

**MINUTES OF MEETING  
BOARD OF COMMISSIONERS  
SPRINGFIELD TOWNSHIP**

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday, January 11, 2006 at 8:00 PM in the Springfield Township Building for the purpose of transacting the general business of the Township. All members of the Board were present with the exception of Ms. Peirce. Mr. Standish presided.

Mr. Standish indicated that the Board of Commissioners would hold a brief workshop style meeting prior to the regular business meeting and asked residents to hold their questions until their regular business meeting was conducted.

Mr. Standish opened the meeting with the Pledge of Allegiance.

Mr. Standish stated that the Board of Commissioners discussed the possibility of revising the 2006 municipal budget. The Commissioners discussed the possibility of utilizing approximately \$400,000 of additional revenues in 2005 to modify the 2006 budget. Mr. Gillies put forth his thought to utilize 50% of the excess to reduce the real estate tax revenues in 2006. He also thought to utilize the remaining 50% to both reduce the pension fund liability and to put money aside in the capital reserve fund for capital improvements to the Flourtown Country Club.

Mr. Schaum thought it might be appropriate to consider utilizing approximately \$210,000 of the excess revenue to offset revenue needs in 2006. This would mean approximately a \$30 relief to the average taxpayer. Considering it further, Mr. Schaum would be willing to consider utilizing \$180,000, as a surplus, or a \$25 relief to the average taxpayer.

Mr. Harbison stated he was uncomfortable with the entire concept, particularly because the Township is now aware of a \$500,000 expense that was unknown at the time the 2006 budget was adopted. Ms. Lunn thought the funds might be available to help address stormwater management issues that were not previously considered. Mr. Dailey thought further consideration might be appropriate to allocate 50% of the excess revenue for real estate tax relief and 50% to offset the new pension fund liability.

Mr. Standish indicated that the Board of Commissioners held a short executive session prior to the regular business meeting to discuss litigation surrounding the LCB and the Flourtown Country Club. Mr. Kilkenny agreed it would not be prudent to discuss the specifics of the litigation.

Mr. Dailey asked whether he might comment on the process by which the litigation might proceed and not the specifics. Mr. Dailey stated Ms. Lunn made comment at an earlier meeting that she has had recent contact with the Pennsylvania State

Police. Mr. Dailey suggested that in the future he would like all contacts with the PSP to be through the Township Solicitor's office. His concerns are that Ms. Lunn's comments may not reflect his position as a Commissioner, and that it may jeopardize his recusal from any involvement with the Flourtown Country Club and the LCB. Ms. Lunn stated she had no issue with the Solicitor being the spokesperson for the Board of Commissioners, but kept in touch with the PSP at the request of the PSP.

Mr. Gillies commented that had he received notice from the PSP, he would have immediately provided the information to the Township Solicitor, and what Ms. Lunn intended to be helpful, may not have been. Mr. Dailey stated that even after his recusal from the issue, Ms. Lunn still continued contact with the PSP and hoped that in the future, the Township's counsel and special counsel would make the contacts with the PSP and relay, when appropriate, his recusal to the State officials. Mr. Standish indicated it seemed to be everyone's understanding that all contacts with the LCB would be through the Township Solicitor's office.

Ms. Lunn asked for a clarification of the relationship of the Township and the citations issued, since they were issued to the Flourtown Country Club. Mr. Kilkenny indicated it was his understanding that, indeed, the Flourtown Country Club was cited, but the Board of Commissioners previously made a policy decision based on an historic relationship between the Township and the Country Club to defend the Country Club in this citation process. Ms. Lunn wanted to make it clear that the Township had not been cited, but the Township Country Club had been cited. In the future, the Township should not defend the lessee in the event of a similar situation. Mr. Schaum agreed that statement might be cause for future consideration in a lease. He asked if special liquor counsel could clarify the proper process by which to secure a new lease, given the LCB license concerns involving both an interim and long term leasing interests. Ms. Lunn suggested that special liquor counsel should not be utilized for opinions on the lease, but only on liquor license issues. Mr. Schaum disagreed and asked that their expertise be utilized to express an opinion on the interim lease, and the proper manner as it relates to the LCB. Mr. Kilkenny indicated his appreciation for any assistance special counsel might provide his office.

Mr. Gillies suggested that, to the extent an interim management arrangement is not a viable alternative, as soon as a long term lessee is selected, consideration be given to move that party into the facility as soon as possible.

The Board of Commissioners agreed to hold a special meeting on January 24, 2006 at 7:00 PM in the Springfield Township Building to hear the proposals from the Halligan Partnership and Michael DiCandilo. Mr. Harbison volunteered to create a list of questions for the presenters to cover when making their presentations on January 24. Mr. A. DiCandilo was invited to meet with Messrs. Standish and Schaum to discuss the interim management arrangement during a meeting on January 18, 2006.

