

MINUTES OF THE  
THE EAST ROCKHILL TOWNSHIP  
BOARD OF SUPERVISORS

July 20, 2010

The Regular Meeting of the East Rockhill Township Board of Supervisors was called to order at 7:00 p.m. by Chairman John Cressman, who led the Salute to the American Flag. Also present were Vice-Chairman Gary Volovnik, Member Jim Nietupski, Solicitor Patrick Armstrong, Engineer Steve Baluh, Township Manager Anne Klepfer, Public Works Director Jeff Scholl and members of the press and public.

**Item #1: Approval of Minutes**

By **motion** of Mr. Nietupski and **second** by Mr. Volovnik, the Work Session minutes of June 8, 2010 were unanimously **approved 3-0**.

By **motion** of Mr. Volovnik and second by Mr. Nietupski, the Regular Meeting minutes of June 15, 2010 were unanimously **approved 3-0**.

**Item #2: Payment of Bills**

On **motion** by Mr. Nietupski, **seconded** by Mr. Volovnik, the following lists of Bills were **approved 3-0**:

June 23, 2010 Totaling \$122,714.15

July 20, 2010 Totaling \$117,974.47

**Public Comment I- Non Agenda Items:** Mr. Schnitzler expressed his gratitude to the Township for having sending out the monthly e-news. He requested that the bushes on Three Mile Run Road across from Stone Edge Road be trimmed back.

**Item #3: Manager's Report:**

Sheard's Mill Bridge Change Order: By **motion** of Mr. Volovnik and **second** by Mr. Nietupski the Board of Supervisors **voted 3-0** to approve a change order to increase the quantities of cedar siding to include all of the bridge siding conditioned upon the change order not exceeding available grant funds.

**Resolution No. 2010-10:** A Resolution voicing opposition to legislation proposing forced local government mergers and consolidations was approved by a **vote of 3-0** following a **motion** by Mr. Nietupski and a **second** by Mr. Volovnik.

Mid-year Budget Briefing: Mrs. Klepfer reported that the first half of year's financial performance is a "mixed bag." Real Estate Transfer activity and building activity have picked up from last year's lows but the Township's largest revenue source, the earned income tax, continues to decline. A series of one-time contributions from cell tower land developments have boosted 2010 revenues but cannot be budgeted to re-occur in 2011. The financial climate remains unstable.

Public Works Report: Jeff Scholl reviewed his monthly report with the Board.

By **motion** of Mr. Nietupski and **second** by Mr. Volovnik, the Manager's Report and Public Works Report were **unanimously** accepted.

**Item #4: Planning Commission Report:**

Mr. David Nyman gave the monthly Planning Commission Report for July. The Planning Commission used their regular Work Session to conduct a joint meeting with the Board of Supervisors. They reviewed in detail the VC/VR Zoning Map and Ordinance Amendment. They also reviewed the draft solar energy ordinance, wind energy ordinance, geo-thermal well ordinance and outside burner ordinance. Mr. Nyman also reported that long time and well respect Planning Commission Member Sam Martin announced his resignation from his volunteer positions due to increased work responsibilities.

By **motion** of Mr. Volovnik and **second** by Mr. Nietupski, the Board **unanimously** accepted the Planning Commission Report.

**Item #5: PWTA Report:** Mr. Cressman reported Authority Engineer Fred Ciattoni presented the results of the EDU audit. As a result of newly acknowledged EDU's, East Rockhill Township's share of the operating costs will increase.

By **motion** of Mr. Volovnik and **second** by Mr. Nietupski, the Board **unanimously** accepted the PWTA report.

**Item #6: PACC Report:** Mr. Cressman gave the PACC report. Bruce Barnett of Hess Energy was a special guest who provided information regarding electricity deregulation and explained monthly pricing for natural gas/electricity over the last ten years, noting volatility in commodities market does not lend itself to long term contracts.

By **motion** of Mr. Nietupski and **second** by Mr. Volovnik, the Board **unanimously** accepted the PACC report.

**Item #7 Police Commission Report** – Mr. Nietupski gave the Police Commission Report for the month of June. Calls for service in the first half of 2010 increased 5%; however, accidents during the same time period decreased 3.5%. Mr. Nietupski noted that a section of Allentown Road near the twin churches is closed while a bridge is being repaired. The commission continues to work on plans for the New Police Headquarters and have asked for bank proposals for financing the project.

By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Board **unanimously** accepted the Police Commission Report.

**Item #8 Engineer's Report:** Steve Baluh P.E.

T-Mobile: Mr. Steve Hornberger representing T-Mobile was present to request a waiver of Land Development. He confirmed that the power will be extended to the Tower site from a transformer on the west side of the property and will not disturb the residential homes on the east side of the property. He agreed to the conditions and fees as outlined by Solicitor Armstrong and Engineer Baluh. By **motion** of Mr. Nietupski and **second** by Mr. Volovnik, the Board **voted 3-0** to waive Land Development proceedings for T-Mobile for their proposed Tower located at 1622 N. Ridge Road subject to satisfactorily addressing the comments in the July 6, 2010 letter from C. Robert Wynn Associates and payment of the agreed upon fees.

