

Minutes of the East Rockhill Township Board of Supervisors
Work Session
Tuesday, September 8, 2009
Minutes

The meeting was called to order at 7:00 PM by Chairman David R. Nyman. Also present were Vice-Chairman John R. Cressman, member Gary Volovnik as well as Solicitor John B. Rice, Esquire, Engineer C. Robert Wynn, P.E., Public Works Director Steve Funk and Township Manager Anne W. Klepfer as well as members of the press and public.

Item #1. Approval of Minutes

On motion by Mr. Cressman, **seconded** by Mr. Volovnik, the combined Work Session and Regular Meeting Minutes of August 11, 2009 were approved 3-0.

Item #2. Payment of Bills

On motion by Mr. Cressman **seconded** by Mr. Volovnik, the Board **voted 3-0 to approve** the Bills List dated September 8, 2009 totaling \$21,943.56.

Public Comment Period #1 – There were no public comments on non-agenda items at this time.

Item #3. Manager's Report: Anne Klepfer

PSATS Resolution No. 2009-16: By **motion** of Mr. Volovnik and **second** by Mr. Cressman the Board **unanimously approved Resolution No. 2009-19** indicating East Rockhill's support of legislation that would re-establish a federal revenue sharing program.

Trash and Recycling District Contract Extension: By **motion** of Mr. Nyman and **second** by Mr. Volovnik, the Board **voted 3-0** to accept Allied Waste contract options for 2010 and 2011 for weekly trash and recycling service in the Trash District.

Trash/Recycling Options for Recycling Center and Township Wide: Mrs. Klepfer informed the Board that Allied Waste has indicated they are willing to extend the contract for the 2010 and 2011 contract periods to additional neighborhoods if the Township is interested in enlarging the trash district. Mrs. Klepfer also reported that she expects a new contract will be signed for the collection and disposal of the drop-off center recycling materials that will result in a significant cost savings to the Township. The Board was interested in talking to BFI if there would be a cost savings to residents, if private prescription Allied Waste customers will see a savings for the same service and if Allied Waste will continue to honor its Senior Citizens discount if it's cheaper than the contracted price. The Board also said they need to hear more from residents who would be affected by the change to a single hauler in their neighborhood. The Board directed Mrs. Klepfer to send notification to the affected residents and solicit public comment and then reschedule it for further discussion.

Computer IT Services: Mrs. Klepfer informed the Board that the Township's IT provider is no longer offering a contract for maintenance services and is using a third party for repairs and on-sight service. She discussed with the Board choosing an alternative IT provider. The Board advised her that while they were thankful for the many years of service the current provider gave East Rockhill, they understood that it was a good time to effectuate a change.

2010 MMO – Resolution No. 2009-20: By **motion** of Mr. Cressman and **second** by Mr. Volovnik the Board by **3-0 vote** adopted **Resolution No. 2009-20** adopting the 2010 Minimum Municipal Obligation to the Non-uniformed Pension Plan for East Rockhill Township.

2010 Budget Meeting: The Board suggested meeting at 6:30 on October 13, 2009 to discuss the 2010 draft budget.

Item #4. Public Works Report: Mr. Funk reported that his crew is working on replacing two 36" pipes dating back to approximately 1972 near the Pettit tract. He has ordered the parts needed for the repairs to the pump station and he is working on scheduling repairs to Three Mile Run Road as previously discussed.

Item #5. PWTA Report: Mr. Cressman reported that the survey of connections from each municipality is underway and should be complete shortly.

Item #6. Solicitor's Report: - John Rice, Esquire

Cingular Wireless/ATT and Verizon Wirelss ZHB Application: By **motion** of Mr. Volovnik and **second** by Mr. Cressman the Board **voted 3-0** to authorize Solicitor John Rice to intervene at the above referenced hearing on behalf of the Township and to utilize the service of C. Robert Wynn Associates as necessary.

Open Space: Solicitor Rice announced that an Executive Session for the purpose of discussing Real Estate was conducted prior to the start of this meeting. The Township is now prepared to move forward with applying to the County Open Space Board for funding to purchase a conservation easement and enter into an agreement of sale.

Resolution No. 2009-18. By **motion** of Mr. Cressman and **second** by Mr. Volovnik the board voted **3-0 to adopt Resolution No. 2009-18** authorizing the Township Manager to file an application for Bucks County Open Space Funds in the amount of \$362,944 or up to 75% of the purchase price and authorizing the Manager to pledge the 25% matching funds of approximately \$90,711.00. The funding is for the purchase of a conservation easement on approximately 45 acres of the Rufe property located on Fifth Street.

Indian Valley Appraisal Company: By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board of Supervisors **unanimously** accepted the proposal of Indian Valley Appraisal Company dated May 8, 2009 to provide a second self-contained appraisal report of the Rufe property.

Dennis M. Litzenberger: By **motion** of Mr. Cressman and **second** by Mr. Volovnik the Board of Supervisors **voted 3-0** to accept a proposal from Dennis M. Litzenberger to prepare a survey of the Rufe property for a cost not to exceed \$3,900.00.

Agreement of Sale: By **motion** of Mr. Cressman and **second** by Mr. Volovnik the Board of Supervisors **voted 3-0** to authorize the Township Manager to execute the Agreement of Sale prepared by the Township Solicitor as directed by the Board of Supervisors.

