

**SPRINGFIELD TOWNSHIP BUCKS COUNTY
BOARD OF SUPERVISORS MEETING
DECEMBER 13, 2005**

The meeting was called to order at 7:40 p.m. by Chairman Rod Wieder. Rod explained he was loosing his voice and asked if the Board would agree to allow Vice Chairman Pete Lamana to conduct the meeting.

MINUTES OF 11/22/05

Jim Brownlow moved to approve the minutes as presented. Seconded by Chuck Halderman. Vote was unanimous.

BILLS FOR APPROVAL

The Treasurer presented a bills list showing payments of \$57,852.92 from the General Fund for the period November 21 through December 12, 2005. Rob Zisko moved to approve the Bills for November 21 through December 12, 2005. Seconded by Rod Wieder. Vote was unanimous.

REPORTS

The Road Department and Code Enforcement Department reports are posted on the bulletin board.

Police Report – Chief Scott Huber reported a total of 104 incidents for the month of November. There were 9 traffic accidents involving 15 vehicles resulting in three injuries.

Chief Huber thanked the Board of Supervisors for their support and confidence in him by appointing him Chief. He wishes everyone a Happy Holiday Season.

Solicitor's Report – Jim McNamara reported he does not have a formal report this month. The report he prepared for last month was quite extensive.

PUBLIC COMMENT AGENDA ITEMS

Bob Bell asked about the carry-over number. He noted this is not listed on the budget. Pete Lamana asked if Mr. Bell will wait until the Budget comes up on the Agenda to get an answer to his question.

PLANNING MATTERS

Reed Lane Subdivision – Jim Brownlow stated this is a 19.13 acres parcel located in the Resource Protection Zoning District and is proposed to be subdivided into three single family lots. The Planning Commission unanimously recommended final plan approval subject t completion of subject to completion of all outstanding items contained in the November 3, 2005 engineering review. Jim Brownlow so moved. Seconded by Chuck

Halderman. Rob Zisko asked if they will be paving the Road. Jim Brownlow replied the improvements will be consistent with what was required on Winding Road. Vote was unanimous.

OLD BUSINESS

Penn Meadows Subdivision – Request to begin 18 month maintenance period.

Jim McNamara reminded the Supervisors this matter was tabled at the November 22, 2005 meeting to give him an opportunity to review the status of the dedication of the road and to be sure everything was in order.

Jim McNamara explained the Board must adopt a Resolution to take the dedication of a portion of Allison Road which is filed with the Clerk of Courts. Also, the developer must deposit financial security of \$70,139.44 in a form acceptable to the Township prior to the Township releasing the balance of escrow funds held for the completion of improvements associated with the approved subdivision plan and Development/Financial Security Agreement. As soon as the Road Dedication is recorded the Township should complete the necessary paperwork to add the portion road to the Liquid Fuels Map.

Rob Zisko moved to approve Resolution 2005-011 which reads: the Board of Supervisors of Springfield Township hereby accept from Cherry Road Real Estate Associates, Inc. a Deed for a new portion of a roadway being an extension of Allison Road as more particularly described in a Description of Road Right-Of-Way Allison Road & Open Space, Penn Meadows Subdivision, prepared by Robert Richard Kressler, P.L.S. consisting of approximately 1.725 acres. Second by Chuck Halderman. Vote was unanimous.

Rob Zisko moved to accept the deed of dedication and begin the 18 month maintenance period. Second by Rod Wieder. Vote was unanimous.

Walentine Subdivision – Letter dated November 21, 2005 from Robert Wynn.

Mr. & Mrs. Walentine desire to defer improvements required pursuant to the Development/Financial Security Agreement at this time, as they have no immediate plans to sell or develop the property. Improvements required pursuant to the plan and agreement includes installation of the driveway, property monumentation, and an infiltration trench. Installation of the improvements is guaranteed via an Escrow account with Wachovia Bank.

Mr. Wynn stated he has no objection to the request provided an appropriate covenant is recorded at the Bucks County Courthouse in a manner satisfactory to the Township Solicitor to advise any future property owner of Lot 2 of their obligation regarding improvements not installed at this time.

Jim McNamara is not happy to release the escrow funds and defer until building permits are submitted to the township for Lot 2. The MPC require that improvements be completed or financial security be posted prior to plan recording.

Jim Brownlow has difficulty with releasing these funds. This would require the township to police the subdivision requirements. Jim continued here we are talking about one lot, what if it was 30. This is a decision we have to consider carefully.

Jim McNamara is not in favor of establishing a policy to allow return of already posted escrow funds. Chuck Halderman agrees we have no way to manage this.

Rod Wieder moved to deny the request. Jim Brownlow seconded. Vote was unanimous.

2006 Budget – Pete Lamana stated the proposed budget has been available at the township office and is posted on the web site. The Treasurer stated there is an expected carry over of between \$450,000 and \$475,000 at the end of 2005.

