

**MINUTES OF THE
THE EAST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS
January 16, 2007**

The Regular Meeting of the East Rockhill Township Board of Supervisors was called to order at 7:00 p.m. by Chairman Gary Volovnik who led the Salute to the Flag. Also present were Supervisors David Nyman and John Cressman, Solicitors John Rice, Esq. and Patrick Armstrong, Esq., Engineer Steven Baluh, P.E., Township Manager Anne Klepfer, and members of the press and public.

Item #1 Approval of Minutes

On motion by David R. Nyman, **seconded** by John R. Cressman to approve the minutes of December 19, 2006. The motion **carried 3-0**.

Item #2 Payment of Bills

David Nyman **moved** to approve the bills list dated January 16, 2007 totaling \$135,559.06 and advance the Treasurer funds for utilities and payroll. John Cressman **seconded** the motion and it **carried 3-0**.

Public Comment I

Mr. Tom Brady of Winterberry Drive asked the Board of Supervisors status of the "welcome to East Rockhill Township signs" the Board discussed purchasing. He was told that they were selected and priced, but were put on hold due to budgetary priorities. He asked if at least a Branch Road street sign could be installed at Branch Road and Callowhill Road. The Board asked Mrs. Klepfer to have the Public Works Department take care of this.

Item #3 Manager's Report: Anne W. Klepfer

Election Districting: Mrs. Klepfer reported that she spoke with Deena Dean from the Board of Elections who called her after receiving the Township's Resolution desiring the redistribution of voters in the two voting districts. Ms. Dean informed Mrs. Klepfer that she had just recently forwarded to the Commissioner's her recommendations for changes throughout the County and that her recommendation for East Rockhill was to create a third voting district to accommodate future growth. Mrs. Klepfer was unable to obtain a copy of her recommendations to the Commissioners.

The Supervisors would rather continue having two districts but re-proportion them to be more evenly composed. Mrs. Anne Fenley commented that 5-6 more election volunteers would be needed for a third district. She also questioned whether or not the current facility for voting could handle a third district. Where the voting takes place is a Township decision. The consensus of the Board is that they still prefer to maintain two districts.

Bedminster Conservancy: Bedminster Conservancy inquired whether East Rockhill Township is interested in continuing to purchase an ad in their newsletter. David Nyman **moved** to authorize an ad not to exceed \$100.00. John Cressman **seconded** the motion which was **approved 3-0**.

Notification to residents in Street Light District: Mrs. Klepfer reviewed a draft letter she plans to send out to residents subject to the street light assessment. The consensus of the Board was to send the letter out prior to the billing.

PSATS -Voting Delegate: John Cressman **moved** to appoint David Nyman as the East Rockhill Township Voting Delegate at the Pennsylvania State Association of Township Supervisors Annual Convention. Gary Volovnik **seconded** the motion and the motion **carried 3-0**.

PBA Well #7- Update: Mrs. Klepfer reported that PBA has met the owners of five properties whose wells are anticipated to be affected by the activation of Well #7. The meeting was positive and provides residents with choices on how PBA will correct the problem. The Board wants residents to know that they are looking out for their interest and will make the Township Engineer available to answer questions if needed. There is no mandate to connect to public water. She also noted that Perkasio Borough Authority will need a Conditional Use Hearing prior to activating Well #7.

Three Mile Run Walking Path: Mrs. Klepfer informed the Board that PBA inquired regarding what is expected of them in terms of completing the Three Mile Run Water Extension and honoring their obligations to the Township. They wanted to know if the Township wants them to install a previously discussed walking path along Three Mile Run Road or not. The Board suggested that East Rockhill wait to see what options the affected residents choose because the path could parallel water extensions for service to the five homes. The Board suggested that Mrs. Klepfer ask PBA to calculate the cost of the path should a contribution for a bike path be made instead. Also, Mrs. Klepfer should inquire how wide an area would need to be cleared.

Recycling Coordinator: Mrs. Klepfer explained that Act 140 of 2006 requires the Township to formally appoint a Recycling Coordinator. She recommended appointing Steve Funk and herself as co-coordinators. David Nyman **moved** to appoint Steven Funk and Anne Klepfer as Recycling Co-coordinators. John Cressman **seconded** the motion, which **carried 3-0**.