Motion (Gillies-Schaum) carried unanimously dispensing with the reading of the minutes of the previous meeting and approving same as written and recorded in

the official minute book of the Township, given an amendment to the subject minutes that would reflect Mr. Gillies' motion found in paragraph 4, page 203, to read as follows:

“To accept the June 8, 2005 proposal and the July 22, 2005 supplement of Joseph Halligan, Brian Halligan and Kevin Lawn for a multi year lease to operate the Flourtown Country Club and for the Board to commence negotiations to create the requisite contracts.”

Mr. Standish acknowledged the presence of past Commissioners Robert McGrory and Jane Roberts.

#### Special Reports:

Mr. Standish announced the following Committee Assignments and the liaison assignments of the Board of Commissioners to the various support agencies of the Township.

Baird M. Standish – Chair - Internal Affairs Committee; Liaison – Administrative Staff, Open Space Planning Committee

Glenn A. Schaum – Co-Chair – Public Safety Committee; Liaison – Springfield Township Emergency Services Board, Shade Tree Commission

Robert E. Gillies – Chair – Library Committee; Liaison – Library Board

Kathleen M. Lunn – Chair – Community Development and Environmental; Resources Committee; Liaison – Planning Commission, future Environmental Advisory Committee

Alison M. Peirce – Chair – Communications and Cultural Resources Committee; Liaison – Black Horse Inn Advisory Committee, Park and Recreation Advisory Committee, future Communications Committee

James E. Dailey – Chair- Zoning Committee; Liaison – Zoning Hearing Board

Jeffrey T. Harbison – Co-Chair – Public Safety Committee; Liaison - Springfield Township Emergency Services Board

Walter Miller, 1112 Bergan Road, addressed the Board and indicated that he is a 40 year member of the Flourtown Country Club, and is disturbed that the Board of Commissioners has not taken action on the issue of the Club management. Mr. Miller stated that the Club is a viable part of the community.

Mr. Standish, Chairman of Internal Affairs Committee, reported:

Motion (Standish-Schaum) carried unanimously to approve the December check reconciliation in the amount of \$1,776,553.27 and the January bill listing in the amount of \$379,461.60.

Motion (Standish-Lunn) carried unanimously to amend the Springfield Township business tax regulations, Section 206, by replacing the existing Interstate Commerce Tax Regulations by providing for an apportionment factor.

Motion (Standish-Lunn) carried unanimously to accept the terms of engagement for Sean P. Kilkenny as Township Solicitor as set forth in a letter from Mr. Kilkenny dated January 6, 2006.

Mr. Standish announced that the Board of Commissioners plans to hold a public hearing on February 8, 2006 at 8:30 PM in the Springfield Township building to formally present the Township Open Space Plan and accept comments on same. The Open Space Planning Committee previously hosted an open house on September 22, 2005 to provide residents the opportunity to review and discuss the open space plan. It is the intention of the Board of Commissioners to adopt the Open Space Plan as a part of the March 8, 2006 business meeting.

Mr. Schaum, Chairman of Public Safety Committee, reported:

Mr. Schaum welcomed Mr. Standish as Board President.

Motion (Schaum-Gillies) carried unanimously to appoint Robert C. McGrory as the alternate position on the Springfield Township Police Civil Service Commission to fill an unexpired term of service that is due to expire July 16, 2008. Mr. Schaum noted that Mr. McGrory recently retired as a member of the Board of Commissioners, providing ten years of service, including service as the Board President.

Mr. Gillies, Chairman of Library Committee, reported:

Motion (Gillies-Dailey) vote 4-2, Lunn and Harbison opposed, for the Board to advertise that, as a part of the business meeting of the Board of Commissioners on February 8, 2006, at 8:00 PM, the Board would consider amending the 2006 budget. During this process, the Township Solicitor reviewed out loud the process by which the Board can consider amending their annual budget.

Mr. Gillies announced that the Board received a letter from Fern Sargent resigning her position as a member of the Board of Directors of the Free Library of Springfield Township. Ms. Sargent previously served as a president of the Board, and also served on one board or another for the library for over 32 years. The Board of Commissioners thanked Ms. Sargent for her three decades of service to the Library Board, and, in particular, to the library itself.

Mr. Gillies announced that the Board of Commissioners would accept letters of interest or resumes from residents who may be interested in serving as a member of the Library Board of Directors.

Motion (Gillies-Lunn) carried unanimously to appoint Jack FitzSimmons as a full member of the Library Board. Dr. FitzSimmons is currently serving as the alternate member on the Library Board.

