

RICHLAND TOWNSHIP
BOARD OF SUPERVISORS

Business Meeting
September 12, 2016

APPROVED

Chairman Timothy Ritter called the Richland Township Board of Supervisors Business Meeting to order. Those present are as follows: Richard Orloff, Supervisor; Timothy Ritter, Supervisor; Timothy Arnold, Supervisor; Paul Stepanoff, Township Manager; Mike Schwartz, Township Engineer, Gilmore & Associates; Rich Ficco, RTPD Chief; Amy Kaminski, Traffic Eng., Gilmore & Associates; Judy Goldstein, Township Planner, Boucher & James; B. Lincoln Treadwell, Township Solicitor.

Note: The Board of Supervisors held an Executive Session prior to the meeting to discuss personnel matters.

I. OPENING

- A. The meeting was called to order at 7:00pm.
- B. The Pledge of Allegiance was recited.
- C. Mr. Arnold gave an Invocation.
- D. Roll call was taken.

II. PUBLIC HEARINGS

- A. Frontgate Community: Announcement of Postponement of a Conditional Use Hearing concerning the Applicant's proposal to Amend the Prior Conditional Use Decision for Frontgate Community, an Age Targeted Residential Development proposed for construction behind the Quakertown Farmers' Market on Station Road until the November 14, 2016 Board of Supervisors Meeting.

MOTION Mr. Arnold made a motion to grant the continuance of the Conditional Use Hearing until the November 14th meeting. Mr. Orloff seconded the motion. Vote: All in favor. Motion carried unanimously.

III. PUBLIC COMMENT

IV. PRESENTATIONS:

- A. Lehigh Valley Health Network:
J. Scott Pidcock, engineer for LVHN presented an early stage proposal to build a 21st Century Health Care Campus on 87 acres along 309, West Pumping Station and Portzer Roads. The applicant understands that rezoning is required. 309 Traffic and loss of tax revenue are concerns of the Board. They also informed the applicant of the possibility of blasting around the site. LVHN already has the properties under agreement and is working aggressively to move this project forward. They asked the BOS to allow LVHN to work with staff to develop a more detailed plan prior to approaching the Planning Commission. Neighboring property owners had concerns about the volume of activity that will be in the vicinity of the campus. No motion was necessary, the BOS agreed for LVHN to move forward in working with staff.

- B. 699 N. West End Blvd (ORE, Inc), Lidl US Operations, LLC:
The applicant presented a concept plan which proposes a subdivision of the existing 16 acre lot to accommodate a grocery store (Lidl) and a bank. The proposal will also relocate the existing equipment sales/rental business, ORE, and a cell tower. No motion was necessary, the BOS agreed for Lidl to move forward with their plan.

V. BOARD AND STAFF REPORTS

- A. The Township Manager presented a report following the Developer's issues.
B. Mr. Arnold reported that the Richland Township Community Day will be on October 1, 2016 from 9am-3pm; there will be lots of free games and activities for kids. The event will be held at Veterans Park.
Mr. Orloff stated commendation to the Township Manager, Paul Stepanoff, and how his impact has been felt palpably.

MOTION Mr. Orloff made a motion of appreciation to Paul Stepanoff for getting off to a good start. Mr. Ritter seconded the motion. Vote: All in favor. Motion carried unanimously.

- C. Mr. Ritter had no comment.
D. The Solicitor had no reports at this time.
E. The Engineer had no reports at this time.
F. The Traffic Engineer reported that they've obtained easements on the closed loop system, there is one remaining in Richland Township and eight Quakertown Boro is working on. There are some ADA improvements that need to be done through Carroll Engineering and they should be moving forward after those occurrences. Also the left turn arrow work on Rt. 309 and Pumping Station has been completed and has aided the flow of traffic.
G. The Police Chief reported that on Saturday, October 22, 2016 they will host a drug take-back event from 10:00am – 2:00pm, and a shredding event for residents from noon-2:00pm the same day. Also, they will have their mock assessment for accreditation on September 13, 2016, with the actual on-site assessment 2 months from then.
H. The Planner had an update on the Heller Road trail project (between US Cold Storage and Walnut Bank Farm), the plans and specs are done. They need the Board to authorize the advertising. The pre-bid meeting is scheduled for October 23, 2016.

MOTION Mr. Orloff made a motion to authorize the advertisement of the Heller Road project. Mr. Ritter seconded the motion. Vote: All in favor. Motion carried unanimously.