Emergency Management Coordinator: John Cressman **moved** to appoint Steven Funk as the East Rockhill Township Emergency Management Coordinator, subject to confirmation by the Governor. David Nyman **seconded** the motion which carried **3-0**. Mr. Cressman asked Mrs. Klepfer to write a letter to the previous coordinator thanking her for her service to the Township.

John Cressman **moved** to approve the Manager's Report. David Nyman **seconded** the motion which was **approved 3-0**.

Item #4 Planning Commission Report: Anne Fenley

Mrs. Fenley reported that the Christ Church Subdivision was discussed and reviewed but was deferred until February. The Planning Commission also approved the Foster/Weierbach plan and made a recommendation on the Perkasio Borough CVS plan.

David Nyman **moved** to approve the Planning Commission Report. Gary Volovnik **seconded** the motion which **carried 3-0**.

Item #5 PWTA Report: John R. Cressman

Mr. Cressman reported that there has not been any meeting since early December so he had nothing new to report.

Item #6 Engineer's Report: Steve Baluh, P.E.

Foster/Weierbach Lot Line Adjustment: The Planning Commission reviewed the request for Preliminary/Final Plan approval and request for waivers. He reviewed his letter of December 28, 2006. John Cressman **moved** to approve the waivers requested and grant Preliminary/Final plan approval subject to the December 28, 2006 review letter from C. Robert Wynn Associates. David Nyman **seconded** the motion which **carried 3-0**.

CVS Land Development: Mr. Baluh reviewed his Wynn Associates Letter of January 5, 2007. Mr. Maloney, representing CVS, requested that land development requirements be waived subject to CVS entering into a Developer's Agreement with East Rockhill Township that satisfies the recommendations of the Planning Commission as summarized in the January 5th review letter from C. Robert Wynn Associates. CVS has discussed preliminary numbers for a contribution for off-site storm water improvements and were agreeable. The Board asked if CVS would update the Perkasio Borough traffic signal with emergency pre-emption devices. Mr. Maloney said he would investigate this with Perkasio Borough and wait to see what their traffic study indicates but that it seemed likely if not cost prohibitive.

David Nyman **moved** to waive formal land development proceedings for the CVS land development located primarily in Perkasio Borough along 5th Street, subject to the execution of a Developer's Agreement with Financial Security, satisfactory to the Township, that addresses the issues outlined in the January 5th review letter by C. Robert Wynn Associates and items discussed this evening. John Cressman **seconded** the motion which **carried 3-0**.

Vouchers: Steve Baluh, P.E. indicated that there are four Authorization Vouchers for release of escrows ~~and a request~~ dated January 11, 2007. The first is for the Pennridge School District, the second is for the Fox Hill Subdivision, the third and fourth are for the Crest View Subdivision. John Cressman **moved** to approve the January 11, 2007 Voucher Authorization request. David Nyman **seconded** the motion which **carried 3-0**.

Mr. Baluh also reported that all the Time Extensions for review of Subdivisions and Land Development plans that were needed by this evening have been received.

John Cressman **moved** to approve the Engineer's Report. David Nyman **seconded** the motion which was **approved 3-0**.

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

Zoning Ordinance Amendment: Mr. Rice announced that Ordinance No. 228, amending Chapter 27 of the Codified Code, the Township Zoning Ordinance, was properly advertised for a public hearing, reviewed by the Bucks County Planning Commission and is before the Board for consideration for adoption. Mr. Rice summarized the Ordinance which proposes to amend the Inn Use Regulations to be applied to existing buildings or group of buildings used for an Inn. The regulations will specifically permit the use of outdoor banquet facilities such as a tent accessory to the Inn.

At 8:00 PM Mr. Rice convened the Public Hearing and asked for public comment. Mr. Benner and his client Mr. Stephens, owner of the Lake House Inn, were present. They thanked the Board for considering this amendment. The tent is a structural tent and will be required to withstand the storm or wind requirements and apply for a temporary permit annually.

Mr. Volovnik asked if anyone needed additional information or if anyone had comments on the proposal. Hearing none, the Public Hearing was closed at 8:05 PM. David Nyman **moved** to adopt Ordinance No. 228. John Cressman **seconded** the motion and the motion **carried 3-0**.

