

**East Rockhill Township Board of Supervisors**

**August 23, 2022**

**Regular Business Meeting Minutes**

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00p.m. on August 23, 2022, in the meeting room at the East Rockhill Township Municipal Office, 1622 North Ridge Road, Perkasio, PA 18944.

Present:	Gary Volovnik	Supervisor Chairperson
	Dave Nyman	Supervisor Vice-Chairperson
	Jim Nietupski	Supervisor Member
	Marianne Morano	Township Manager
	Will Oetinger, Esq.	Township Solicitor
	Steve Baluh, P.E.	Township Engineer
	Jeff Scholl	Public Works Director
	Chief Dickinson, Jr.	Pennridge Regional Police Department

The meeting was called to order at 6:58p.m. by Mr. Volovnik with the Pledge of Allegiance.

Members of the public and press were present.

**Announcements or Presentations:**

An Executive Session will follow the meeting for real estate potential preservation.

**Zoning Map Amendment Request.**

Mr. Greg Landis and Mr. Scott Mease P.E. were present to request a zoning map amendment from RR Rural Residential to C-E Cultural Education consisting of 3.1429 acres located at First Baptist Church of Perkasio, 1600 N. Fifth Street. It was noted the parcel currently has split zoning. Consensus of the Board was to grant the request.

**Public Comment #1:**

- Tina O'Rourke, 1819 Old Bethlehem Pike, asked for the status of the McClennen Tract land development and potential public sewer and water connection. The final plan has been submitted and is anticipated to be discussed at the September Planning Commission meeting. East and West Rockhill are progressing with an amendment to their Act 537 plans but cannot make a formal planning module submission until DEP approves the McClennen Tract Planning Module. Perkasio Regional Authority provides public water. It was also noted Perkasio Regional Authority has sewer jurisdiction in West Rockhill.

**Approval of Minutes and Bills Payable:**

**Approval of Minutes from July 26, 2022, Regular Meeting.**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve the meeting minutes from the Board of Supervisors' July 26, 2022, Regular Meeting as presented. With no additional discussion, all present voted in favor.

**Payment of Unpaid Bills dated August 19, 2022, in the amount of \$164,602.37.**

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to approve payment of the Bills List dated August 19, 2022, for a total amount of \$164,602.37 as presented. With no additional discussion, all present voted in favor.

**Township Manager's Report: Marianne Morano**

**Willard H. Markey Centennial Park.**

Consider authorizing tree trimming in response to PennDOT Bureau of Aviation report dated August 2, 2022.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to authorize Willard H. Markey Centennial Park tree line be trimmed. With no additional discussion, all present voted in favor.

Consider authorizing a Children's Ministry of First Baptist Church event on Wednesday, September 28, 2022, from 6:30-7:30pm to allow 170 participants. Mr. Greg Landis was present to answer any questions. Consensus of the Board was to support the application contingent on applicant providing traffic control at the Park entrance, application to the Township and coordination with sport group use.

**Salt Bids 2022-2023 Season.**

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to award the 2022-2023 salt bids to Morton Salt, Inc. through Bucks County Consortium at the rate of \$67.76 per ton delivered and \$67.00 per ton undelivered as presented. With no additional discussion, all present voted in favor.

**2023 Preliminary Draft Budget.**

Consensus of the Board was to authorize advertising 2023 preliminary budget work session meetings for 6:15pm on September 27, 2022, and October 25, 2022. With no additional discussion, all present voted in favor.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve the Township Manager report. With no additional discussion, all present voted in favor.

**Public Works Report:**

Mr. Scholl updated the Board on Public Works activities as of August 19, 2022. The report is on file.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve the Township Public Works report. With no additional discussion, all present voted in favor.

**Township Engineer Report: Steve Baluh, P.E.**

**Amendment to East Rockhill Township Code of Ordinance Chapter 26.**

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to authorize the advertisement of the Stormwater Ordinance to be consistent with the requisite the requirements of the DEP MS4 program as presented. With no additional discussion, all present voted in favor.

**Release of Escrow Vouchers Woods Edge.**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve the Woods Edge Escrow Voucher 22 dated August 16, 2022, payable to Wynn Associates, Inc. in the amount of \$368.77 for construction

observation and Escrow Voucher 23 dated August 16, 2022, payable to Lynn Builders LLC in the amount of \$23,673.92 for final escrow release as presented. With no additional discussion, all present voted in favor.

**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to approve the Township Engineer report. With no additional discussion, all present voted in favor.

**Township Solicitor Report: Will Oetinger, Esq.**

**Conservation Easement 1800 Three Mile Run Road.**

Applicant was present to request a compliance statement to allow a micro drip mound septic system in a Conservation Easement at 1800 Three Mile Run Road the Township purchased July 2022 stating the property has been sold.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve a micro mound septic system in the conservation easement highest protection area as presented. With no additional discussion, all present voted in favor.

