

MINUTES OF THE
THE EAST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS

August 11, 2009

The combined Work Session/Regular Meeting of the East Rockhill Township Board of Supervisors was called to order at 7:02 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 John Rice, Esquire, Engineer C. Robert Wynn, P.E., and members of the press and public.

Item #1: Approval of Minutes

On motion by Mr. Cressman, seconded by Mr. Volovnik, to approve the minutes of the July 14, 2009 work session and the July 21, 2009 regular meeting. With no additional comment, all voted in favor.

Item #2: Payment of Bills

On motion by Mr. Cressman, seconded by Mr. Volovnik, to approve payment of the Bills List of August 11, 2009 totaling \$85,641.67. With no additional comment, all voted in favor.

Public Comment I:

Jerry Harris, Branch Road, informed the Board that the storm drain pipe crossing Branch Road at his property is undersized and as a result, stormwater from this past weekend's storm washed over the road leaving debris and damaged his hay field. He would like the Township to install a larger cross pipe. The issue was referred to the Township Engineer for review.

Item #3: Administration Report: David Nyman

Resolution 2009-14 - Mr. Nyman shared a commendation for Jeff Scholl from the Pennridge Regional Police Department. He read Resolution 2009-14. **On motion** by Mr. Volovnik, seconded by Mr. Cressman to approve **Resolution 2009-14**, recognizing the actions of Jeff Scholl. With no additional comment, **all voted in favor**. David Mettin, Pennridge Regional Police Chief presented the Resolution to Mr. Scholl.

Sheards' Mill Covered Bridge bids - **On motion** by Mr. Volovnik, seconded by Mr. Cressman, to authorize the advertisement of bids for the fireproofing and painting of Sheards' Mill Covered Bridge. With no additional comment, all voted in favor. Mr. Cressman noted that efforts are underway to work with PennDOT and Bucks County to have the County assume ownership of the bridge.

Act 32 Resolution - **On motion** by Mr. Cressman, seconded by Mr. Volovnik, to approve **Resolution 2009-15**, appointing Pennridge School District delegates Robert Reinhart and Gail Klohe as East Rockhill Township's delegates. With no additional comment, all voted in favor.

PACC Report – Mr. Nyman reviewed the July 23, 2009 PACC report.

Perkasie handicap accessible ramps request – Mr. Nyman shared a request from Perkasie Borough to have handicap accessible ramps installed at the shopping center. The Township will inform the property owners of their responsibility to provide handicap access and work with them to achieve the retrofits.

Item #4: Public Works Report: Steve Funk

Sidewalk repair at the Pines – Mr. Funk indicated that lifted section of sidewalk on Township property would be repaired this week. He also noted that since street tree roots appear to be causing the problem several residents are requesting removal of the trees.

Recycling update – Mr. Funk is getting information from an Upper Bucks hauler to remove our recyclables at no cost to the Township.

Wastewater pumping station – Mr. Funk indicated a minor leak in an outlet pipe at the sewer plant which will require installation of a bypass valve to facilitate repairs. **On motion** by Mr. Cressman, seconded by Mr. Volovnik, to authorize the installation of a bypass valve at the sewer plant at a cost not to exceed \$11,000. With no additional comment, all voted in favor.

Three Mile Run Road – Mr. Funk indicated that the section of Three Mile Run Road needed to be repaired before winter and that it could be done for less than the \$60,000 budgeted. He was directed to have Mrs. Klepfer coordinate the repairs with Perkasie Borough Authority in the event they wanted to run water lines first.

Item #5: Planning Commission Report: Anne Fenley

Mrs. Fenley reported that there has been no Planning Commission meeting since the Board last met.

Item #6: PWTA Report: John Cressman

Mr. Cressman reviewed the PWTA report, noting that Hilltown and Sellersville indicated a desire to have discussions with West Rockhill regarding their sewer needs.

Item #7 Solicitor's Report: John Rice, Esq.