Rob Zisko moved to adopt the proposed 2006 budget as prepared. Second by Rod Wieder. Jim Brownlow stated the budget proposes a one mill increase and is a balanced budget. Vote was unanimous.

Pete Lamana moved to retain Barbara Smith as Part Time Treasurer at 30 hours per week until June 1, 2005 or as long as necessary beginning with the appointment of the Township Manager. Position of Township Secretary to be advertised to coincide with the appointment of the Township Treasurer. Second by Rod Wieder. Vote was unanimous.

Jim Brownlow stated Barbara has been a key person in the township for a number of years. The appointment of Township Manager has not been finalized. We hope this will be completed in the near future.

Jim Brownlow moved to award Barbara Smith \$1,000. bonus to recognize her service to the Township. Second by Pete Lamana. Vote was unanimous.

Reshetar Realty Marginal Soils Springtown Knoll-Sewage Maintenance Escrow

Robin Reshetar explained that Springtown Knoll is a development of 20 single homes off Drifting Drive. Part of the property has been designated by DEP as containing marginal soils. Because of the designation, DEP requires a maintenance agreement with the township for each of the lots which are in the designated area. This Agreement requires that the homeowner is responsible for the maintenance of the system. In addition to the Agreement an Escrow amount must be posted with the Township for each property involved.

Mr. Reshetar made reference to a Township Ordinance that was adopted in 1997 regarding sewage maintenance and Resolution 97-5 which established fees. Fees of \$1,000 were established for holding tanks and \$2,500 for IRSIS and small flow treatment systems. There are no specific fees for on site septic systems. Mr. Reshetar stated the future homeowners will be advised they have an obligation to maintain their respective septic systems in accordance with the requirements of the Bucks County Health Department's guidelines.

Jim McNamara stated he discussed the matter with Tim Fulmer, Wynn Associates. They are not crazy about the idea that the Township establishes maintenance agreements with each homeowner. The Township has no experts to manage and deal with function of septic systems. Townships in Bucks County are not happy with these DEP regulations. The Board of Health should be responsible as they are for all septic systems in the County.

Chuck Halderman stated he received an Email from Bob Wynn today stating Bob will meet January 11th with DEP to discuss this matter. Chuck suggested the Township not change the \$2,500. fee until after this meeting.

Jim McNamara suggested a \$1,000. maintenance fee for each system could be collected prior to plan recording. Jim McNamara recommended the Supervisors amend the sewage maintenance agreement to provide \$1,000 fee for on lot septic systems whenever DEP regulations require maintenance agreements.

Chuck Halderman stated the marginal soils designation by DEP has to do with the gallons per day for one acre lots exceeding EDU's by 25%. Chuck talked to Bob Wynn and the reason that the Ordinance does not address on lot or sand mounds is because they are less risk to the township.

Robin Reshetar explained the homeowners will be informed about how a sand mound works. No garbage disposals are installed in the homes.

Robin feels \$1,000 per lot is fair. The Township will have \$20,000. in escrow fees. Reshetar Realty has been putting systems in for fifteen years. Homeowners react quickly if there is a problem.

Chuck Halderman in his discussions with Bob Wynn and Kelly Sweeney they explained the escrow is not for repairs of the system. It is to fund the program DEP is implementing. Chuck is waiting for a draft ordinance that will be sent to him by Kelly Sweeney, DEP.

Robin Reshetar will fax a copy of an ordinance from Wrightstown to the township.

Robin believes the Health Department makes the call, they issue the violations.

Chuck Halderman suggested the matter be tabled until we get more information from the meeting between the Township Engineer and DEP on January 11th. Chuck asked Mr. Reshetar if he can wait another month. Chuck stated Bob Wynn believes the \$2,500 is an appropriate amount.

Jim Brownlow stated if the Board adopts whatever the amount it would apply to all sand mounds in the Township. Currently no one is required to sign a maintenance agreement for sand mounds. Chuck believes the requirement for the Maintenance Agreement has more to do with gallons per day per lot than the condition of the soils. According to what Chuck is reading from the DEP correspondence, all of the lots do not require the agreement.

Jim Brownlow stated this property has been most difficult and has been before the township for a number of years. The Reshetars have been very cooperative. They have done just about everything the township has requested.

It is the understanding of the Supervisors that this escrow amount is not to repair the system but to insure there are funds available to have the system inspected. It is the homeowner's responsibility to do any repairs. Currently, there is no system in place to do what DEP requires. DEP has not thought this through.

Jim McNamara suggested Mr. Reshetar post the \$2,500 for each lot that requires the Maintenance Agreement. This fee could be reviewed if the rules change.

