by Rob Zisko. Vote was unanimous.

Rod Wieder thanked Ken Simmons and Jim King for their hard work on behalf of the residents of the township working towards a contract with Service Electric Cable TV.

NEW BUSINESS

The Township Manager certified the Minimum Municipal Obligation numbers for the Police and Non Uniform Pension Plans to the Board. For the year 2006, the obligation for the Police Pension Plan is \$20,627 with an additional \$9,050 in contributions by the police officers. Since this includes only three police officers, when we hire the fourth officer, the obligation will increase. The obligation for the Non Uniform Plan is \$25,964.

Reschedule the November 8th meeting. The Board agreed to reschedule the meeting to November 22nd, pending confirmation that any planning items approved can wait until that date. The meeting will be advertised and posted on the web site.

Budget Meeting October 25, 2005 – The budget meeting will be held following a regularly scheduled Supervisors meeting on Tuesday October 25th at 7:30 at the Township Building meeting room.

PUBLIC COMMENT

Dr. Tesla-Berry stated she lives on the corner of Route 212 and Pleasant View Road. She recently had her property surveyed and the results show that the road infringes on her property by 125 feet. The Township Engineer will be notified and will schedule a meeting to review the situation.

Hans Reimann agrees with Stefani Campbell about Jim Brownlow chairing meetings. He has been very generous allowing input in the zoning rewrite meetings.

Jim Brownlow will poll members of the ad hoc committee to determine which day and time will work for the members. The organizational meeting will be posted on the web site. Jim will attempt to keep the meetings to the same schedule. The first meeting will be held at the Township building.

Sue Carver suggested placing flares on Route 412 entering Springtown to slow the traffic down for Trick or Treat Night.

SUPERVISORS COMMENTS

Chuck Halderman apologized to the Supervisors and residents for his comments about the Solicitor. He has issues with Mr. McNamara. The ad hoc committee is what the residents want. Chuck is glad the Board showed sensitivity to the residents.

Pete Lamana feels we have a good start with an ad hoc committee. Ken Simmons has done a wonderful job. Pete believes Dennis will do very well. What the people wanted, the supervisors gave them.

CORRESPONDENCE

Rod Wieder acknowledged letters from Carol Dorey and David and Jeannine Ludwig regarding the water system in Springtown.

ADJOURNMENT

Pete Lamana moved to adjourn the meeting at 9:00 p.m. Second by Rob Zisko. Vote was unanimous.

Respectfully Submitted

Barbara A. Smith
Secretary