Felix Slipak- Rockhill Road Properties: Mr. Felix Slipak of Rockhill Developers, LLC appeared before the Board to follow up on his previous request for waiver of land development for the conversion of four lots into building lots with a shared access from Rockhill Road in Richland Township. Mr. Slipak prepared a sketch plan which was reviewed by the Township Engineer and he stated that he will comply with the Township Engineer's recommendations. He requested that the stormwater permits and Zoning and Grading permits be postponed for the individual lots until such time as someone applies for building permits. He also agreed to the deed restrictions from further subdivision and to pay for the necessary agreements and covenants to be prepared and recorded. By **motion** of Mr. Nietupski and **second** by Mr. Volovnik, the Board unanimously **voted 3-0** to waive land development for Mr. Slipak's project on Rockhill Road conditioned upon satisfaction of the May 14, 2010 letter from Township Manager Anne Klepfer, satisfaction of the June 21, 2010 letter from Steve Baluh, P.E; qualified that zoning, grading and stormwater reviews will occur on a lot by lot basis, and that Mr. Slipak is responsible for all costs associated with the reviews and recording of legal agreements. It was also noted that the plan did not need to be submitted to the Planning Commission for review.

Fox Hill Subdivision: Mr. Dwayne Gross was not in attendance to address the Board. However, Mr. Joe Lagreca of Bucks County Bank was present. Mr. Lagreca updated the Board indicating that 4 out of 11 lots have been sold and that Bucks County Bank has engaged Mr. Gross to complete the improvements.

Authorization Vouchers: By **motion** of Mr. Nietupski and **second** by Mr. Volovnik the board unanimously **voted 3-0** to approve authorization vouchers for the release of \$852.86 for construction observation at Bucks County Community College and \$41,075.10 released to Bucks County Bank for work completed at the Fox Hill Subdivision (hand delivered to Mr. Lagreca).

First Baptist Church Improvements Acceptance: Mr. Baluh stated that the maintenance period for public improvements from the First Baptist Church Land Development is completed and recommended that the Board accept completion of the project and release the financial security. By **motion** of Mr. Nietupski and **second** by Mr. Volovnik, the Board **unanimously** voted to accept the improvements and directed the Engineer to prepare a Voucher for the next meeting.

**Item #9 Solicitor's Report:** Patrick Armstrong, Esquire

Ordinance No. 254 Amending the Solid Waste Ordinance: Solicitor Armstrong summarized the proposed ordinance to create regulations and standards for the Recycling Drop-off Center. He noted that the ordinance was properly advertised and posted and that a copy was provided to the Bucks County Law Library. A public hearing was held at 8:30 and concluded at 8:31. There were no public comments. By **motion** of Mr. Nietupski and **second** by Mr. Volovnik, **Ordinance No. 254** was **unanimously** adopted.

Resolution No. 2010-11: A Resolution establishing hours of operation for the Residential Recycling Drop-off Center. By **motion** of Mr. Nietupski and **second** by Mr. Volovnik, the Board **voted 3-0** to adopt **Resolution No. 2010-11** and establish the hours of 6:00 AM to 9:00 PM Monday through Saturday and from 6:00 AM to 1:00 PM on Sundays.

Ordinance Advertisement & Public Notification: By **motion** of Mr. Nietupski and **second** by Mr. Volovnik, the Board voted **unanimously** to authorize the advertisement and public notification process for the Public Hearing for consideration of the VC/VR Zoning and Map Amendment.

**Item #10: Emergency Services Report:** Reports were received from Sellersville and Perkasio Fire Departments. Mr. Volovnik **moved** to accept the reports. The motion was **seconded** by Mr. Nietupski and **approved 3-0**. Perkasio Fire Department Chief David Worthington informed the Board that he would like the Township to consider designating additional parking at the Sub-Station for emergency responders. An announcement was also made about the Fire Company's scrap metal fund raiser. The last Saturday of each month the Fire Company is accepting scrap metal and appliances with Freon at Schollers for a small donation to the Fire Company.

**Item #10: Other Business:** Mr. Nietupski asked Mr. Cressman and Mr. Volovnik to check their schedules and consider re-scheduling the August Regular Meeting to August 24, 2010. He also asked fellow Board Members if the Township could review its zoning ordinance with regard to uses that require special exception approvals from the Zoning Hearing Board or Conditional Use approvals from the Board of Supervisors.

## **Public Comment II**

David Nyman suggested that the Board of Supervisors look into mounting the antennae for the security cameras onto the proposed cell tower.

Mr. Nyman also suggested that all Schwenkmill Road Street signs being replaced be ensured to have "West Schwenkmill Road" on the signs. He also suggested that Mrs. Klepfer write a letter requesting that Hilltown start using the "East Schwenkmill Road" designation.

Mrs. Fenley asked who is sponsoring the legislation for forced consolidations and mergers. The bill is sponsored by a Berks County State Representative.

Mr. Schnitzler informed the Board that there is a problem with dogs running out of control of their owners at the Willard H. Markey Centennial Park. Mrs. Klepfer agreed and advised the Board that the Park Rules and Regulations do not require a dog to be on a leash and indicated that she has received numerous complaints this summer and was planning on having the Park and Recreation Committee discuss it. The Board decided not to wait and by **motion** of Mr. Volovnik and **second** by Mr. Nietupski moved to authorize the preparation and advertisement of an Ordinance Amendment to require dogs to be on a leash on publicly controlled land in East Rockhill Township. The motion carried **3-0**.

## **Adjournment:**

**On motion** by Mr. Volovnik, **seconded** by Mr. Nietupski the Board adjourned to a brief Executive Session for Real Estate at 9:07 PM. With no additional comment, **all voted in favor**.

At 9:46 the Board of Supervisors reconvened its Public meeting. By **motion** of Mr. Volovnik and **second** by Mr. Nietupski, the Board **voted 3-0** to authorize the Township Manager to seek

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and approve a lowest quote for appraisal services for a property located on Ridge Road. The Board adjourned the meeting at 9:50 PM.

Respectfully Submitted,

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Anne W. Klepfer, Secretary / Township Manager

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Date Approved