ATV Ordinance Hearing – Mr. Rice indicated that this hearing was continued from July 21, 2009. Mr. Nyman reopened the hearing and shared proposed revisions to the livestock setbacks and the hours of operation. Mr. Jim Person, Three Mile Run Road, indicated residents were looking for a focused Ordinance with defined hours of operation. He also asked for clarification on the revised times. Mr. Dennis Worman, Hill Road, shared a previously reported concern, indicated that unrestricted ATV usage can become an attractive nuisance and supports the proposed Ordinance. He noted that he had called the police about 20 times. Mr. Steve Owens, Old Bethlehem Road asked for clarification of 4th amendment rights and access to State and Open Space lands. Ms. Donna Freed, Hill Road, feels the Ordinance is still too restrictive. Mrs. Anne Fenley, Branch Road, indicated appreciation for relaxed times. With no additional comments, the hearing was closed. **On motion** by Mr. Volovnik, seconded by Mr. Cressman, to adopt **Ordinance**

#248, with the livestock setback amended to 50 feet (Section II, G) and the hours of operation amended to between 9:00 a.m. and 7:00 p.m. or sunset, whichever is earlier, Monday through Friday; between 9:00 a.m. and 6:00 p.m. or sunset, whichever is earlier, on Saturday; and between the hours of 12:00 p.m. and 5:00 p.m. or sunset, whichever is earlier, on Sunday (Section II, H,2). With no additional comment, all voted in favor. Mr. Nyman thanked everyone for the spirit of compromise and time commitment to develop this Ordinance.

Upper Bucks County Municipal Cooperative Agreement Ordinance Hearing - Mr. Rice announced that the hearing had been advertised August 4th. Mr. Nyman opened the hearing, indicating the history of this agreement and its value in providing cost saving opportunities to work with neighboring municipalities. Mr. Cressman and Mr. Volovnik shared examples of our Public Works Department sharing equipment. Jim Nietupski, Route 313, questioned the financial commitment and noted that the entire Ordinance was not posted on the website (website review indicated that it is). **On motion** by Mr. Cressman, seconded by Mr. Volovnik, to adopt the Upper Bucks County Municipal Cooperative Ordinance #249. With no additional comment, **all voted in favor**.

Mr. Rice requested an executive session to discuss a real estate matter.

Item #8: Engineer's Report: C. Robert Wynn, P.E.

Pileggi Planning Module Resolution: **On motion** by Mr. Volovnik, seconded by Mr. Cressman, to authorize execution of the Pileggi Planning Module, **Resolution 2009-16**. With no additional comment, all voted in favor.

Vouchers: **On motion** by Mr. Cressman, seconded by Mr. Volovnik, to authorize release of the Vouchers as requested in the C.R. Wynn memo dated August 6, 2009. With no additional comment, all voted in favor.

Geisert Planning Module Resolution: **On motion** by Mr. Volovnik, seconded by Mr. Nyman, to authorize execution of the Geisert Planning Module, **Resolution 2009-17**. With no additional comment, the Board voted in favor 2 – 0, with Mr. Cressman abstaining due to his relationship with the applicant.

Pennridge School District request for dedication: **On motion** by Mr. Cressman, seconded by Mr. Volovnik, to commence the eighteen (18) month dedication period for the Pennridge School District project, noting that dead trees are to be replaced during this time and that the escrow is to be reduced to \$569,714.81. With no additional comment, all voted in favor.

Item #9: Emergency Services Report:

On motion by Mr. Cressman, seconded by Mr. Volovnik, the Board acknowledged monthly reports from Perkasio and Sellersville Fire Companies. With no additional comment, all voted in favor.

Item #10: Other Business:

Pennridge Greenjackets – Joe Finlayson reviewed the Township’s required revisions to their plan for constructing two additional practice fields, noting the club’s acknowledgement of a need for more parking. They will construct as much of the parking as per plan that they are able to squeeze in with their existing finances. They requested to be on the September 8th agenda for final plan approval so as to be able to work this fall. Mr. Wynn noted that they need E&S approval to begin construction.

Public Comment II –

Jim Nietupski questioned the real estate matter requested for executive session. Jim Person thanked the Board for their diligent consideration of the ATV Ordinance.

Adjournment:

On motion by Mr. Cressman, seconded by Mr. Volovnik, the Board adjourned into an Executive Session to discuss real estate at 8:30 P.M. With no additional comment, all voted in favor.

The next Regular meeting will be September 15, 2009

Respectfully Submitted,

Anne W. Klepfer, Secretary / Township Manager

Date Approved