

**MINUTES OF THE  
THE EAST ROCKHILL TOWNSHIP  
BOARD OF SUPERVISORS**

**October 21, 2008**

The Regular Meeting of the East Rockhill Township Board of Supervisors was called to order at 7:00 p.m. by Chairman David Nyman, who led the Salute to the American Flag. Also present were Vice Chairman John Cressman, Supervisor Gary Volovnik, Solicitor Patrick Armstrong, Esquire, Engineer C. Robert Wynn, P.E., Township Manager Anne Klepfer and members of the press and public.

**Item #1: Approval of Minutes**

**On motion** by Mr. Cressman **seconded** by Mr. Volovnik, the minutes of September 16, 2008 were approved **unanimously**.

**Item #2: Payment of Bills**

Mr. Volovnik **moved** to approve payment of the bills list dated October 21, 2008 totaling \$355,107.81, **seconded** by Mr. Cressman and **approved 3-0**.

**Public Comment I** - Mr. Jim Nietupski of Route 313 commented that he listed to the whole budget discussion prior to the start of the Regular Meeting and he didn't hear any discussion of the settlement money from the Sellersville lawsuit. He asked what the money is going to be used for. Chairman Nyman explained that the award was paid to the Pennridge Police Commission as the primary claimant. The Police Commission is going to decide what to do with the settlement money.

Mr. Nietupski asked the Board for an update on the new Police Building and confirmed that the expense is not included in the draft East Rockhill Township Budget. Chairman Nyman directed Mr. Nietupski to the Police Commission to seek the answers to his questions, noting the time and location of the meetings. He informed Mr. Nietupski that there are no new developments or approvals for the project and that the Township is waiting for the Police Commission proposal.

**Special Business:** Metro PCS Conditional Use Application & Hearing: Recorded by Court Reporter. The hearing started at 7:12 PM and concluded at 7:55.

Mr. Nyman recessed the meeting at 7:55 PM for five (5) minutes

**Item #3: Manager's Report: Anne Klepfer**

Open Space Plan Committee: By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board **unanimously** voted to create an Open Space Plan ad hoc committee and appoint Anne Fenley, Bill Wilson, Anne Klepfer and David Nyman to the committee.

Salt Contract: By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board **unanimously** voted to deem Cargill, Incorporated-Deicing Technology's bid to be non-responsive and rejected the bid. In the same motion the Board awarded the 2008-2009 Salt Contract for an estimated quantity of 750 tons of salt at a contract price of \$69.50 per ton delivered, in conformance with your bid proposal dated September 17, 2008.

Correspondence from Jim Valletta: Mrs. Klepfer announced that the Board received a letter of Resignation from Jim Valletta effective the November 14, 2009 following the November 13, 2008 Regular Planning Commission Meeting. By **motion** of Mr. Volovnik and **second** by Mr. Cressman the Board **unanimously accepted** the resignation subject to Mrs. Klepfer writing a letter to thank Mr. Valletta for his service to the Township.

By **motion** of Mr. Cressman and **seconded** by Mr. Volovnik, the Manager's Report was **unanimously approved**.

**Item #4: Planning Commission Report:**

Mrs. Fenley reported that the Planning Commission reviewed the Metro PCS Application and made recommendations to the Board.

By **motion** of Mr. Volovnik and **seconded** by Mr. Cressman, the Planning Commission Report was **unanimously approved**.

**Item #5: PWTA Report:**

Mr. Cressman reported that PWTA adopted a revised budget for 2009 after an omission was discovered. He stated that other than that it was a very short meeting.

By **motion** of Mr. Volovnik and **seconded** by Mr. Nyman, the PWTA Report was **unanimously approved**.

**Item #6: Engineer's Report: C. Robert Wynn, P.E.**

Crest View Subdivision. Engineer Wynn reported that his office was contacted by the developer and is now working with the Developer to get the Developer to complete the items specified by the Board of Supervisors. The Developer has been given a deadline for compliance.

