

**BEDMINSTER TOWNSHIP SUPERVISORS
MONTHLY MEETING
WEDNESDAY, DECEMBER 14, 2011**

SUPERVISORS PRESENT: Morgan Cowperthwaite, Jr., Chairman
Glenn A. Wismer, Vice-Chairman
Mark W. Schmidt, Member

STAFF: John T. Terry, Township Manager
Jean Herstine, Secretary/Treasurer
Peter Nelson, Township Solicitor
Thomas Fountain, Township Engineer
Mark R. Ofner, Chief of Police - absent

Call to Order and Pledge of Allegiance:

The Vice-Chairman called the meeting to order at 7:30 p.m. in the Municipal Township Building in the Village of Bedminster and lead those in attendance in the pledge of allegiance to the Flag.

Public Comments:

There were no public comments.

Approval of the Agenda Work Session, Meeting Minutes & Special Meeting:

On a motion made by Glenn Wismer, seconded by Mark Schmidt, the Board approved the minutes of the agenda work session held November 8, 2011. The motion carried with 2 votes for, and with Supervisor Cowperthwaite abstaining.

On a motion made by Glenn Wismer, seconded by Mark Schmidt, the Board approved the minutes of the monthly meeting held November 9, 2011. The motion carried with 2 votes for, and with Supervisor Cowperthwaite abstaining.

On a motion made by Morgan Cowperthwaite, seconded by Glenn Wismer, the Board approved the minutes of the 2012 Budget special meeting held December 2, 2011. The motion carried unanimously.

Approval of the December Invoices:

On a motion made by Mark Schmidt, seconded by Glenn Wismer, the Board approved the December invoices totaling \$158,928.81. The motion carried unanimously.

Ordinance No. 207: Sewage Management Ordinance Public Hearing

The proposed ordinance will amend the Sewage Management Ordinance revising certain regulations regarding septic system repairs and by eliminating the requirement for replacement areas on lots that existed prior to October 17, 2005.

Joe Bauer, 6810 Old Easton Road stated that according to the Bucks County Department of Health regulation a replacement area is not required and sewage maintenance escrows are only required for spray-irrigation systems. Mr. Bauer wants to know what the township will do with the funds that have been previously collected.

Dmitry Slutsky, 118 Overholt Drive was informed that the ordinance under consideration regulates on-lot disposal systems. Public water and sewer systems and rate increases are under the jurisdiction of the Bedminster Municipal Authority.

On a motion made by Morgan Cowperthwaite, seconded by Mark Schmidt, the Board approved the Sewage Management Ordinance Amendment. The motion carried unanimously.

Ordinance No. 208: Deer Fence Ordinance Public Hearing

The proposed ordinance provides for the installation of deer fencing within the AP zoning district. The fencing must be an open wire design (not barbed) and at least 8 feet high and cannot exceed 10 feet in height. Deer fencing is not permitted in the right-of-way of any street. Electrified deer fence is permitted with warning signs every hundred feet or less. There were no public comments.

On a motion made by Glenn Wismer, seconded by Mark Schmidt, the Board approved the Deer Fence Ordinance. The motion carried unanimously.

Ordinance No. 209: Croft Drive No Parking Ordinance Public Hearing

The proposed ordinance will prohibit parking on the south side of Croft Drive, for safety reasons in the Bedminster Square Development. The homeowners association requested the parking prohibition.

On a motion made by Morgan Cowperthwaite, seconded by Glenn Wismer, the Board approved the Croft Drive No Parking Ordinance. The motion carried unanimously.

Subdivision and Land Development

Deed of Dedication: Heritage Building Group / Bedminster Crossing Subdivision

The Township Solicitor, Peter Nelson presented the Deed of Dedication for Heritage Building Group, Bedminster Crossing Subdivision. The township solicitor is waiting for a signed dedication and completion agreement before the township can take final action and accept the development. The Board will consider the matter again at the year-end meeting on December 29, 2011.

Resolution Nos. 2011-11 & 2011-12: Deed of Dedication for Twin Oaks Assoc. / Bedminster Hunt East

Township Solicitor, Peter Nelson presented Resolution No. 2011-11 and 2011-12 the Deed of Dedication for Twin Oaks Associates, Bedminster Hunt East for the conveyance to the Township of the public improvements and roads, which, total 1.8 miles of new public roads. The deed of dedication are for Barnhill Road and Kennard Road subject to the following conditions, the payment of outstanding consultant fees, the posting of an 18-month bonds for \$318,293.12 and a 3-month bond for \$5,801.29, and a check in the amount of \$3,243.00 in lieu of the liquid fuels 2012 allocation. The dedication request was opened for public comments. There was no public comment.

On a motion made by Glenn Wismer, seconded by Morgan Cowperthwaite, the Board approved Resolution No. 2011-11 and Resolution No. 2011-12 accepting the Deed of Dedication for Bedminster Hunt East. The motion carried unanimously.

Also presented for Twin Oaks Associates, Bedminster Hunt East is a Dedication and Completion Agreement. On a motion made by Glenn Wismer, seconded by Mark Schmidt, the Board approved the Bedminster Hunt East Dedication and Completion Agreement as presented. The motion carried unanimously.

Manager's Report

Status Update: Preliminary 2012 General Fund and Other Fund Budgets

The preliminary 2012 budget will hold taxes at 7.5 mills and provides for all operations, services, and the replacement of a 2004 police vehicle. The budgets are schedule for adoption by the Board of Supervisors at the year-end meeting on Thursday, December 29, 2011 at 9:00 a.m.

