

**COUNCIL MEETING
MARCH 13, 2013 AT 8:00PM**

In attendance:

Council:

Mark McCouch

Gregory S. Nesbitt

W. William Whiteside, III

Andrew Santacroce (absent)

Deborah Tustin (absent)

Staff:

William T. Walker - Township Manager

Richard Sabol - Finance Director

Russell Dunlevy, PE - Engineer

Mary Eberle, Esq. - Solicitor

Mr. McCouch, at approximately 7:50 PM, opened a public hearing on the proposed ordinance requiring certain properties along Limekiln Pike, Grindleton Lane, Davis Grove Road, and Park Road to connect and use public water, and providing for the abandonment of wells on properties affected by PCE contamination. Mr. McCouch summarized the funding requirements of Pennsylvania's Department of Environmental Protection (DEP), and identified the purpose of the proposed municipal ordinance. He then asked for questions or comments from the audience.

John Worthington, 1103 Grindleton Lane, stated his position on the issue, and asked if the capping of the wells could be discretionary. He suggested that uncapped wells be used for non-consumption water needs such as filling a swimming pool. The Solicitor responded by summarizing DEP's conditions and identifying homeowner requirements for future testing.

James Grow, 1151 Limekiln Pike, asked if there is a comprehensive list of properties that are affected by contamination, whether or not his property was included on the list, and if properties would be added in the future. Mr. Walker identified those properties in the area that are on DEP's current list. Mr. Whiteside then explained that DEP is working on the resolution of contamination issues in the municipality and that property owners wishing to participate in DEP projects should communicate their interest to the agency.

Frank Nobile, 309 Midfield Drive, asked if his home would be included within DEP's scope of work. Mr. Walker explained that DEP recently identified DCE contamination – in addition to the Limekiln area's PCE contamination - in the vicinity of Park Road and Midfield Drive. Those homes in the Park Road and Midfield Drive area that have tested positive for the DCE contaminant are being provided with bottled water. He also stated that Horsham Township is in contact with Carly Baker, DEP's project manager in the municipality.

Mr. Grow asked if there were provisions in the ordinance for future monitoring. Mr. Walker and the Township Solicitor explained DEP's current placement of testing equipment, and how that testing equipment might be deployed in the future.

Jason & Karina Caddick, 315 Midfield Drive, asked if homes would be linked to the Authority's infrastructure in clusters. Mr. McCouch and the Solicitor recommended that residents communicate with DEP on this issue.

Jeffrey Fread, 538 Exeter Court, asked if the source of the contamination had been identified, if the Horsham Sewer and Water Authority (HWSA) increased its water testing, and if the capping of wells will cause the contaminants to gravitate to other wells. Mr. Walker stated that DEP is working to find the cause of the contamination, and that HWSA has increased testing (well #19). Mr. Nesbitt stated that HWSA regularly tests wells for many contaminants, and Mr. Dunlevy identified how DEP monitors the "limit of contamination."

Leslie Cruise, 1045 Davis Grove Road, asked if his property was on DEP's list, and Mr. Walker answered in the affirmative. He then explained the role of the Authority with the contamination issue, and the public hearing concluded at 8:07.

Mr. McCouch opened the regular Council meeting with a Pledge of Allegiance at 8:08 PM in the Township Building, 1025 Horsham Road, Horsham, PA. He asked for questions or comments from the public.

Jeffrey Fread, 538 Exeter Court, asked about the availability of criminal information to the public – such as a "police blotter." Mr. Walker stated that he would contact the Police Chief and determine what information is being released and is available to the community.

Mr. McCouch asked for the will of Township Council concerning the minutes. It was moved by Mr. Whiteside, and seconded by Mr. Nesbitt, to approve the following minutes as presented: Conditional Use Hearing 13 February 2013, Council Agenda Meeting 13 February 2013, Council Meeting 13 February 2013, and Council Meeting February 25, 2013. Motion passed unanimously.

Mr. Walker provided the Treasurer's Report for February, 2013. He stated that the balance in the General Fund as of 28 February 2013 was \$2,759,248.02

Mr. McCouch asked for the will of Council concerning the List of Checks. It was moved by Mr. Nesbitt, seconded by Mr. Whiteside, to approve and authorize payment of the List of Checks in the amount of \$343,079.83. Motion passed unanimously.

Mr. McCouch asked for the will of Council concerning a second List of Checks. It was moved by Mr. Nesbitt, seconded by Mr. Whiteside, to approve and authorize payment of the List of Checks in the General Fund for Verizon in the amount of \$49.99. Motion passed unanimously.