VI. DEVELOPER'S ISSUES

- A. Request for Waiver of Land Development: 472 California Road Partners.
The applicant is proposing the construction of a new loading dock for an additional tenant on the south side of the existing office building. The plan proposes the removal of 859.5 square feet of impervious surface to offset the increase of impervious surface from the loading dock. The owner's engineer has met with Township Staff, and the Township Staff has reviewed the plan. Staff recommends granting this Waiver. If granted, staff recommends requiring the applicant to pay the Township the application fees of \$3,200.

MOTION Mr. Orloff made a motion grant the Waiver of Land development and accept the \$3200 fee in lieu of the Waiver. Mr. Arnold seconded the motion. Vote: All in favor. Motion carried unanimously.

B. Zoning Hearings Scheduled for September 29, 2016.

1. 472 California Road Partners, 472 California Road.

The applicant is seeking associated variances to allow less than the required (parking, loading birth dimensions and maneuvering, buffer plantings, and buffer yard encroachment) for the new proposed loading dock in connection with the G17 Flex Building Use for an additional tenant. The Zoning Hearing Board will determine the matter.

2. Highglen-Pineville Quakertown Associates, L. P. and Highland Pineville Quakertown Open Associates, LP (Trainer's Corner Shopping Center) request for ZHB.

The applicant is removing two existing freestanding signs from the existing entrance medians and installing two new freestanding signs (along 663 and West End Blvd.). Applicant is also proposing to install a new freestanding sign at the proposed new entrance across from Walmart (Richland Crossing Shipping Center) and is seeking several variances (number of signs, maximum sign area and height, distance from sidewalk, within minimum 100 foot front yard setback, buffer yard and clear site triangle). The Zoning Hearing Board will determine the matter.

C. Conditional Approval of United States Cold Storage Amended Final Land Development Plan. The applicant has submitted Subdivision and Land Development Application and Amended Final Land Development Plans. The review period expires 90 days from August 8, 2016; approval of the plan should be conditional on meeting the requirements laid out in the B&J and Gilmore review letters, obtaining any other reviews or permits necessary for the project, and repairing Heller Road (Mill and Asphalt to Township specifications) adjacent to USCS property at completion of project. US Cold Storage will pay for 60% of the costs and Richland Township will absorb the remaining 40% of costs.

MOTION Mr. Orloff made a motion for the Township to accept 60% of the Heller Road project to be paid by the applicant, tied to the approval of the Land Development Application and completion of Phase 2; (the details to be worked out by staff and applicant.) Mr. Ritter seconded the motion. Vote: All in favor. Motion carried unanimously.

MOTION Mr. Orloff made a motion to accept the Amended Final Land Development Plan subject to meeting the conditions of the Boucher and James review letter dated Sept. 2, 2016 and the Gilmore & Associates letter dated August 30, 2016. Mr. Ritter seconded the motion. Vote: All in favor. Motion carried unanimously.

D. Requests for Escrow Releases:

1. CVS. Escrow Release #4.

The developer has requested escrow release #4, and Boucher & James, by their letter dated 9/1/2016, has recommended release of \$32,539.82, with a remaining balance of \$161,272.73.

MOTION Mr. Arnold made a motion to approve the CVS escrow release #4. Mr. Orloff seconded the motion. Vote: All in favor. Motion carried unanimously.

VII. TOWNSHIP BUSINESS ITEMS (Old and New)

- A. Minutes from August 8, 2016 Business Meeting

MOTION Mr. Arnold made a motion to approve the Minutes from the August 8, 2016 Board of Supervisors meeting. Mr. Ritter seconded the motion. **Vote: All in favor. Motion carried unanimously.**

- B. Financial Business - Approve payment of bills

MOTION Mr. Orloff made a motion to approve the payment of bills. Mr. Arnold seconded the motion. **Vote: All in favor. Motion carried unanimously.**

- C. Township Manager Presentation on Staffing and Future Plans. Paul Stepanoff gave a PowerPoint presentation on "Township Manager Initiatives for 2017."

- D. Consideration to approve to appoint James Benner as Road Master (and change from non-exempt to exempt status), Scott Ambron as Assistant Road Master, Tracey Virnelson as Administrative Assistant, Thomas Roeder as Advisor to Road Master, and Laura Held as Advisor to Administrative Assistant; with compensation commensurate with Township Manager's recommendation to be effective September 12, 2016. Mr. Orloff pointed out that there are employees that are exemplary, such as Tracey; but also rendered some criticism to elements of some staff; Mr. Ritter agreed.

