

MINUTES OF THE
THE EAST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS

September 15, 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 John B. Rice, Esquire, Engineer Steve Baluh, P.E., and members of the press and public.

Item #1: Approval of Minutes – Minutes of the combined August meeting were approved at the September 8, 2009 Work Session.

Item #2: Payment of Bills

On motion by Mr. Volovnik, seconded by Mr. Cressman, to approve payment of the Bills List of September 15, 2009 totaling \$152,281.44. With no additional comment, all voted in favor.

Public Comment I:

Mr. Charles Turley of Greenleaf Circle stated that the Township did a good job with the tree removal in his development and thanked the Board.

Item #3: Manager's Report: Anne Klepfer

Cedarview Water Extension Well Capping Exemption Requests: Mr. Dornstreich was added to the list of property owners who qualified for the exemption in accordance with the DEP grant requirements. By **motion** of Mr. Cressman and **seconded** by Mr. Volovnik the Board of Supervisors **voted 3-0** to grant exemptions to the nine property owners who have requested the exemptions from well capping, subject to them executing the Acknowledgement form and agreeing to the Department of Environmental Protection's conditions contained therein. Mrs. Klepfer will send the property owners the paperwork and notify Perkasio Borough Authority.

Adoption of the 2009 East Rockhill Township Employee Handbook: The Board deferred adoption of the updated Employee Handbook until next month so that they could have more time to review the draft policy.

Resolution No. 2009-21: A Resolution Authorizing a Multi-Municipal Grant Application for DEP's Section 904 Recycling Grant. The joint application will be filed by Hilltown Township on behalf of Hilltown, East Rockhill and West Rockhill Townships and Dublin Borough. The Resolution was adopted by a **3-0 vote** by **motion** of Mr. Cressman and **second** by Mr. Volovnik.

By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Manager's Report was **approved 3-0**.

Item #4: Planning Commission Report: David Nyman

Mr. Nyman reported due to Anne Fenley's absence at the Planning Commission meeting. The Planning Commission reviewed and recommended for conditional final plan approval, the Geisert Subdivision on Blooming Glen Road. The Commission also

reviewed a draft amendment to the Suburban Zoning District and reviewed a minor subdivision on Branch Road.

By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Planning Commission Report was approved by a vote of **3-0**.

Item #5: PWTA Report: John Cressman

Mr. Cressman reported that the connection survey is underway and will be completed in time for the 2010 Budget preparation.

By **motion** of Mr. Nyman and **second** by Mr. Volovnik, the PWTA Report was by a **vote of 3-0**.

Item #6: PACC Report: David Nyman. PACC did not meet in August.

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

Rockhill Developer's Minor Subdivision, Callowhill Road: This two lot subdivision was recommended for Preliminary/Final Plan approval subject to the C. Robert Wynn Associates Letter of September 3, 2009. Mr. Felix Slipak was present to review the plan and to confirm he is in agreement with regard to the recommended fees-in-lieu of improvements and the Recreation Fee for the new lot. By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board **voted 3-0** to grant Preliminary/Final Plan approval subject to September 3, 2009 C. Robert Wynn Associates letter and resolution of the items contained therein to the satisfaction of the Board and Engineer.

Geisert Subdivision: The Planning Commission recommended conditional Final plan approval for this five lot subdivision subject to September 3, 2009 C. Robert Wynn Associates letter and resolution of the waiver's requested and stormwater management to the satisfaction of the Board of Supervisors. Mr. Todd Myers of Cowan Associates reviewed the plan with the Board. The subdivision will result in a lot for the existing dwelling, three new building lots and a lot containing the existing pond which is to be combined in common deed with an adjoining property. Mr. Myers reviewed the September 3, 2009 C. Robert Wynn Associates letter. He stated that the Township Engineer and his office has determined the fee-in-lieu of tree replacement and are in agreement with it and it is understood that the fee-in-lieu of full road improvements will be paid to the Township and that the Township will request easements, apply for permits and construct the upstream swale improvements. Mr. Cressman recused himself from the vote due to his relationship to the applicant. The motion to grant conditional final plan approval subject to compliance and satisfaction of the September 3, 2009 C. Robert Wynn review letter was **made by** Mr. Volovnik, **seconded by** Mr. Nyman and was approved by a **vote of 2-0-1** with Mr. Cressman abstaining from the vote.

