

**MINUTES OF THE
THE EAST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS**

March 17, 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., Township Manager Anne Klepfer and members of the press and public. Chairman Nyman announced that an Executive session for Real Estate was held and that another would be conducted at the end of the meeting.

Item #1: Approval of Minutes

On motion by Mr. Cressman **seconded** by Mr. Volovnik the minutes of February 17, 2009 were approved **unanimously**.

Item #2: Payment of Bills

Mr. Cressman **moved** to approve payment of the bills list as of March 17, 2009 totaling \$412,575.53 and \$2,925.64 dated March 18, 2009. The motion was **seconded** by Mr. Volovnik and **approved 3-0**.

Public Comment I: Mr. John Walton III and Ms. Charis Kulick, tenants from 1920 Ridge Road were present. They addressed the Board of Supervisors regarding the eviction notice they received. They asked the Board of Supervisors to give them a second chance, indicating that they made a \$2,000 plus payment on the back rent due and pledge to bring their account up to date. They also indicated that they cleaned out the garage and promised to clean up the entire property. The Board told them, that falling behind in their rent is understandable, but living in the conditions photographed and documented is inexcusable. However, the Board appreciated the tenants effort to take responsibility and address the situation directly with the Board. They advised the tenants to get their responsibilities in order and that the Township staff will inspect the property and report back to the board at next month's Work Session with a recommendation. Mr. Walton and Ms. Kulick thanked the Board for their time and reconsideration and said they very much liked living in East Rockhill Township and would like to stay.

Mr. Jim Person of Three Mile Run Road was recognized by the Board. Mr. Person asked the Board to reconsider his request of last year regarding the adoption of an ATV Ordinance to regulate the use of ATV's on private property. He claims the use of ATV's is a major nuisance in his neighborhood and the Township's current ordinances only address noise and dust and do not set any parameters for the use. The Board responded by asking the Township Solicitor to prepare a draft ordinance that would address Mr. Person's concern.

Item #3: Manager's Report: Anne Klepfer

Twenty Year Service Award: Mrs. Klepfer announced that Assistant Treasurer-Secretary Ellen Roesener recently celebrated her twentieth anniversary of providing loyal and dedicated service to the residents of East Rockhill Township. Mrs. Klepfer turned the floor over to the Board of Supervisors who shared highlights of Ellen Roesener's twenty years of service to East Rockhill Township. Chairman David Nyman was read out loud **Resolution No. 2009-08** Recognizing Mrs. Roesener for her dedication, loyalty and numerous contributions as a trusted member of the East Rockhill Township staff. By **motion** of Mr. Cressman and **second** by Mr. Nyman, the Board **unanimously adopted** Resolution No. 2009-08 honoring Mrs. Roesener. Mr. Nyman also presented Mrs. Roesener with a crystal award recognizing her twenty year anniversary. Mrs. Roesener thanked the Board very much for the honor.

Code Inspection Inc. Proposal: A proposal to provide third party code inspection support to Building Inspector Michael Gardner was **unanimously approved** by **motion** of Mr. Volovnik and **second** by Mr. Cressman.

Hill Road New Home Construction: Raymond H. Miley IV was present to ask the Board to reconsider their decision to deny his request for a waiver from the well testing sequence requirements. Mr. Miley said he is not asking to be exempt from the requirements, just the sequence requirement that it needs to be completed prior to issuance of a building permit. He explained the unique circumstances of his project and agreed to enter into a financial security agreement with the Township to financially guarantee the installation of the new well in accordance with Township requirements, and to hold the Township harmless. Under those conditions, the Board directed the Township Solicitor to prepare such an agreement.

PBA H2O Grant Application: By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board **voted 3-0** to support the application by Perkasio Borough Authority for grant funding for a proposed water line extension along Three Mile Run Road.

Record Retention Resolutions:

Resolution No. 2009-09: By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board **voted 3-0** to adopt the 2008 Pennsylvania Records Retention Schedule.

Resolution No. 2009-10: By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board **voted 3-0** to adopt the Resolution Authorizing the disposal of specified records in accordance with the 2008 Pennsylvania Records Retention Schedule.

Mr. Cressman **moved** to approve the Manager's Report. The motion was **seconded** by Mr. Volovnik and **approved 3-0**.

Item #4: Planning Commission Report: No report, the Planning Commission did not meet in March.

Item #5: PWTA Report: Mr. Cressman reported he attended a meeting to review the annual Audit. He also reported that the Township's sewer committee had its first meeting and started collecting information.

Mr. Cressman also asked the other Board members to consider authorizing the Township Manager, Public Works Director and Township Engineer to put together an RFP for design services for a replacement pump station. Mr. Nyman **moved** to authorize the preparation of an RFP for Engineering Design Services for a Pump Station. The motion was **seconded** by Mr. Volovnik and **approved 3-0**.

