

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

June 16, 2009

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 Steve Baluh, P.E., Township Manager Anne Klepfer and members of the press and public.

Item #1: Approval of Minutes

On motion by Mr. Volovnik **seconded** by Mr. Cressman the minutes of May 19, 2009 were approved **unanimously**.

Item #2: Payment of Bills

Mr. Cressman **moved** to approve payment of the bills list as June 16, 2009 totaling \$147,643.42. The motion was **seconded** by Mr. Volovnik and **approved 3-0**.

Public Comment I: No Public Comment.

Item #3: Manager's Report: Anne Klepfer

Recycling and Yard Waste Bids – By **motion** of Mr. Cressman and **seconded** by Mr. Volovnik the Board of Supervisors **unanimously** authorized the Township Manager to prepare bid specifications for weekly curbside collection of Recycling and Monthly curbside collection of yardwaste.

Mr. Cressman **moved** to approve the Manager's Report. The motion was **seconded** by Mr. Volovnik and **approved 3-0**.

Item #4: Planning Commission Report:

Ms. Fenley reported that the Planning Commission held a short meeting to review a sketch plan for a two lot subdivision of the Allan Nyman tract on Branch Road.

By **motion** of Mr. Volovnik and **seconded** by Mr. Cressman the Board unanimously approved the Planning Commission report.

Item #5: PWTA Report:

Mr. Cressman reported that there is an Administration and Finance Committee meeting scheduled for June 21st to discuss an audit.

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

Item #6 PACC Report:

Mr. Nyman reported that the May meeting was attended by Dublin, West Rockhill Township, Bedminster Township and the Pennridge School District. Progress on the various projects including the West Rockhill Township Basin Retrofit project was reviewed and they discussed plans for implementing Act 32 which will change the way the Earned Income Tax and the Local Services Tax is collected. The Pennridge Area

Coordinating Committee is also discussing the conversion of the School District's fleet to compressed natural gas.

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

Item #7: Engineer's Report: Steve Baluh, P.E.

Vouchers – By **motion** of Mr. Cressman and **seconded** by Mr. Volovnik, the Board of Supervisors authorized Voucher #15 dated June 15, 2009 for the Fox Hill Subdivision for sitework, storm sewer, and misc. The motion **carried 3-0**.

Extensions: Mr. Baluh noted for the minutes that the Township received an extension for the B&D Subdivision through December 31, 2009. The Geisert Subdivision resubmitted revised plans for review but also provided an extension. The Board discussed limiting the B&D Subdivision extension to 90 days. By **motion** of Mr. Volovnik and **seconded** by Mr. Cressman the Board **unanimously** noted the extensions and authorized the Engineer to inform the B&D Subdivision applicant that they need to show progress within ninety (90) days to avoid action by the Board of Supervisors to deny the plan.

Mr. Cressman **moved** to accept the Township Engineer's Report. Mr. Volovnik **seconded** the motion which **carried 3-0**.

Item #8: Township Solicitor's Report- Patrick Armstrong, Esq.

ATV Ordinance: Solicitor Armstrong reviewed the draft ATV Ordinance. The Board continued to discuss the limit on the number of riders that can operate an ATV at once and the hours of use permitted. Public Comment was taken.

Nicki, a tenant from 1072 Old Bethlehem Pike stated that she doesn't usually have more than four riders at a time and wouldn't have a problem with complying with the ordinance as currently drafted.

Jim Person of 1086 Old Bethlehem Road asked the Board to change the "or dusk" language to a fixed cutoff time. He stated the distance for the setbacks isn't important because it's the noise that is bothersome.

Nicki, said that she wants to be a good neighbor and she can understand people wanting to enjoy their dinner. She suggested the Board consider an 11 AM to 5 PM use period daily.

Mr. Houston, the owner of 1072 Old Bethlehem Road stated that he's been against the loud ATV for a while and the person who rides that vehicle is no longer a tenant and has been asked not to ride it there anymore. Mr. Houston said he's not sure the Ordinance will work and was concerned that use of his ATV for yard maintenance might violate the Ordinance.

A resident from Three Mile Run Road questioned the 50 feet setback requirement.

Anne Fenley of Branch Road stated that she believes the 11 AM to 5 PM time frame is too restrictive.

Mr. Neil Schwan and Mr. Persons said that the 11 AM to 5 PM is acceptable to them.

Mr. Volovnik stated that he believes the impact this ordinance will have is dependent on residents being respectful of their neighbors and although he's disappointed the Board has a need for this Ordinance he is comfortable with the 11 AM to 5 PM language and is ready to move this Ordinance forward.

Mr. Cressman **moved** to authorize the Solicitor to advertise the ATV Ordinance with changes including a reduction in the number of riders permitted at one time from four to three and establishing the hours of use at 11 AM to 5 PM. Mr. Volovnik **seconded** the motion and the motion carried **unanimously 3-0**.

Brownfields Grant Agreement – the grant agreement previously authorized was presented for execution.

Pillegi Shopping Center On-lot Sewer System Agreement – Mr. Volovnik **moved** to authorize execution of the Pillegi Shopping Center Sewer System Agreement. Mr. Cressman **seconded** the motion which was approved by a **3-0 vote**.

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

Item #9: Emergency Services Report:

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

Item #10: Other Business: There was no Other Business to discuss.

Public Comment II – There was none.

Item #11: Adjournment:

On motion by Mr. Cressman, **seconded** by Mr. Volovnik, the Board adjourned into an Executive Session to discuss real estate at 7:40 P.M. With no additional comment, **all voted in favor**. The next Regular meeting is July 21, 2009.

Respectfully Submitted,

Anne W. Klepfer, Secretary / Township Manager

Date Approved