

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

May 19, 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.

Item #1: Approval of Minutes

On motion by Mr. Volovnik **seconded** by Mr. Cressman the minutes of April 21, 2009 were approved **unanimously**.

Item #2: Payment of Bills

Mr. Cressman **moved** to approve payment of the bills list as May 19, 2009 totaling \$133,428.90. The motion was **seconded** by Mr. Volovnik and **approved 3-0**.

Public Comment I: No Public Comment.

Item #3: Manager's Report: Anne Klepfer

Insurance Proposals: The Board of Supervisors reviewed insurance proposals from Delaware Valley Insurance Trust (DVIT) for Workers Compensation and liability Insurance and from Selective Insurance and Keystone Municipal Insurance Trust (Workers Compensation Insurance only). The standard coverage levels proposed by DVIT exceed the baseline coverage in the request for proposals. The costs for the DVIT proposals for 2009-2010 were slightly more expensive than Selective Insurance. The proposal from Keystone Municipal Trust was the least expensive of DVIT, Selective and Keystone. Mr. Cressman **moved** that the Board approved the Selective Insurance proposal for liability insurance and accept the Keystone Municipal Insurance Trust proposal for Workers Compensation Insurance subject to acceptance into the Trust and confirmation that no lapse in coverage would occur because of the June 1, 2009 renewal date on the existing policy. The motion was **seconded** by Mr. Volovnik and **unanimously approved**.

Open Space Appraisal Proposals: **By motion** of Mr. Volovnik and second by Mr. Cressman, the Board unanimously approved a proposal for an Open Space parcel from Barringer Associates at a total cost of \$2,000.

Electric Procurement- Municipal Utility Alliance: Mrs. Klepfer informed the Board that PP&L is not a supplier of electricity and cannot submit competing proposals for electric procurement. She advised that the next step in establishing Constellation Energy as the Township's electric supplier is to provide Constellation Energy with the Township's account information so that they can provide a specific rate quote for each account. Mrs. Klepfer will take this next step.

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:

Mr. Nyman reported that the Planning Commission reviewed the Geisert preliminary plan submission for a 5-lot subdivision on Blooming Glen Road. The discussion focused on the width of a proposed common driveway that would service the existing home plus two additional lots. All other matters are still being reviewed or revised. The Planning Commission also reviewed a proposed Zoning Amendment to the Suburban Zoning District. Comments were generated for the Board of Supervisors and Solicitor to consider.

By **motion** of Mr. Cressman and **seconded** by Mr. Volovnik the Board unanimously approved the Planning Commission report.

Item #5: PWTA Report:

Mr. Cressman reported that there is a meeting scheduled for the discussion of a system-wide connections survey.

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

Item #6 PACC Report:

Mr. Nyman reported on projects PACC is working on completing or is participating in. He informed the Board the PACC is still working on formalizing the inter-municipal agreement for the PACC.

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

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

Vouchers – By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board of Supervisors authorized Voucher #1A dated May 11, 2009 for the Bucks County Community College for construction observation. The motion **carried 3-0**.

Extensions: Mr. Baluh noted for the minutes that the Township received an extension for the Rockhill Developers Minor Subdivision on Callowhill Road through November 15, 2009.

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.

Brownfields Grant Agreement: Solicitor Armstrong advised the Board that the revisions he recommended are being addressed and he expected to have the agreement revised in a form satisfactory to the Township. By **motion** of Mr. Cressman and **second** by Mr. Volovnik, the Board **unanimously authorized** Chairman Nyman to execute the required agreement for funding for the Cedarview Water Line Extension Project once the agreement is in a form satisfactory to the Solicitor.

ATV Ordinance: Solicitor Armstrong informed the Board that revisions previously suggested have been incorporated into the draft ordinance, but based on additional public comment there may be additional revisions.

Resident Mike Bibic of Three Mile Run Road stated he believes the draft ordinance to be too exclusionary and restrictive. He feels the whole township is being penalized because of a few people. He rhetorically asked the Board whether chainsaws and lawn mowers would be regulated next. He thinks the draft ordinance is overkill

Resident David Cook of Route 313 agreed with Mr. Bibic's comments. Specifically he stated that he thought the set-backs proposed are excessive and wouldn't work.

Chairman Nyman thanked the residents for their comments and stated that the Board is trying to meet the needs of all residents and will take their suggestions under review. Both Mr. Nyman and Mr. Volovnik stated that the Board's goal is to create an ordinance that won't be overly punitive.

The revised draft will next be discussed at the June 9, 2009 Work Session at 7:00 PM.

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 and Dublin Fire Companies, **by motion** of Mr. Cressman, **seconded** by Mr. Volovnik, **voting 3-0**.

Item #10: Other Business: There was no other business to discuss.

Public Comment II – A resident of the Cedarbrook Subdivision addressed the Board and asked for assistance. She stated that the curbing/sidewalk in front of her home is buckled and she wants to repair it before she or someone else gets hurt. She understands that it is her responsibility but she has been unable to find a contractor willing to do the work at a reasonable cost because it is such a small project. The Board said they would have their Public Works

Board of Supervisors

May 19, 2009

Page 4 of 4

Director take a look at the problem and make a recommendation on how the Township can assist this resident.

Item #11: Adjournment:

On motion by Mr. Cressman, **seconded** by Mr. Volovnik, the Board adjourned into an Executive Session to discuss real estate and personnel matters at 7:40 P.M. With no additional comment, **all voted in favor**. The next Regular meeting is June 16, 2009.

Respectfully Submitted,

Anne W. Klepfer, Secretary / Township Manager

Date Approved