Resolution No. 2011-13: Elsie M. Britt Conservation Easement

A resolution was presented for the Elsie M. Britt Conservation Easement, TMP# 1-12-21 and 1-12-24. The property located at 32 Meadow Lane consists of approximately 62.42 acres. The conservation easement cost to the Township totals \$358,134. On a motion made by Morgan Cowperthwaite, seconded by Glenn Wismer the Board approved Resolution No. 2011-13 for the Elsie Britt Conservation Easement. The motion carried unanimously.

Resolution No. 2011-14: Kenneth & Regena Bowman Conservation Easement

A resolution was presented to authorize the signing of an agreement of sale for the Kenneth and Regena Bowman Conservation Easement, TMP# 1-12-2, 1-11-66 and 1-11-66-2 was presented. The property extends from Hill Road to Creamery Road consists of approximately 135 acres. The joint conservation easement cost for the State and County is \$9,000 an acre. The conservation easement cost for the Township is \$500 an acre for a total cost of \$67,500. On a motion made by Morgan Cowperthwaite, seconded by Glenn Wismer the Board approved Resolution No. 2011-14 to sign the Kenneth and Regena Bowman Agreement of Sale Conservation Easement. The motion carried unanimously.

Request for Health Insurance Benefits: Supervisor Mark Schmidt

Supervisor Mark Schmidt has requested participation in the township's health insurance benefit program for himself as an elected official starting in 2012. On a motion made by Morgan Cowperthwaite, seconded by Glenn Wismer, the Board approved the request for Supervisor Schmidt to participate in the Townships' health insurance benefit program. The motion carried with 2 votes for, and with Supervisor Schmidt abstaining.

Resolution No. 2011-15: Expenditure of Reserve Funds for Piper Group Curative

The budget amendment resolution provides for an additional \$28,000 appropriation towards the 2011 General Fund Budget from capital reserve funds. The capital purchase is for the Piper Group Curative appeal before the Pennsylvania Supreme Court. On a motion made by Morgan Cowperthwaite, seconded by Mark Schmidt the Board approved Resolution No. 2011-15 amending the 2011 General Fund Budget. The motion carried unanimously.

Resolution No. 2011-16: Appointment of Special Counsel for Heart and Lung Act

A Township employee has applied for benefits under the Pennsylvania Heart and Lung Act. The Township has retained the firm of Archer & Greiner, P.C. Attorneys at Law, Market Street, Philadelphia to represent the Township's best interest in this matter. On a motion made by Glenn Wismer, seconded by Mark Schmidt, the Board approved Resolution No. 2011-16 to appoint Archer & Greiner, P.C. as special counsel. The motion carried unanimously.

Resolution No. 2011-17: GASB 54 Fund Balance Reporting Policy

The township auditor requires the township comply with the new GASB directive. The GASB 54 Fund Balance Reporting Policy establishes the definitions and classification for all governmental year-end fund balances, retroactive to December 31, 2010. On a motion made by Morgan Cowperthwaite, seconded by Glenn Wismer, the Board approved Resolution No. 2011-17 to adopt the GASB 54 Fund Balance Reporting Policy as presented. The motion carried unanimously.

Resolution No. 2011-18: Bucks County 2011 Hazard Mitigation Plan

Resolution No. 2011-18 calls for the adoption of the Bucks County 2011 Hazard Mitigation Plan as prepared by the Bucks County Planning Commission and the Bucks County Emergency Management Agency on behalf of the Township. The plan provides for possible federal financial aid for both natural and man-made disasters. On a motion made by Glenn Wismer, seconded by Morgan Cowperthwaite the Board approved Resolution No. 2011-18 to adopt the Bucks County 2011 Hazard Mitigation Plan. The motion carried unanimously.

Professional Service Contract: Weis Markets, Inc. – 2033 Bedminster Road

A Professional Service Contract was presented for the Weis Markets, Inc., for preliminary expenses related to possible land development of 10.8 acres located at 2033 Bedminster Road TMP# 1-10-005.

On a motion made by Glenn Wismer, seconded by Mark Schmidt, the Board approved the Professional Service Contract for Weis Market, Inc. as presented. The motion carried with 2 votes for, and with Supervisor Cowperthwaite abstaining.

Police Department Activity:

The Police Department Monthly Report for November is on file. Township Manager, Jack Terry stated that the police department is investigating a report of missing pills called Adderall taken from the nurse's office at Bedminster Elementary School.

Public Comments:

Howard Koenig, 257 Rolling Hills Road, was informed that the escrows held by the township for the sewer systems requiring an O&M Agreement are utilize for the repairs when a homeowner is unable to make the required repairs.

Ken Goldenberg, 3118 Fretz Valley Road reported ice on Fretz Valley Road on the bend from runoff. Mr. Goldenberg was advised that the Township Engineer, Tom Fountain would be sending a letter requesting certain homeowners repair the buffer fencing bordering his property.

Joe Bauer, 6810 Old Easton Road was informed by the Townships Engineer, Tom Fountain that the septic escrow monies would be used for septic system components. Mr. Bauer also requested the Chief of Police check the timing of the traffic signal on Deep Run Road and Route 611. The signal allows only two or three vehicles to safely traverse the intersection, before the light changes.

Dmitry Slutsky, 118 Overholt Drive, was informed that at this time there are no plans to widen Elephant Road.

Supervisor Morgan Cowperthwaite announced the passing of long-time resident Charles Hoeflich. Mr. Hoeflich helped in the establishment of the township's first zoning districts and regulations, and served over the years on the township's planning commission and zoning hearing boards.

Adjournment:

There being no further business before the Board, Glenn Wismer made a motion, seconded by Mark Schmidt, to adjourn the meeting at 8:45 p.m. The motion carried unanimously.

Respectfully submitted,

Jean L. Herstine
Office Administrator
Secretary/Treasurer