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 September 9, 2009 for Clymer Mill Subdivision #1 for \$28,338.75 for site improvements; Bucks County Community College Voucher No. 4A dated September 8, 2009 payable to C. Robert Wynn Associates, Inc. for \$580.46 for construction observation/escrow administration

and Crest View Voucher #22 in the amount of \$1,583.73 for construction observation and Voucher #23 in the amount of \$25,200 for paving. With no additional comment, all voted in favor.

Extensions: The Board acknowledged the letter of withdrawal of the B&D Custom Builders subdivision application and noted that any resubmissions will be considered a new application subject to current ordinances and fees. The Board also acknowledged receiving a six month extension for the Peace Lutheran Church project through April 6, 2010.

By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Engineer's Report was **approved 3-0**.

Item #8 Solicitor's Report: John B. Rice, Esquire.

Third Party Building Inspection Services – An ordinance and agreement are being prepared to authorize East Rockhill Township's Building Inspector to be contracted out to other municipalities for inspection services. In addition, an agreement for the same services is being drafted for Silverdale Borough. By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board **voted 3-0** to authorize the Ordinance for advertisement for consideration of adoption at the October 20, 2009 Regular Meeting. By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board of Supervisors **voted 3-0** to authorize an interim agreement for building inspection services for Silverdale Borough.

Regional UCC Appeals Board: By **motion** of Mr. Cressman and **second** by Mr. Volovnik the Board **voted 3-0** to authorize an Ordinance Amended to enable Dublin Borough to participate and utilize the Rockhill Joint UCC Appeals Board.

Open Space Conservation Easement: Mr. Rice advised the Board that he had several items for them to take action on to move forward with the acquisition of a conservation easement on 45 acres of land in East Rockhill Township

Resolution No. 2009-22: A Resolution authorizing the Agreement of Sale for a conservation easement on approximately 45 acres of the Rufe property in East Rockhill Township and authorizing the Township Manager to execute the agreement subject to the conservation easement document's approval by all parties. By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board **voted 3-0 to adopt** Resolution No. 2009-22.

Resolution No. 2009-23: A Resolution authorizing the Township to provide a Small Capital Borrowing of \$60,000.00 to finalize the purchase of a conservation easement on approximately 45 acres of the Rufe property in East Rockhill Township.

Second Land Appraisal: By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board **voted 3-0** to accept the proposal of the Indian Valley Appraisal Company dated May 8, 2009 in the amount of \$2,600.00.

Survey Work: By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board **voted 3-0** to approve the Dennis M. Litzenberger Proposal for professional services to survey the Rufe property for a cost of \$3,900.00.

By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Solicitor's Report was **approved 3-0**.

Item #9: Emergency Services Report:

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

Item #10: Other Business:

Recycling Center Service Contract – Mrs. Klepfer advised the Board that a contract for collection, transportation and disposal of the recycling materials from the Township's Recycling Center has been drafted and reviewed by the Solicitor and was mailed to the contractor. By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board of Supervisors **voted 3-0** to authorize the Township Manager to finalize the agreement with the DelGuericco's Wrecking & Salvage Inc.

Planning Association Award: Mr. Nyman announced that the Pennridge Area Coordinating Committee and Bucks County Planning Commission won the Pennsylvania Chapter of the American Planning Association's 2009 Award for Public Outreach for their work on their Water Resource Plan.

Public Comment II –

Anne Fenley asked where the 45 acres being conserved is located. It is located off of 5th Street across from Draper DBS and Cedarview Avenue.

Mrs. Fenley also informed the Board that since connecting to public water her dishes are not cleaning/rinsing properly in her dishwasher. She is going to follow up with Perkasio Borough Authority on possible solutions.

Adjournment:

Mr. Nyman announced that an Executive Session to discuss Real Estate was conducted prior to the start of this meeting and announced that the Board would now adjourn to a litigation meeting.

On motion by Mr. Cressman, **seconded** by Mr. Volovnik, the Board adjourned into an Executive Session to discuss litigation at 7:55 P.M. With no additional comment, all voted in favor.

Reconvene Regular Meeting:

Chairman Nyman reconvened the Public Meeting at 8:15 PM. Mr. Volovnik **moved** to authorize a the Township Manager to negotiate an agreement for special counsel services from Crystal Fisher or Robert L. Brant. The motion was **seconded** by Mr. Cressman and was approved by a **3-0 vote**. By unanimous vote after a **motion** by Mr. Cressman and **second** by Mr. Volovnik, the Regular Meeting of September 15, 2009 was adjourned at 8:16 PM.

The next Regular meeting will be October 20, 2009

Respectfully Submitted,

Anne W. Klepfer, Secretary / Township Manager

Date Approved