Ms. Lunn, Chairwoman of Community Development and Environmental Resources Committee, reported:

Ms. Lunn announced that during the month of December 2005, Springfield Township residents recycled 232.1 tons of materials with a householder participation rate of 71.9%. The net cost for the month was \$3,279.10. Ms. Lunn also reviewed the year-end data for 2005. It was noted that the tons of recyclables collected exceeded the budgetary estimate by 7.6%, and while the number of curb stops did not meet the projections, the weight per stop exceeded the projections by over 14.5%. The annual net costs to operate the recycling program were under budget by approximately \$11,000. The residents were congratulated for the highly successful recycling program.

Mr. Standish noted that Ms. Peirce, Chairwoman of Communications and Cultural Resources Committee, was out of town on business.

Mr. Dailey, Chairman of Zoning Committee, reported.

Mr. Dailey announced that the Zoning Hearing Board would next meet on January 23, 2006 at 7:00 PM in the Springfield Township Building. Mr. Dailey summarized the Zoning Hearing Board Agenda.

Motion (Dailey-Haribson) carried unanimously to appoint Michael P. Clarke, of Rudolph, Pizzo and Clarke, with law offices in Trevoise, PA, to serve as the Solicitor to the Springfield Township Zoning Hearing Board.

Mr. Dailey announced that due to his election as a Township Commissioner, there was a vacancy on the Zoning Hearing Board. An announcement was made that the Board of Commissioners would accept letters of interest or resumes from residents who are interested in serving as a member of the Zoning Hearing Board. The opening on the Zoning Hearing Board is that of the alternate member, and Mr. Dailey reviewed the duties of the alternate of the Zoning Hearing Board.

Mr. Harbison, Chairman of Public Works and Facilities Committee, had no report.

Robert McGrory, 501 E. Mill Road, addressed the Board and noted that the minutes of the special meeting held on December 21, 2005 related to the Flourtown Country Club indicate that Mr. TerDoest read from a prepared statement. Mr. McGrory

also wanted to note that Messrs. Mitchell and Ryan also appeared to have been speaking from prepared statements.

Joan Parsons, Susan Circle, asked why Commissioner Dailey had to recuse himself from activity related to the Flourtown Country Club. Mr. Dailey stated that due to his employment, he had discussions with his employer and thought it was appropriate to recuse himself from deliberations related to the Flourtown Country Club licensing. Mr. Dailey noted his agency is the actual agency that issues citations for violations to the LCB regulations, and he wishes to remove any appearance of a conflict both at work and with the Township, as it relates to this subject.

Mr. Gillies asked if Mr. Dailey could become involved in the business of the Flourtown Country Club, once the issues related to the LCE and the LCB are resolved. Mr. Kilkenny suggested that at that time he might want to request an advisory opinion on that topic.

Ms. Parsons noted that she took the opportunity to review the proposals for the management of the Flourtown Country Club, and was impressed with the quality personnel included in the Halligan proposal. Ms. Parsons reviewed the history of transitioning Halligans Pub from previous failed attempts of restaurants at this location. She spoke of the qualities of the family, both professionally and otherwise. She also noted that she offered to create a petition for patrons at Halligans Pub to sign in support of Halligans management of the Flourtown Country Club, but Halligans opted not to pursue such a petition. Ms. Parsons indicated that from her review of the seven proposals, the entire process seemed to be easily understood. She discussed the Wiesner Consultant review and recommendation on the proposals. She shared her own thoughts on the Halligan proposal, and asked that the Board of Commissioners move forward with completing the selection process to manage the Flourtown Country Club.

John Hoban, 114 Atwood Road, indicated he attempted to follow the proposal process in the Springfield Sun and had discussions with the Halligans with regard to the proposals. It seemed to Mr. Hoban that things were moving forward until the issues arose with the LCB. It was his opinion that the anonymous letters to the LCB should have been ignored, and found the LCB investigation at Halligans Pub over a four month period to be extraordinary. He noted that Rep. Larry Curry's name was mentioned with the LCB violations, but he was not certain what Rep. Curry's involvement actually was, but inquired whether it was another agenda being pursued in this regard. Mr. Hoban provided a history of the Halligans Pub business and also commended Angelo DiCandilo for hosting fine affairs at the Country Club. Mr. Hoban noted the building does need a more aggressive use, and suggested the Board begin negotiations with Halligans for the operations.

Joseph Halligan, 124 Azalea Way, stated that up through the workshop meeting in January, he thought the entire Flourtown Country Club process was stuck in a political nightmare, but is now confident that the Commissioners will move forward to resolve the issues in the best interest of the Township. Mr. Halligan thought it appropriate that as

soon as possible, information be sent to the membership of the Club to provide a status report on the future management. He also indicated that it is good that all Commissioners will have an opportunity to see the proposals as they move forward with making a selection for management of the Club.

There being no further business, the meeting was adjourned at 9:20 PM.

Respectfully submitted,

Donald E. Berger, Jr.  
Secretary