SALDO Amendment: Mr. Rice announced that Ordinance No. 229, amending Chapter 22 of the Codified Code, the Subdivision and Land Development Ordinance, has been properly advertised, reviewed by the Bucks County Planning Commission and is before the Board for consideration for adoption. Mr. Rice Summarized the provision. The amendments seek to update the SALDO as recommended in the Park and Recreation Plan update. Mr. Volovnik asked for public comment. Hearing none, David Nyman **moved** to adopt Ordinance No. 229, John Cressman **seconded** the motion which **carried 3-0**.

Draft Blasting Ordinance – Mr. Rice reported that he distributed a draft blasting ordinance for review and comment.

Massey Zoning Appeal: Mr. Rice said he was notified of an appeal of the Township Zoning Officer's denial of an application to renew a permit for a temporary caretaker use for Rockhill Industries. John Cressman **moved** to authorize the Township Solicitor to intervene in opposition to the appeal. The motion was **seconded** by David Nyman and **approved 3-0**.

John Cressman **moved** to accept the Solicitor's Report. The motion was **seconded** by David Nyman and **approved 3-0**.

Item #8 Emergency Services Reports

Perkasie Fire Company Chief David Worthington and Sellersville Fire Company Chief Harry McElhare Jr. were present. Mr. McElhare submitted the 2006 Report for Sellersville Fire Company.

John Cressman **moved** to accept the Emergency Services Reports. David Nyman **seconded** the motion which was **approved 3-0**.

Item #9 Other Business

David Nyman stated that in light of the recent letters to the Editor printed in the local paper about Mood's Covered Bridge, the Supervisors would like to read a statement into the public record. Mr. Nyman proceeded to read the following statement:

“With the imminent reconstruction of the Mood's Covered Bridge as announced by PennDOT for this spring and the ensuing interest expressed in several letters to the editor and emails to the Township office, the Board of Supervisors feels compelled to re-iterate the following:

- Following the arson of the bridge, viewed by a majority in the community as a “tragedy” and following numerous widely attended public meetings, a majority of Township residents supported the Board's collaboration with PennDOT and Bucks County to reconstruct the Mood's Covered Bridge.
- The alleged “deal” was the Bucks County Commissioners acknowledgement of the cultural significance of the bridge and therefore their willingness to accept ownership and use their bridge department which currently maintains several other covered bridges in the County. The innuendos and sarcasm to the contrary are both unfair to this Board and the residents it represents.
- Mood's Covered Bridge is not the first one burned and rebuilt in Bucks County. Also, it is only one of several one-lane bridges within the immediate Pennridge area.
- This is not the first time that we have considered making this section of Blooming Glen Road one-way, but it is the first using a formal traffic engineering review as part of our consideration. Reducing some of the school bus/student traffic that uses the Bridge and subsequently Branch Road has been an issue before this Board a number of times.
- Mood's Covered Bridge is a significant, recognizable scenic landmark by which East Rockhill Township has long been recognized (see our website). Additionally, this one-lane bridge has a traffic calming effect (park, bike path, etc.) and mandates driver patience and courtesy. Also, not looking to be known as “the best place to cross the East Branch Creek.”
- Future opportunities, in the event of additional development in the Branch Road corridor, an alternate plan to re-route Blooming Glen Road from Hilltown across a two-lane bridge will be explored.
- The re-construction of Mood's Covered Bridge will not place an alleged financial burden on East Rockhill residents. The current “gang (**Board**) of Township Supervisors” has an established record of both looking to the future and maintaining a fiscally responsive delivery of quality services to our residents.

- If the bridge is not re-built now, it will never be re-built!”

This statement was made available to members of the press and public. John Cressman commented that he has an original pin that he saved from the original bridge and plans to insert it into the rebuilt structure.

Gary Volovnik commented that the Board of Supervisors is in favor of the bridge being rebuilt and it will move forward.

Item #10 Adjournment

John Cressman **moved** to adjourn into Executive Session to discuss Real Estate and Litigation at 8:23 PM. David Nyman **seconded** the motion which **carried 3-0**. The next Regular Meeting will be February 20, 2007.

Respectfully Submitted,

Anne Klepfer
Secretary/Manager

Date approved