Mr. Walker explained several items that were placed out for bid, and the results that were compiled. Mr. Nesbitt made a motion, seconded by Mr. Whiteside, to award the bid for line

painting to Alpha Space Control, being the lowest responsible bidder in the amount of \$30,699.15. Motion passed unanimously.

Mr. Nesbitt made a motion, seconded by Mr. Whiteside, to award the bid for milling to Rota-Mill, Inc., being the lowest responsible bidder in the amount of \$54,451.32. Motion passed unanimously.

Mr. Nesbitt made a motion, seconded by Mr. Whiteside, to award the bid for highway materials as follows: 1) Eureka: Superpave 9.5, Superpave 12.5, #2A stone, #2B stone, #3A stone, #4 stone, 11/2 modified & gabion; 2) Independence Construction Materials for Superpave 19.0, Superpave 25.0 and PSP; 3) Glasgow for surge; 4) Sealmaster for crack sealer 3405 & 5078; 5) Asphalt Maintenance Solutions for tack coat. Motion passed unanimously.

Mr. Nesbitt made a motion, seconded by Mr. Whiteside, to award the bid for grass cutting to M&M Lawn Care East, Inc. for Alternate #1, #2, and #3 being the lowest responsible bidder. Motion passed unanimously.

Mr. Nesbitt made a motion, seconded by Mr. Whiteside, to award the bid for Clearbrook Park Bank Stabilization project to Land-Tech Enterprises, Inc., being the lowest responsible bidder for the base bid and Alternate #1 in the amount of \$52,495.00. Motion passed unanimously.

The Solicitor read the proposed decision and order related to the Philip and Rita Klauder Conditional Use application. Mr. Whiteside made a motion, seconded by Mr. Nesbitt, to grant conditional use approval for the Klauder Tract Conditional Use Application. Roll Call Vote:

Mr. Whiteside - Aye
Mr. Nesbitt – Aye
Mr. McCouch - Aye
Motion passed unanimously.

Mr. Walker explained the history of the lot line change for the Donnelly Tract on Rose Lane. Mr. Nesbitt made a motion, seconded by Mr. Whiteside, to adopt the resolution as proposed granting preliminary/final approval to the Donnelly, Rose Lane lot line change.

Roll Call Vote:
Mr. Whiteside - Aye
Mr. Nesbitt – Aye
Mr. McCouch - Aye
Motion passed unanimously.

Council considered an ordinance concerning the proposed water lines for the Limekiln PCE site. Mr. Whiteside made a motion, seconded by Mr. Nesbitt, to adopt the ordinance as proposed concerning water lines for the Limekiln PCE site. Roll Call Vote:

Mr. Whiteside - Aye
Mr. Nesbitt – Aye

Mr. McCouch - Aye
Motion passed unanimously.

Mr. Walker briefly explained an agreement with HWSA regarding the installation of water lines for the Limekiln PCE site. Mr. Nesbitt made a motion, seconded by Mr. Whiteside, to authorize an agreement with the Horsham Water and Sewer Authority regarding the installation of water lines for the Limekiln PCE site.

Roll Call Vote:
Mr. Whiteside - Aye
Mr. Nesbitt – Aye
Mr. McCouch - Aye
Motion passed unanimously.

Mr. Walker briefly explained a resolution appointing HWSA the Township's designee under Ordinance #2013-4. Mr. Whiteside made a motion, seconded by Mr. Nesbitt, to adopt the resolution as proposed appointing the Horsham Water & Sewer Authority as the Township's designee under Ordinance #2013-4.

Roll Call Vote:
Mr. Whiteside - Aye
Mr. Nesbitt – Aye
Mr. McCouch - Aye
Motion passed unanimously.

Mr. Walker explained the conditional use of property located at 945 Tennis Avenue. The property was recently sold, and plans are to demolish three buildings on the site in order to construct a single, larger structure. The property would be connected to public sewers and a detention basin would be constructed.

Mr. Nesbitt made a motion, seconded by Mr. Whiteside, to adopt the resolution as proposed establishing a time and place for a public hearing on the Polissamo property, 945 Tennis Avenue Conditional Use Hearing as April 10, 2013 at 7:45 PM.

Roll Call Vote:
Mr. Whiteside - Aye
Mr. Nesbitt – Aye
Mr. McCouch - Aye
Motion passed unanimously.

Mr. Walker concluded the meeting with two announcements. First, Horsham Township's "Annual Report" for 2011 received third place in a statewide communication contest. Second, the library applied for an award and, though the library was not chosen, it was recognized as a finalist in the award program.

There being no further business, the meeting adjourned to an Executive Session at approximately 8:30 PM in order to discuss real estate and personnel matters.

William T. Walker