

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

In compliance with provisions of Section 701 of the Pennsylvania First Class Township Code, as amended, the Board of Commissioners of Springfield Township met for the purpose of organization on Monday, January 4, 2010, at 7:00 PM. Mr. Harbison, Ms. Peirce and Mr. Dailey, duly elected representatives of the second, fourth and sixth wards of the Township respectively, having been sworn into office immediately prior to the organization meeting by District Justice Robert Saracini, took their seats with Messrs. Heller, Schaum, Standish and Gillies, representing the first, third, fifth and seventh wards of the Township, respectively.

Mr. Harbison announced that the purpose of the meeting was to organize the Board through the election of officers and to designate the financial institution of the Township.

Mr. Harbison asked everyone to join him in the Pledge of Allegiance.

Motion (Peirce-Schaum) carried unanimously to elect Mr. Harbison as the President of the Board of Commissioners. No other nominations were received from the Board.

Motion (Harbison-Heller) carried unanimously to elect Mr. Standish as Vice President of the Board of Commissioners. No other nominations were received from the Board.

Motion (Gillies-Peirce) carried unanimously to appoint Donald E. Berger, Jr. as the Township Secretary/Manager.

Motion (Standish-Peirce) to appoint Sean P. Kilkenny, of the Schuman Friedman law offices, as Township Solicitor. Mr. Harbison asked if Mr. Standish and Ms. Peirce may consider withdrawing their motion as he wished to open discussion on the issue of appointing a Township Solicitor.

Motion (Gillies-Schaum) to appoint Joseph Bagley, of the Wisler Pearlstine offices, as Township Solicitor.

Mr. Dailey thanked the Board of Commissioners for permitting him the opportunity to participate in the selection sub-committee with Messrs. Harbison and Standish. The subcommittee conducted four interviews with prospective candidates. Mr. Dailey indicated his favor for selecting Joseph Bagley, with whom the Township has experience, due to his representation for the Board before the Zoning hearing Board and as substitute counsel for Mr. Garrity. Mr. Dailey suggested that John DiPietro, an independent attorney, was a good candidate due to his experience as a past solicitor to the Township Zoning Hearing Board. Finally, Mr. Dailey suggested Ann Thornburg Weiss

as she has experience as a solicitor in other communities. Mr. Dailey suggested over the past two years, the Township did not have the best legal counsel available, and cited two specific Zoning Hearing Board cases wherein the Township could have been better represented.

Mr. Gillies asked if the subcommittee was to provide a report to the Board of Commissioners and suggested that he hoped the subcommittee would have provided more information than beyond feeling comfortable with the appointment of Mr. Kilkenny.

Mr. Harbison agreed that the subcommittee had interviewed four attorneys, including representatives from the Wisler Pearlstine and the Friedman Schauman law offices. Both Mr. Heller and Ms. Peirce met with the representatives from the Wisler Pearlstine office as they had no past experience with the firm. They also noted that information on all the firms interviewed was distributed to each of the Commissioners.

Mr. Gillies noted that two years ago Mr. Kilkenny was no longer available to serve Springfield due to schedule conflicts. Mr. Hoffmann, of Mr. Kilkenny's law firm, was appointed for the two years, but Mr. Gillies does not believe the firm adequately represented Springfield Township. Mr. Kilkenny, who was in the audience, affirmed that he would be the every day counsel for the Township if appointed.

The vote to appoint Mr. Bagley was 3-4, Messrs. Harbison, Heller, Standish and Ms. Peirce opposed. The motion did not carry.

Motion (Dailey-Gillies) to appoint Ann Thornburg Weiss as the Township Solicitor. Ms. Peirce indicated that she did not have an opportunity to personally interview Ms. Weiss, but did have an opportunity to review the materials supplied by Ms. Weiss. The vote was 2-5, Ms. Peirce, Messrs. Harbison, Heller, Schaum and Standish opposed. The motion did not carry.

Motion (Standish-Peirce) to appoint Sean Kilkenny as Township Solicitor. Mr. Kilkenny offered Michael Savona of his firm as an attorney available to provide support to the Township when needed. He also confirmed the Township would be invoiced in the following manner: \$135 per hour for routine municipal work, \$145 per hour for litigation, \$225 per hour for land developments and subdivisions that can be billed back to the owners/developers of the subdivisions. Mr. Kilkenny was asked what his hourly rates are for other municipalities. He indicated that in Hatfield the routine municipal work is invoiced at \$100 per hour, and in Whitemarsh Township the rate is \$175 per hour. He also agreed that he would invoice the Township for land development and subdivision review work at the regular hourly rate if that is the desire of the Board.

Mr. Schaum noted that two years previous, Mr. Kilkenny made a business decision to leave Springfield Township and represent another community for less money. He Schaum noted that he will vote for Mr. Kilkenny but is disappointed with Mr.

Kilkenny's decision of two years ago. Mr. Schaum also wished to thank Mr. Hoffmann who tried very hard to provide good service to Springfield Township, particularly under a difficult personal situation. Vote 5-2 to appoint Mr. Kilkenny; Messrs. Gillies and Dailey opposed. The motion carried.

Motion (Schaum-Peirce) carried unanimously to appoint Amy Riddle-Montgomery, of Boucher & James Inc., as the Township Engineer.

Motion (Heller-Peirce) carried unanimously to appoint Mary Ellen Alviti as the Chair of the Township Vacancy Board.

Motion (Dailey-Schaum) carried unanimously to designate TD Bank as the depository for Township funds and the daily investment program.

Mr. Harbison indicated that he plans to make an announcement with regard to the committee assignments at the business meeting on January 13, 2010, however, they will remain the same with the exception that Mr. Schaum will be the sole chair of the Public Safety Committee.

The Board briefly discussed the need to establish parameters for the conduct of a future meeting to discuss stormwater management interests throughout the Township. During the meetings in January, the Board will discuss the next steps in establishing a future meeting on stormwater management.

There being no further business, the meeting was adjourned at 7:45 PM.

Respectfully submitted

Donald E. Berger, Jr.
Secretary