

MINUTES OF THE
THE EAST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS

October 20, 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., and members of the press and public.

Item #1: Approval of Minutes – By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the minutes of September 15, 2009 were unanimously **approved 3-0**.

Item #2: Payment of Bills

On motion by Mr. Cressman, **seconded** by Mr. Volovnik, the Bills List of October 20, 2009 totaling \$52,421.61 was **approved 3-0**. By **motion** of Mr. Cressman and **second** by Mr. Volovnik the Board **voted 3-0** to approve interim Bills dated October 1st (221.23), September 17th (1,535.49) and September 30th (3,632.66).

Public Comment I:

There was none.

Item #3: Manager's Report: Anne Klepfer

Employee Handbook: By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board **voted 3-0** to adopt **Resolution No. 2009-24** adopting the October 2009 East Rockhill Township Employee Handbook replacing previously adopted policies with the same.

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

Item #4: Planning Commission Report: Anne Fenley

Mrs. Fenley reported that the Planning Commission had a very quick meeting with only one item of business. They reviewed and recommended for conditional approval the Allan Nyman two-lot 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 reviewed the PWTA wastewater treatment plant's efficiency during the recent rain events.

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

Item #6: PACC Report: Mr. Nyman reported that PACC met briefly in September. East Rockhill Township, West Rockhill Township and Dublin Borough were in attendance.

Mr. Nyman believes that both Dublin Borough, West Rockhill Township and Bedminster are close to adopting the ordinances needed to authorize inter-municipal agreements.

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

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

Allan Nyman Subdivision, 2 lots, Branch Road: The applicant's engineer Jason Smeiland and the applicant Allan Nyman were present to review the plan with the Board. Mr. Smeiland reviewed the September 28, 2009 C. Robert Wynn Associates letter and his Waiver Request Letter dated September 16, 2009. The parcel was originally part of the Country Hunt Subdivision and most of the public improvements were completed in conjunction with the approval of the Country Hunt Subdivision. The waivers requested include the methodology used for stormwater management (Section 26-32.C); a partial waiver from the Township's Water Quality calculation requirements (Section 26-325.1); deferral of the E&S requirements until time of building permit application for Lot #2; and deferral of the requirement to provide financial security for the lot specific improvements until time of building permit (Section 606). Mr. Smeiland noted that Zoning determinations for this project were obtained and that the applicant has agreed to provide a 30' easement across the ephemeral drainage ditch that traverses the property.

By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board **voted 2-0-1** to approve the September 16, 2009 waivers requested and grant conditional plan approval to the Allan Nyman Subdivision subject to satisfaction of the September 28, 2009 C. Robert Wynn Associates Letter. Chairman Nyman recused himself and abstained 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 October 15, 2009 for Clymer Mill Subdivision #2 for \$22,995 for site improvements; with no additional comment, **all voted in favor**.

Crestview Subdivision: The public improvements have been completed by the developer and the Township Engineer recommended the Township accept the improvements and commence the 18 month maintenance period. By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board **voted 3-0** to accept the Crestview Subdivision Public Improvements and to commence the 18 month maintenance period.

Wismer Subdivision Improvements: The Township received a written request from Elaine Wismer asking for an extension for more time to complete the remaining improvements. Township Engineer Steve Baluh, P.E. indicated that items remaining included paving of the driveway entrance, cleanup work, and tree plantings remain. By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board voted **3-0** to grant an extension until June 1, 2010 subject to the applicant's account being current and with the understanding that if the remaining work is not completed by June 1, 2010 that the Township would find the applicant in default.

Green Ridge Estate/Eastern Equities: This project is in Perkasio Borough and the approval of the improvements was left to Perkasio; however, a small portion of the road is in East Rockhill Township and the Engineer anticipates that they will be contacting the Township with regard to dedication. The Board asked Mrs. Klepfer to check with Perkasio Borough to determine whether or not they are requiring a contribution in lieu of the Liquid Fuels payment for this year.

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

Item #8 Solicitor's Report: Patrick Armstrong, Esquire.

Third Party Building Inspection Services – Solicitor Armstrong summarized Ordinance # 250 as an ordinance that authorizes East Rockhill Township's Building Inspector to be contracted out to other municipalities for inspection services and authorizes an agreement for the same services is being drafted for Silverdale Borough. The Ordinance was properly advertised in the News Herald, a copy was provided to the Bucks County Law Library and posted at the Township Office. At 7:40 PM a Public Hearing was opened by Chairman Nyman. There were no public comments and the hearing was closed at 7:41 PM. By **motion** of John Cressman and **second** by Gary Volovnik the Board of Supervisors **voted 3-0** to adopt Ordinance No. 250 Authorizing an Inter-municipal agreement with Silverdale Borough for Code Inspection Services. 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/back up building inspection services for Silverdale Borough.

Silverdale Inter-municipal Agreement for Inspection Services: Approved by **motion** of David Nyman, **second** by John Cressman and by a **3-0** vote in favor.

Third Party Code Official and Inspection Fee Schedule for 2009: By **motion** of Gary Volovnik and **second** by John Cressman, the Board of Supervisors **voted 3-0** to adopt the 2009 Third Party Code Official and Inspection Services Fee Schedule.

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 Haycock Township, Perkasio, Sellersville and Dublin Fire Companies, **all voted in favor**.

Chief Worthington was present to discuss his desire for more involvement and coordination of responses to emergencies at the Airport. The Board will have Mrs. Klepfer contact the airport to open a dialogue on this subject. Mr. Worthington also asked to be on the Board's November Work Session Agenda to discuss the new apparatus that will be housed in East Rockhill Township and their capital plan. With no additional comment,

Item #10: Other Business: Mr. Nyman indicated that he received a letter from Jerry Harris regarding an offer he received from Bucks County to purchase an agricultural easement on 68 acres of his 70+ acre tract. Mr. Harris is interested in preserving his farm and has asked if the Township would contribute to the conservation of the tract. Mr. Nyman confirmed with the Solicitor that two appraisals are necessary and that it would be prudent get more than one cost estimate for appraisal services. Mr. Nyman asked for a motion to authorize the Township Manager to seek proposals for services to appraise the Harris Farm for an agricultural easement and to accept one of the proposals for ratification by the Board in November. The **motion** was made by Gary Volovnik, **seconded** by John Cressman and **approved 3-0**.

Public Comment II –

Mr. Nietupski asked the Board to confirm that at the Budget Work Session Mrs. Klepfer stated that the General Fund projected revenues are 5% lower than last year and that expenditures were lowered 5% as well to balance the budget. Mr. Nietupski also questioned what a Tax Anticipation Borrowing is.

Anne Fenley reported that she has learned that water hardness was the problem with her dishes coming out of the dishwasher not cleaned thoroughly. The Board asked Mrs. Klepfer to email David Watt to see if PBA is doing anything to address the hardness of the water in their system.

Adjournment:

On motion by Mr. Cressman, **seconded** by Mr. Volovnik, the Board adjourned into an Executive Session to discuss Real Estate and litigation at 8:12 P.M. With no additional comment, all voted in favor.

The next Regular meeting will be November 17, 2009

Respectfully Submitted,

Anne W. Klepfer, Secretary / Township Manager

Date Approved