

Board of Supervisors

MINUTES

October 25, 2011

Supervisors Present: Karen Bedics, Barbara Lindtner, Volker Oakey and Rob Zisko **Absent:** Dave Long
Also present: Terry Clemons, Solicitor (left at 8:45 p.m.); Sandy Everitt, Township Secretary/Treasurer; Officer Mike McDonald; Rich Pursell, Road Master; Rich Schilling, Township Manager and Bob Wynn, Township Engineer (left at 8:00 p.m.).

Barbara Lindtner, Chairperson, called the meeting to order at 7:30 p.m. and opened with the Pledge of Allegiance.

Approval of Minutes

Rob Zisko **moved** to adopt the October 11 minutes as amended. Karen Bedics **seconded**; the motion **passed** unanimously.

Bills for Approval

Karen Bedics **moved** to approve the following bills paid from October 8 – 21, 2011:

| | | | |
|-----------------|--------------|-------------------------|-------------|
| 1. General Fund | \$240,951.46 | 4. Special Fees Fund | \$ 120.00 |
| 2. Liquid Fuels | \$ 461.65 | 5. Subdivision & Escrow | \$ 3,960.60 |
| 3. Open Space | \$ 23,266.55 | | |

Volker Oakey **seconded**; the motion **passed** unanimously.

Public Comments on Agenda Items – None

Bill Ryker (Ebert Road) – Mr. Ryker requested to be placed on this agenda and expressed his disappointment at not being placed on the agenda for this meeting. He continues to feel that the drainage issue on Nemeth, Giffert and Ebert Roads deserves the attention of the Board. The residents have requested records of both Springfield and Upper Saucon Township properties they feel are contributing to the stormwater drainage problems. Barbara Lindtner explained this was not an agenda item because she felt resident research on the problem was ongoing, and until that process was complete, there was no purpose for it to be an agenda item. Rich Schilling clarified that the residents October 3, 2011, letter requesting a discussion at this meeting was on the agenda as an item of correspondence. Mr. Ryker will attend the Upper Saucon Township Supervisors meeting on November 7 at 6 p.m. Rich Schilling provided Mr. Ryker with a copy of the October 4, 2011, zoning enforcement notice issued by Upper Saucon to a property owner potentially contributing to the stormwater drainage problem he and other Springfield Township residents are experiencing.

Governmental Matters – PSATS Township Legal Defense Partnership (for Board review)

Planning Matters

1. Adler Land Development – Clay Ave/Route 309 - Rob Zisko **moved** to accept the completion of improvements and commencement of the 18-month maintenance period, thus reducing the Letter of Credit to \$20,100.47. Karen Bedics **seconded**; the motion **passed** unanimously.

2. Thornwood Quarry LLC – The Township received a letter dated September 29, 2011, from Benner and Wild, the applicant's attorney. William Benner, Esquire, presented for the applicant Ray Hermo, who was also present. This 3-lot subdivision was given final, conditional approved by the Board in 2006 with a condition of approval requiring that financial security be established to cover stormwater and other improvements on all three lots before the plan could be recorded. The applicant is requesting modification of condition 11 regarding the amount of financial security required from him, He would like the financial security he must establish lowered from \$49,000 to the reduced amount of \$22,000. The applicant is requesting that financial security for improvements on lots 2 and 3 be deferred and made a condition of building permits when lots 2 and 3 are sold. They are willing to place a note on

the plan indicating no improvements can be made to lots 2 or 3 without the establishment of a suitable financial security agreement. The Declaration of Restrictions, Covenants and Conditions would incorporate the same provision. Barbara Lindtner **moved** to defer financial security for stormwater management and other conditions for lots 2 and 3, thus reducing the financial security for Mr. Hermo to approximately \$22,000 (amount to be confirmed by Bob Wynn). The plan will be revised to reflect the remaining conditions in Bob Wynn's September 19, 2011, review letter, with the exception of comment 2 regarding financial security, which is revised as noted. Rob Zisko **seconded**; the motion **passed** unanimously. Terry Clemons will prepare a letter regarding the revisions granted and indicating what the note on the plan should state as well as how the condition should be written in the Declaration.