MOTION Mr. Ritter made a motion to approve the personnel and salary changes as proposed. Mr. Arnold seconded the motion. **Vote: All in favor. Motion carried unanimously.**

- E. Consideration to approve Township Manager recommendation to eliminate Part-Time Assistant Treasurer position.

MOTION Mr. Ritter made a motion to approve the elimination of the Part-Time Assistant Treasurer position. Mr. Orloff seconded the motion. **Vote: All in favor. Motion carried unanimously.**

- F. Consideration to approve Township Manager plan to Hire Receptionist, Road Crew Member, and Part-Time Road Crew Member (if necessary).

MOTION Mr. Arnold made a motion to hire for the necessary positions as requested. Mr. Orloff seconded the motion. **Vote: All in favor. Motion carried unanimously.**

- G. Consideration to approve salaries for Ray Constable, Rich Brittingham, Michael Schmill, Chuck Botson, and Paul Stepanoff per Township Manager Recommendation to be effective 1/2/2017.

MOTION Mr. Ritter made a motion to approve the salaries as proposed. Mr. Orloff seconded the motion. **Vote: All in favor. Motion carried unanimously.**

- H. Consideration to approve Township Manager Plan for Developing New Filing System, Paperless BOS meetings (Board Docs and Computer/Device Purchase). Township Manager is asking for direction to develop plan on Paperless Filing and Meeting. Plan development will require staff to develop these plans and estimated costs associated with them. If plan is approved tonight, Township Manager will present to BOS the approval of the costs associated with implementation of the plans.

MOTION Mr. Arnold made a motion to approve the costs associated with developing the plan not to exceed \$5,000. Mr. Orloff seconded the motion. Vote: All in favor. Motion carried unanimously.

- I. Consideration to approve Township Manager Plan to Develop Plan for Engineering Services Changes as presented. Developers are concerned that Engineering/Inspection Costs are not defined prior to project approval, even though such costs can as significant as 5-7% of total project cost. Developers need to seek their own management/Board approval for all costs associated with developing and constructing new facilities and the Township current practice does not provide that. Township Manager, at the request of at least 3 Developers, is seeking to change our process to provide developers an estimate of the engineering/inspection costs for their proposed projects. Our Engineers/Planners/Inspectors will be required to provide a cost estimate of their services and justify any cost overruns during the project. Township Manager seeks approval from BOS to implement this procedure.

MOTION Mr. Orloff made a motion to approve the Township Manager to develop a plan for engineering/inspection costs. Mr. Arnold seconded the motion. Vote: All in favor. Motion carried unanimously.

- J. Discussion on giving direction to Ordinance Review Board to review Several RT Ordinances with the same "landowner knows best" perspective and simplification of requirements that was used in developing the new parking space guidelines. This is a request for charging the Ordinance Review Committee with a new prism/philosophy for reviewing some of the Township ordinances, and to review some ordinances that may be impossible to implement or prevent the intended use. Any changes to specific ordinances will be subject to future BOS approval. There are no votes necessary at this time.

- K. Consideration to approve Employee Handbook changes regarding Concealed Carry on the Job and on Township Premises and Nepotism Policy. Two Changes are proposed. A Weapon's Policy and Nepotism Policy. Employee Handbook prohibits Firearm Carry for all employees, even in parking lots, when the public can Concealed and Open carry on Township Property. Police Chief and Township Manager Proposed two options. The first is to assert that Employees can follow PA laws for both Concealed and Open carry without any further restrictions and is recommended for approval by BOS. The second Option provides for permission, qualification, and other restrictions. BOS is asked to approve one of the options. The second change involves a Nepotism policy which limits employee relatives to temporary positions only, except BOS and Township Manager relatives who would be prohibited from any employment with the Township. Board Approval is sought for this policy.

MOTION Concealed Carry Policy: Mr. Orloff made a motion to approve Option 1. Mr. Ritter seconded the motion. Vote: All in favor. Motion carried unanimously.

Nepotism: Mr. Ritter made a motion to approve the nepotism policy with a term of employment not to exceed 6 months, and with full consensus of the BOS and the Township Manager. Mr. Arnold seconded the motion. Vote: All in favor. Motion carried unanimously.