Item #7. Engineer's Report: C. Robert Wynn, P.E.

Fox Hill Subdivision: Joe LaGreca and Chris Chandor, Esq. from Bucks County Bank were present to discuss the status of the Fox Hill Subdivision with the Board. The Bank foreclosed on the unfinished subdivision after the Township found the builder to be in default and seized the financial security. The Bank will finish the subdivision but they are not going to build the homes. The Bank wants the Township to release money for driveway aprons, ramps and lot clearing and to make the individual lot owners responsible for these improvements. The Bank is also asking for relief from the requirement to install the sidewalk on one side of the street as required by the Final Plan. The Bank didn't have specific numbers and were unable to provide a good reason for why the Board should consider their request so they agreed to work with Steve Baluh and be better prepared to address the Board's questions.

Greenjacket Youth Football Organization – The final grading and stormwater management plan was presented to the Board of Supervisors. Improvements are proposed to be phased with the fields, stormwater management and north side parking expansion to be included in Phase 1 and the southside and handicapped parking to be included in phase 2. Chris Long and Joe Finlayson represented the Greenjackets they reviewed the September 3, 2009 review letter of C. Robert Wynn Associates. The Greenjackets agreed to comply with this letter and to enter into a developers' agreement with the Township and post construction escrow to guarantee the improvements.

Mr. William Parfitt, a Three Mile Run Road resident, whose property is adjacent to the park, was present to discuss his concerns that he emailed to the Township on September 6, 2009. Mr. Parfitt stated he is not in favor of the expansion. Mr. Nyman noted that the new fields will re-distribute the current use not expand it. It was confirmed that no additional lighting or sound systems are proposed and that 515 children are enrolled in the program. Mr. Parfitt confirmed that no parking lot lights are proposed. Mr. Parfitt also asked if the existing drainage problem is going to be addressed. He stated that ever since the existing field was graded, the drainage swale on his property has gotten bigger and deeper and the drainage has worsened.

Mr. Wynn indicated that the Greenjackets plan indicates a slight decrease in run-off and doesn't take into account infiltration that may occur so the calculations are conservative. Mr. Nyman told C. Robert Wynn that it would be appropriate for him to take a look at Mr. Parfitt's drainage problem.

Mr. Parfitt also complained about the noise level. There are cars, whistles, and a PA system. He asked how the increased noise from two additional fields will be addressed. He was told that the noise level should change since it's the same number of games being played and the same number of participants, they are just spread out more. Mr. Parfitt said he was promised that the PA system would not be used to play music. Mr. Nyman did not recall banning the use of the PA System for Football or Cheerleading activities. Mr. Parfitt indicated there was music played last weekend but admitted it wasn't too loud or too prolonged. However the speakers were supposed be position away from Mr. Parfitt's property and he's not sure that was ever done. Mr. Long and Mr. Finlayson were introduced to Mr. Parfitt and told where he lives. They agreed to look into the speakers and informed the Board that there are organizational regulations for the use of the PA system that must be followed and for which training is provided.

Mr. Parfitt said that he was promised a schedule of the field use and was never provided with one. When he called the Township he was told they didn't have it either. He's concerned about the Greenjackets' ability to follow through with their responsibilities. Mr. Nyman told Mr. Long to submit to the Township and Mr. Parfitt the same field use schedule that is given to coaches.

Mr. Parfitt asked if other areas were considered for developing a sports complex? The Township told Mr. Parfitt that the Master Plan for the Park has always included community fields but instead of additional baseball or soccer fields it is now going to be football fields. Mr. Parfitt asked how much money the Township gets from the lease and stated that he hopes Township tax dollars aren't going into this and that the Township will be collecting a reasonable lease rental fee.

Additionally, the Greenjackets agreed to review the "direction" of their lighting and when the opportunity presents itself, try to redirect any lighting that may be spilling over to the Parfitt property.

In summary, Mr. Parfitt indicated that his number one concern is the water run-off that is getting worse and causing the swale to get deeper and wider. He continues to be concerned about the use of lights and the use of the public address system. The Township will review the drainage concerns and work towards remediation.

There being no further public comment, the board considered approval of the plan for constructing additional football fields. By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board by **vote of 3-0 approved** the grading and stormwater plan prepared by the Greenjackets for the construction of additional football fields subject to compliance with the C. Robert Wynn Associates September 3, 2009 review letter, executing and satisfying the requisite developer's agreements, securing the requisite outside agency permits and renegotiating the terms of the lease prior to the end of 2009.

Item #8. Other Business: Mr. Nyman advised the Board of the School District's Resolution regarding tax collection and the concern of affected municipalities that their tax dollars may get co-mingled with the School Districts and create delays and

difficulties in retrieving it. Solicitor Rice informed the Board that he is involved in the litigation on behalf of another municipality and confirmed that that is one of the issues the Judge will be issuing a decision on.

Public Comment Period #2 - Questions from the reporter for the meeting were addressed.

Item #9. Adjournment: By motion of Mr. Cressman and **second** by Mr. Volovnik the meeting unanimously adjourned to a Personnel and Litigation meeting at 9:15 PM.

Respectfully Submitted,

Anne W. Klepfer
Secretary / Manager

Approved: _____