Old Business

1. Draft Ordinance from Springtown Water Authority – Terry Clemons advised the Board that the draft ordinance was revised to place the responsibility for enforcing the provisions in the ordinance on the Water Authority rather than on the Township. Rich Schilling obtained a copy of the Water Authority's Resolution 07-03 and provided a copy to the Board. Rich checked with the Township's inspection agency and they had no objections to the construction standards contained within the Water Authority's Resolution. Volker Oakey expressed reservation about Section 5, Item B, in the Authority's Resolution, which permits fines of up to \$1,000 per day. Terry Clemons indicated this was a maximum fine, which is rarely imposed. Volker Oakey **moved** to authorize advertisement of the draft ordinance adopting Springtown Water Authority's Resolution #07-03, which establishes specifications for water system construction standards. Karen Bedics **seconded**; the motion **passed** unanimously.

2. 2012 Budget – Discussion was deferred until after "New Business."

Report on October 19 PPL/PUC Review – The Commonwealth *En Banc* Court re-argued the PUC's decision of the PPL transmission route decision on October 19. Terry said one of the judges had reservations about the failure of PPL to address in the planning stage the environment issues associated with both routes under review. Scott Rubin, the Township's legal attorney for the PPL case, pointed out that there are specific regulations that implement provisions of the PA Constitution concerning protection of environmental resources that require consideration of alternatives that will minimize the environment impact of a project. Terry's opinion was that the judges had strong reservations about whether this review had occurred in the selection of the ultimate route by PPL. Other concerns expressed by the judges were social consequences, cost, etc. Scott Rubin reminded the judges that the Township presented evidence on cost, which showed the alternative route would have been less costly. The judges discussed what could happen if they reversed the PUC decision and it was established that PPL should have selected the alternate route. Specifically, would the residents of that route raise objections to PPL's use of the Route 309 alternative. Terry feels that if PPL had sent notices to residents of both routes at the beginning instead of just to residents along the "preferred" route, everyone would have had an early opportunity to give their input.

Pete Jones asked what the range of decisions were that the *En Banc* panel could make. Terry said they are:

- 1) The decision of the PUC could be reversed, and approval for the current "preferred" line would be overturned,
- 2) Because the judges do not think sufficient attention was given to the matters that were raised by Springfield Township in its brief; in particular, the environmental issues, they could remand the decision back to the Administrative Law Judge and require that these matters receive proper consideration, or
- 3) They could affirm the original decision of the PUC.

New Business

1. Authorization to Sell 2000 Ford Crown Victoria Police Vehicle – Rich requested permission to sell this police vehicle for junk. The interior is covered by mold because the vehicle was stored in the police garage with a bad roof leak (since repaired). Rob Zisko **moved** to authorize Rich Schilling to sell the 2000 Ford Crown Victoria police vehicle for junk. Karen Bedics **seconded**; the motion **passed** unanimously.

2. Springtown Fire Department Request – The Springtown Fire Department requested that the Township donate to them the shed and the freezer utilized by the farm market while it was functioning. Rob Zisko moved to donate the shed and the freezer to the Springtown Fire Company. Barbara Lindtner **seconded**; the motion **passed** unanimously.

3. Authorization to advertise lease of Township property on Peppermint Road – The current lease on the Peppermint Road property expires at the end of 2011. Paul Longacre, the current lessee, has requested a renewal. However, Rich Schilling feels in fairness to others, the lease should be advertised in the Penny Power. Karen Bedics **moved** to authorize advertising the lease for the Peppermint Road property for a three-year renewal period. The Board asked Rich to review the contract to be certain it contains a clause that permits the Township to rescind the lease if the property is required for another use by the Township. Rob Zisko **seconded**; the motion **passed** unanimously.

Old Business (continued)

2. 2012 Budget – Barbara Lindtner suggested that the Board discuss police, public works and revenue at this meeting. Because Officer Mike McDonald and Rich Pursell, Road Master, were present, Barbara suggested their department issues be discussed first. Barbara pointed out that the next budget meeting will be November 9 (Wednesday), because the Municipal Building is a polling place for the General Election on November 8, the regular meeting day.

- **Police Department**

- A. Vehicles** (currently 5 vehicles)

- 1) Authorization was given earlier in this meeting to sell the 2000 Ford Crown Victoria for scrap. Police would like to keep the 2007 Dodge Durango and the 2004 Ford Expedition, unmark the 2003 Ford Crown Victoria and transition it for use by the Township administration (zoning, etc.), sell the 2003 Ford Crown Victoria and purchase a 2012 Chevrolet Tahoe SSV at an estimated cost of \$31,000 with approximate up-fitting costs of \$8,400 for a total of \$39,400. The Tahoe comes with a 5-year, 100,000-mile, transferable warranty. Mike checked leasing costs and they are comparable to the cost for purchasing the vehicle. Mike presented preliminary financing costs ranging from a 3-year loan at \$1,195 a month to a 5-year loan at \$758 a month (includes cost of up-fitting vehicle), both at a 5.75% interest rate. Rich Schilling will check for lower interest rates through QNB and other sources. Mike said the federal government has a program to purchase police vehicles, but there is no option to finance. Because these vehicles can come in several thousand dollars less, a suggestion was made to get a loan locally and then purchase a vehicle from the federal government. It was the consensus of the Board that the 2012 Tahoe was an acceptable purchase.