- L. Consideration to approve Employee Benefits Change to eliminate annual Township contribution to individual Employee HSA accounts for 2017 and add Employee Death, Short Term, and Long Term Disability benefits commencing 10/1/2016. William Minnis presented to Township proposal for providing non-uniform employees with a \$50,000 Death benefit (current is \$10,000), Short-Term Disability (up to \$1K/week) and Long-Term Disability (up to \$5K/month) for a total cost to RT of ~\$612/month (~\$7,344/year) more than current coverage. 2015 Township non-uniform HSA Contributions totaled \$49,000. Elimination of Township contribution to individual Employee HSA's will net a savings of approximately (49,000 - 7,344 =) \$41,656/year. Mr. Arnold noted that if there is a considerable savings in the health insurance costs, there should be no contribution by the employee, and proposed as an October agenda item.

MOTION Mr. Orloff made a motion to approve the employee benefits change. Mr. Ritter seconded the motion. Mr. Arnold abstained from the vote. Vote: 2 Yea, 0 Nay, 1 Abstention. Motion carried.

- M. Consideration to approve MOU to resolve Grievance with RTPA regarding Regular Part-Time Officers.
Police Chief and Township Manager negotiated with RTPA an MOU to resolve the ongoing grievance regarding part-time police officers. The resolution of this grievance will make regular part-time officers members of the RTPA (48-60 hours per pay period). Part-time officers (>48 hours per pay period) will not be members of RTPA. When transitioning to full-time status, the start-date for pay will be the officer's part-time start date. With the approval of this MOU, two officers will be affected by changes to their start-dates (which will increase their pay). RTPA has already voted and ratified this MOU. We recommend BOS approve the MOU as well.

MOTION Mr. Orloff made a motion to approve MOU to resolve grievance with RTPA regarding Part-Time officers. Mr. Ritter seconded the motion. Vote: All in favor. Motion carried unanimously.

- N. Consideration to approve Change to Culvert Repair on Old Bethlehem Pike Bid for McCarthy Masonry and Concrete, Inc. from \$17,900 to \$18,850. At the August 2016 BOS meeting, BOS approved \$17,900 bid to McCarthy Masonry & Concrete for the Old Bethlehem Pike Culvert Repair. Upon review of Engineering details on shoring details, McCarthy Masonry updated their quote to \$18,850. They are still the lowest bidder at the new rate. Shoring is required for the job and staff recommends BOS approve the new bid amount to keep the work on Schedule (2nd week in October).

MOTION Mr. Ritter made a motion to approve the change to the culvert repair on Old Bethlehem Pike bid. Mr. Orloff seconded the motion. Vote: All in favor. Motion carried unanimously.

- O. Consideration to approve Ryan Cassidy of Eckert Seamans as Richland Township Labor Solicitor. At the August BOS meeting, the appointment of a Township Labor Solicitor was

tabled to identify a new labor solicitor. Ryan Cassidy has extensive township experience in labor matters in Bucks and Montgomery. His rate will be \$295/hour.

MOTION Mr. Ritter made a motion to approve Ryan Cassidy of Eckert Seamans as the Richland Twp. Labor Solicitor. Mr. Orloff seconded the motion. Vote: All in favor. Motion carried unanimously.

P. Consideration to approve 2016-2017 Bucks County Consortium salt bid from Morton Salt, Inc. at \$59.48/ton delivered for ~2,500 tons, or a total of \$148,700. The Bucks County Consortium 2016-2017 salt bid had Morton Salt, Inc. as low bidder at \$59.48/ton delivered, which is \$4.49 lower than last year's bid. Staff recommends approval of a contract with Morton Salt, Inc. for ~2,500 tons of salt at a total projected expenditure of \$148,700.

MOTION Mr. Arnold made a motion to approve 2016-2017 Salt bid as quoted. Mr. Orloff seconded the motion. Vote: All in favor. Motion carried unanimously.

VIII. TOWNSHIP KPI's: The Township Manager will start graphing the KPI's for month to month comparisons.

IX. PUBLIC COMMENT - At discretion of Chair

X. ADJOURNMENT

MOTION Mr. Ritter made a motion adjourn the Richland Township Board of Supervisors meeting at 9:45pm. Mr. Arnold seconded the motion. Vote: All in favor. Motion carried unanimously

Next Meeting: Monday, October 10, 2016 at 7:00 PM.

Respectfully Submitted,
Tracey Virnelson
Recording Secretary