**Condemnation at 426 Three Mile Run Road.**

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to adopt **Resolution 2022-08** for the condemnation of 426 Three Mile Run Road Bucks County tax map parcel 12-020-030 for open space purposes as presented. With no additional discussion, all present voted in favor.

**Agreement of Sale for 426 Three Mile Run Road.**

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to authorize the Chairperson execution of an Agreement of Sale for an open space fund purchase for Township purposes at 426 Three Mile Run Road tax map parcel 12-020-030 totaling 2.96 acres for the purchase price of \$395,000.00 as presented. With no additional discussion, all present voted in favor.

**Elected Tax Collector Waiver of Additional Charges.** Mr. Oetinger stated the draft Resolution was presented to be in compliance with Pennsylvania Act 57 which mandated Municipalities enact to allow first time home buyers still pay real estate tax but receive a one-time exemption of additional charges. Consensus of the Board was to table the draft Resolution.

**809 Three Mile Run Road**

Conditional Use Hearing has been scheduled for September 12, 2022, 7:00pm.

Mr. Oetinger stated a civil complaint on SR313 for a recreational camper has been filed which has an August 31, 2022, default date. It was noted the former Wagon Wheel non-compliant contracting use has been removed.

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to accept the Township Solicitors' report. With no additional discussion, all present voted in favor.

**Board and Commission Reports**

**Penridge Regional Police Department: Chief Dickinson, Jr.**

The Chief shared the July 2022 Pennridge Regional Police activity report. The report is on file.

- Mr. Nyman stated the firework state law has been updated. The law will be reviewed to determine if the Township Ordinance needs to be revised.
- Larry Wheatley, 5 Boulder Drive, asked if the Pennridge School District has a resource officer and stated there was a fire at the Rock Hill Quarry. The School District has an Officer on staff.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to accept the Pennridge Regional Police Department report. With no additional discussion, all present voted in favor.

#### **Planning Commission: Anne Fenley**

Mrs. Fenley noted the Pennridge School District proposed accessory building at their operation facility was reviewed and recommended for preliminary / final approval and 809 Three Mile Run Road Conditional Use Hearing proposal was reviewed with a second review to take place at their September meeting. The August agenda and draft minutes were provided to the Board.

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to accept the Planning Commission report. With no additional discussion, all present voted in favor.

#### **Pennridge Wastewater Treatment Authority: Dave Nyman**

Mr. Nyman noted as a result of sludge material going to the Boyertown facility which has been shut down by DEP, PWTA may have to pay a fine of \$120,000.00 which may be put into their 2023 budget. Mr. Nyman stated the 1975 Agreement signed by all members requires one voting member from each Municipality however Perkasie Borough (3) and Sellersville Borough (2) continue to have additional voting members. An August 19, 2022, Pennridge Wastewater Treatment Authority Re-Certification of PWTA Correspondence was received requesting approval of a draft resolution to re-certify as currently structured. It was noted the Board took action June 28, 2022 to not authorize the re-certification until all items of the 1975 Agreement, specifically Section 10.09, were adhered to.

The July 2022 minutes and flow reports were provided to the Board.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to accept the Pennridge Wastewater Treatment Authority report. With no additional discussion, all present voted in favor.

#### **Department and Emergency Services Reports**

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to acknowledge receipt of the Department and Emergency Services reports. With no additional discussion, all presented voted in favor.

#### **New or Other Business – Supervisors’ Items:**

- Mr. Nietupski followed up on his prior request to amend Zoning language for immediate family member in Agricultural use.
- Mr. Nietupski recently met with Roy and Betty Moyer at 236 W. Schwenkmill Road that believe a road pipe that was replaced in kind during a public water project approximately 15 years ago has resulted in water flow which deteriorated their private property. It was noted the water is directed from across the street, through the crossover pipe, downhill along their driveway to several adjacent properties and ends at the Creek. Township Solicitor stated no work can take place on private property which is out of the scope of Township operations. Mr. Nyman opposed work on private property which would set a precedent; Mr. Nietupski was in favor of spending township

funds for materials for the private property improvement; Mr. Volovnik stated the item needed further review.

- Mr. Nietupski requested an Executive Session to discuss real estate acquisition.

**Public Comment #2:**

- Doug Vogel, 6 Boulder Drive, asked how DEP determined the fine for material dropped off at the Boyertown site. Truck sludge quantity records.
- Larry Wheatley, 5 Boulder Drive, asked how the fire department accessed the Rock Hill Quarry site. The lock was cut. Mrs. Morano will notify DEP of the fire.

**Adjournment:**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to adjourn the regular meeting into executive session. With no additional discussion, the meeting was adjourned at 8:10p.m.

Respectfully submitted,

Marianne Morano  
Township Manager