Chuck Halderman moved to require an escrow of \$2,500 per lots that do not meet DEP requirements and require a Sewage Maintenance Agreement. This matter will be discussed with legal and engineering staff and if the escrow amount is reduced, the difference will be refunded to the applicant.

Robin Reshetar asked if the Board is willing to have the escrow posted prior to issuing building permits. Jim McNamara doesn't believe the Supervisors should consider this option. This puts the responsibility on the township to follow up and this should not be the responsibility of the township.

Chuck Halderman referred to the DEP correspondence which notes three lots do not need maintenance agreements and no escrow.

Second by Rob Zisko. Vote was unanimous.

Attorney Brad Lare will provide a copy of an ordinance and resolution which require \$1,000 be posted. Jim McNamara stated if after investigation the amount is less than \$2,500, the balance will be refunded to Mr. Reshetar. Jim continued, when the funds are posted, the plans can be recorded.

Reese Subdivision Nemeth Road/Giffert Way – Stormwater Run-Off Complaint – Wynn Letter 11/15/05

This letter is in response to complaints from several downgrade property owners on Giffert Way of stormwater runoff from the Reese Subdivision site.

Chuck Halderman spoke with Bob Wynn about the situation. It is clear that Mr. Reese did not do what he was required as far as stormwater was concerned on his initial subdivision. Two neighbors complained about the run-off from this property on to theirs. Stormwater management was not followed that is the reason the land owners are having problems.

Jim Brownlow stated Mr. Reese is currently before the township with an additional subdivision plan. This will give the township some leverage to have the original problem

taken care of. The Planning Commission has raised objections to the current plan and Mr. Reese has not been back since.

According to Bob Wynn's letter, there is no stormwater escrow posted so funds for compliance do not exist. Looking at this property building permits were issued with no stormwater inspections, no berm and no seepage pits.

Chuck Halderman moved to authorize the Solicitor to send a letter to Mr. Reese and include a copy of the Wynn letter dated November 15, 2005. Second by Jim Brownlow. Vote was unanimous.

Silver Creek Community Land Development – Request to begin 18 month maintenance period

Jim McNamara stated he has prepared two Resolutions for the Board to address.

Resolution 2005-012

Rod Wieder moved that the Board of supervisors of Springfield Township hereby accept from Scott Mease a Deed for a road right-of-way for Shirley Lane as more particularly described in a Description of Road Right-Of-Way Shirley Lane, prepared by Robert Richard Kressler, P.L.S. consisting of approximately 1.036 acres. Second by Rob Zisko. Vote was unanimous.

Resolution 2005-013

Rod Wieder moved that the Board of Supervisors of Springfield Township hereby accept from Scott Mease a Deed for a portion of the Main Street (SR0212/sr0412) road right-of-way as more particularly described in a Description of Road Right-Of-Way Main Street (SR0212/SR0412), prepared by Robert Richard Kressler, P.L.S. consisting of approximately 0.790 acres. Second by Jim Brownlow. Vote was unanimous.

CORRESPONDENCE

Rod Wieder acknowledged a letter from Upper Bucks Regional EMS.

PUBLIC COMMENT

Dennis Steskal commended Pete Lamana for his years of service on behalf of Springfield Township.

Robert Bell discussed the police web site.

SUPERVISORS' COMMENTS

Pete Lamana discussed some "loose ends".

Pete discussed the Springtown Water System and the three options open to the Supervisors: re-activate the Springfield Township Authority, continue the operations and maintenance agreement with Bucks County Water & Sewer or sell the system.

Pete believes we are crisis oriented. Volunteers get excited about a cause in the beginning but the enthusiasm fades with time.

Pete cited the fire company as an example of an organization that is constantly looking for volunteer help.

Pete discussed the contamination of the Springtown Water System. How many people were made sick because of the contamination in the water that was never reported to the customers or advertised properly? Also, the lack of accountability of the volunteers who were responsible for the Springfield Township Authority, particularly the finances.

Pete expressed his disappointment that he was not able to get a parks and recreation system in place during his tenure on the board.

Pete thanked Jim McNamara and Barbara Smith for their help. He also thanked his critics who caused him to dig deep into things.

Rod Wieder presented Pete Lamana with a plaque which acknowledges his contribution to Springfield Township. Rod discussed the hours Pete put into research on behalf of the Township. Rod knows Pete will be missed.

Chuck Halderman said it has been an interesting six years with a lot of ups and downs. He appreciates some of the work Pete did.

Jim Brownlow stated Pete is the reason he ran for Supervisor. Jim thanked Pete for his service and wished him well.

Rob Zisko thanked Pete for his efforts. Rob said it is not easy to sit behind the table. It is impossible to please everyone.

ADJOURNMENT

Jim Brownlow moved to adjourn the meeting at 9:20 p.m. Second by Rob Zisko. Vote was unanimous.

Respectfully Submitted

Barbara A. Smith
Secretary