Vouchers: No Vouchers for approval

Extensions: Mr. Wynn reported that he is in receipt of an extension from the Goepfert Minor Subdivision through January 30, 2009. An extension was also received from Rockhill Developers Minor Subdivision through December 31, 2008.

Mr. Cressman **moved** to approve the Engineer's Report. The motion was **seconded** by Mr. Volovnik and was **unanimously approved**.

**Item #7: Solicitor's Report: Patrick Armstrong, Esq.**

Fireworks Ordinance: Mr. Armstrong introduced Township **Ordinance No. 242** referred to as the "Fire Works Ordinance" for consideration of adoption by the Board of Supervisors. The Ordinance was properly advertised in the News Herald and a copy was provided to the Bucks County Law Library. The purpose of the Ordinance is to regulate Fire Works in the Township. Commercial Fire Works Displays will require a permit

approved by the Township. Consumer Fireworks will be restricted to no closer than 200' from a property line or structure, unless with the approval of the affected property owners and the Township. A public hearing was convened at 8:20 PM, however there were no public comments so the hearing was closed. By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board of Supervisors **3-0 voted** to adopt Ordinance No. 242.

Drought Ordinance – By **motion** of Mr. Cressman and **second** by Mr. Volovnik the Board **unanimously authorized** the advertisement of the Drought Ordinance for consideration of adoption.

Craig Hirth Subdivision: Based on the Recommendations of the Township Consultants, by **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board of Supervisors **unanimously** declared Craig Properties of the Craig/Hirth Subdivision to be in default of their Development Agreements and authorized the Solicitor to proceed with the required notifications.

By **motion** of Mr. Cressman and **seconded** by Mr. Volovnik the Solicitor's Report was accepted **unanimously**.

**Item #10: PACC Report** –Mr. Nyman summarized the discussions from the September PACC Meeting.

By **motion** of Mr. Cressman and **second** by Mr. Volovnik the PACC report **was accepted**.

**Item #9: Emergency Services Report:**

The Board acknowledged reports from Perkasio, Sellersville and Dublin Fire Companies, by **motion** of Mr. Cressman, **seconded** by Mr. Volovnik, **voting 3-0**.

**Item #10: Other Business:**

Mr. Cressman raised a concern on behalf of a resident regarding the possible need for a 3-way stop intersection at Meadow Lane, Ridge Run and Tunnel Road. Mrs. Hogan reported that the cut through traffic to Old Bethlehem Pike is extensive. Township Engineer C. Robert Wynn did not think a three-way stop would be warranted, but suggested the Board consider traffic calming alternatives such as speed humps. Mrs. Klepfer commented that the Board should consider criteria for speed humps to be considered because if they are installed there is a strong likelihood that additional requests for them would be received. The Board agreed to look into speed humps and asked the Engineer to provide additional information.

Mr. Nyman discussed the request from Jane Rivera for a memorial sculpture to be erected in the Willard H. Markey Centennial Park. The Board agreed to review it at the next meeting after they have had time to consider the request.

**Public Comment II** – Mr. Nietupski followed up his earlier comments by asking the Board to clarify the budgeting process for the Police Commission. Chief Mettin prepares a draft budget that is reviewed by the Police Commission. The Townships have the opportunity to comment on it. The Police Commission adopts a Budget that is submitted to both Townships with amount requested for funding. Township’s must determine and approve funding allocated to Police Commission.

**Item #10: Adjournment:**

**On motion** by Mr. Cressman, **seconded** by Mr. Volovnik, the Board adjourned at 8:50 P.M. With no additional comment, **all voted in favor.**

The next Work Session will be held November 11, 2008, despite the office being closed for Veteran’s Day.

The next Regular Meeting – November 18, 2008, 7:00 PM. .

Respectfully Submitted,

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Anne W. Klepfer, Secretary / Township Manager

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Date Approved