Rich is investigating funding options for other police needs with Pat Toomey's office. He also spoke with the Bucks County Commissioners. They are considering floating a low interest bond for various County organizations to purchase the new radios required for 2013. Radios are the only items that can be purchased through this Bond.

From 8:45 to 9:00 p.m., the Board went into Executive Session to discuss a budget-related personnel issue.

B. Officer-in-Charge (Budget category 410.12) – Barbara Lindtner, speaking for the five members of the Board, commended Mike for his leadership. Karen Bedics **moved** to officially appoint Mike McDonald as Officer-in-Charge of the Springfield Township Police Department. Rob Zisko **seconded**; the motion **passed** unanimously. The Township Manager will work with Mike to determine the wage increase for his new responsibilities and make a recommendation to the Board at the November 9 meeting.

- **Public Works**

Rich Pursell submitted a memo to the Board outlining his requests for the 2012 budget.

A. Hiring another full-time road worker – Rich Pursell outlined the need for an additional full-time road department employee. Primarily, the need is a safety issue, both for the road department employees and for commuters on township roads. Rich has a part-time individual who is mechanically inclined, has a CDL license and is interested in full-time employment. The Board tabled discussion on the decision to authorize a fourth full-time employee at a starting salary of \$20 an hour until the November 9 meeting when all supervisors are present. Rich Pursell said the budget for part-time workers can be decreased from \$29,500 to \$18,000 if a full-time worker is hired.

B. Seal Coating – Significant road seal coating has not occurred since 2009 and is critical to maintaining previously paved roads. Rich requested \$120,000 for seal coating roads in 2012. Roads identified for potential seal coating were Drifting Drive, Church and Peppermint Roads and Hickory Lane. There was Board consensus that seal coating be included in the 2012 Liquid Fuels budget.

C. Purchase of 2002 Single-Axle Dump Truck – It was the consensus of the Board to authorize Rich Pursell to purchase from Liquid Fuels funds the 2002 Single-Axle Dump Truck from another municipality when it becomes available in 2012. It will replace the 1987 GMC truck that has bad frame rust, The 1987 GMC truck will be offered for bid sale on Municibid.

Barbara Lindtner commended Rich Pursell and his crew for operating the Road Department so effectively.

Sandy Everitt, Rich Schilling and Rich Pursell will meet to prepare both the Liquid Fuels and General Fund Road Department draft budgets.

Revenue Discussion – Revenue discussion items:

1. Based on EIT income to date, the Board authorized the EIT revenue figure (310.20) for 2012 be increased to \$720,000.
2. Real estate transfer tax (310.10) was decreased from \$73,500 to \$70,000.
3. Permits (361.30) were increased from \$50,000 to \$60,000.
4. Insurance Refunds (389.00) was increased from \$9,000 to \$13,000.
5. Act 537 Reimbursement (393.12) was increased from no revenue to \$30,000 based upon confirmation from DEP or a legislator that we will receive reimbursement in 2012. Senator Mensch's office is attempting to confirm this with DEP.
6. Discussion of an adequate figure for the reserve fund balance will take place at the November 9 meeting.
7. UBREMS request for an increase in their donation to \$40,000 will not be discussed until the final draft budget is reviewed.
8. Employee increases will not be considered until the final budget figures are available.
9. Rich Schilling will meet with Rich Pursell to determine if any other dirt roads qualify for resurfacing under the dirt road grant funding. Barbara Lindtner asked Rich Pursell to provide an estimate of maintenance costs for this type of road.

Public Comments – None

Supervisors Comments

Karen Bedics reminded everyone to vote on November 8.

Volker Oakey is hopeful that the Pennsylvania legislature will agree to an impact fee for the Marcellus Shale drilling operators.

Barbara Lindtner will be working with the Township to set up a meeting with the 70 Parks & Recreation volunteers. This will take place after volunteer slips are no longer received for a one-week period.

Adjournment

At 10:25 p.m., Rob Zisko **moved** to adjourn the meeting. Barbara Lindtner **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt
Township Secretary/Treasurer

Next meeting: November 9, 2011

Approved: November 9, 2011