By **motion** of Mr. Volovnik and **seconded** by Mr. Nyman, the PWTA Report was **unanimously approved**.

Item #6 PACC Report: Mr. Nyman reported that PACC is working on developing a list of regional projects that members of the Pennridge Area Coordinating Committee can work on together.

By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the PACC Report was **unanimously approved**.

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

Pilleggi Shopping Center: The Board of Supervisors reviewed the C. Robert Wynn Associates review letter dated March 4, 2008. Mr. Baluh reported that he followed up with the traffic engineer and the revised traffic study is satisfactory. The applicant was represented by Scott Semish who indicated that the applicant needs preliminary plan approval in order to submit to the Pennsylvania Department of Transportation for a Road Occupancy Permit. There was a discussion with Mr. and Mrs. Gironi regarding whether or not the applicant has done his due diligence in attempting to negotiate the acquisition of additional right-of-way for the shopping center improvements. The Gironi's indicated that they had never received the offer being shared with the Township. Mr. Semish indicated that he will send to Mr. and Mrs. Gironi a certified letter with a current offer for acquisition. The revised Traffic Study indicates that warrants are met for both the entrance to the shopping center and Route 313 and Mountain View Drive, however the applicant is looking for partial relief from the responsibility to install the Route 313 and Mountain View Drive signal. Mr. Volovnik **moved** and Mr. Cressman **seconded** a motion for the Board of Supervisors to grant Conditional Preliminary Plan approval subject to the C. Robert Wynn Letter of March 4, 2008, PennDot Permits, The Revised Traffic Study, the Conditional Use Approval of October 21, 2003, Execution of a Well Depletion Agreement, an Operation and Maintenance Agreement for the septic system and expressly deferring consideration of the waivers requested in the August 2, 2006 Knudsen Engineering until review of the Final Plan. These terms and conditions are to be outlined in a letter from the Township Engineer. The motion was approved by a **vote of 2-1** with Mr. Cressman voting not in favor of the motion.

Vouchers – By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board of Supervisors authorized Voucher #12 for the Bucks County Community College in the amount of \$22,416.39 (parking lot); Pennridge School District Voucher #60 in the amount of \$836 (signs). The motion **carried 3-0**.

Extensions:

Katz-Pettit: Mr. Cressman **moved** to deny the Katz-Pettit Subdivision Plan based on the Recommendations of the Township Engineer, last review letter dated March 1, 2007. The motion was **seconded** by Mr. Volovnik and was approved by a **3-0 vote**.

Furmanski Improvements: By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board of Supervisors authorized a one year extension of time for the installation of required improvements according to the Furmanski Subdivision Plan. The motion was **approved** by a vote of **3-0**.

Mr. Cressman **moved** to accept the Township Engineer's Report. Mr. Volovnik **seconded** the motion which **carried 3-0**.

Item #8: Township Solicitor's Report- Patrick Armstrong, Esq.

Conservation Easement: By **motion** of Mr. Volovnik and **second** by Mr. Cressman the Board of Supervisors adopted **Resolution No. 2009-11**, authorizing the acquisition of a Conservation easement on 35.5 acres of a 40.5 acre tract of land located at 1801 North Fifth Street and known as the Pettit property. The motion was approved by a **vote of 3-0**.

Fenley Correspondence: The Board of Supervisors acknowledged receipt of a March 12, 2009 correspondence from Mr. & Mrs. Thomas Fenley requesting an exemption from the requirement to cap the wells at 1500 Branch Road and 1611 N. 5th Street. Both homes will be disconnected from the existing wells when connecting to public water, however, the wells will still be in use for a geo-thermal heating system and irrigation of a small orchard. The Board, by **motion** of Mr. Volovnik and **second** by Mr. Cressman and a **3-0 vote**, agreed that the request met the requirements of the Ordinance.

Municipal Utility Alliance – By **motion** of Mr. Cressman and **second** by Mr. Volovnik the board by **3-0 vote** authorized the preparation and advertisement of an Ordinance to authorize participation in an inter-municipal agreement for the purpose of procurement of electricity.

By motion of Mr. Cressman and **seconded** by Mr. Volovnik the Solicitor's Report was accepted **unanimously**.

Item #9: Emergency Services Report:

The Board acknowledged monthly reports from Perkasio, Sellersville and Dublin Fire Companies, **by motion** of Mr. Cressman, **seconded** by Mr. Volovnik, **voting 3-0**.

Item #10: Other Business: None.

Public Comment II – None.

Item #11: Adjournment:

On motion by Mr. Volovnik, **seconded** by Mr. Cressman, the Board adjourned into an Executive Session to discuss real estate and personnel matters at 8:40 P.M. With no additional comment, **all voted in favor.** The next Regular meeting is April 21, 2009.

Respectfully Submitted,

Anne W. Klepfer, Secretary / Township Manager

Date Approved