

MINUTES OF THE  
THE EAST ROCKHILL TOWNSHIP  
BOARD OF SUPERVISORS

January 18, 2011

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 was Vice-Chairman Gary Volovnik. Member Jim Nietupski participated via telephone at 7:05 PM. Solicitor Patrick Armstrong, Engineer Steve Baluh, Township Manager Anne Klepfer, and members of the press and public were also present.

**Item #1: Approval of Minutes**

By **motion** of Mr. Volovnik and **second** by Mr. Cressman, the Regular Meeting Minutes of December 21, 2010 were unanimously **approved 2-0**.

**Item #2: Payment of Bills**

On **motion** by Mr. Volovnik, **seconded** by Mr. Cressman, the lists of checks presented on a Bill List for January 18, 2011 totaling \$158,077.02 was **approved 2-0**.

**Public Comment I- Non Agenda Items:** None.

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

Bids: By **motion** of Mr. Nietupski and **second** by Mr. Volovnik, the Board **voted 3-0** to authorize the Township Manager to prepare and advertise for bids for the paving of Schwenkmill Road from Fifth Street to Ridge Road and various Oil & Chip projects throughout the Township.

DEP Growing Greener Grant: Mrs. Klepfer announced that East Rockhill Township received a Growing Greener Grant from the Department of Environmental Protection to be used to re-design and re-construct the 5<sup>th</sup> Street Basin for current standards. The Township now needs to apply for and wait for a determination for a second grant from Tree Vitalize before determining if the project is viable.

Word Works: Mrs. Klepfer announced that Word Work the Public Relations firm responsible for redesigning the Township's website and implementing the monthly e-news has gone out of business. Joe Ferry will be assisting the Township for the time being and will prepare a proposal to continue assisting the Township with its e-news and website.

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

Mr. Nyman reported that the Planning Commission re-organized and kept the same slate of officers. They also reviewed and recommended adoption of the stand alone alternative energy ordinance and the Zoning Amendment Ordinance on the Board's agenda. The Planning Commission also reviewed the Conditional Use Application from Select Properties and will have a special meeting on January 25, 2011 to finalize their recommendation to the Board of Supervisors.

**Item #5: PWTA Report:** Mr. Cressman reported that there was not sufficient quorum for the December PWTA meeting and that bills were approved by a phone pole.

**Item #6: PACC Report:** There was no PACC meeting in December.

**Item #7: Police Commission Report** – Mr. Nietupski reviewed the Chief's Police report and statistics for each township. He announced that the Police Commission held a ground

breaking ceremony for the new Police Headquarters that was well attended despite bitter cold and windy conditions.

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

Oak Tree Time Extension: Mr. Baluh noted receipt of a thirty day time Extension for review of the Oak Tree Land Development.

High Tract, 3-lot Subdivision, Old Bethlehem Pike: Applicant Clay Heckler and Engineer Brian Horner were present to request preliminary/final plan approval from the Board of Supervisors. Mr. Cressman reviewed the plans and asked the applicant if they could allow for 2' of additional grading and grubbing along the frontage of Old Bethlehem Pike. The applicant agreed they could do this. By **motion** of Mr. Volovnik, **second** by Mr. Nietupski, the Board **voted 3-0** to grant conditional preliminary/final plan approval to the High Tract 3-lot Subdivision on Old Bethlehem Pike, including the granting of the identified waivers, the additional grading/grubbing and subject to satisfying the comments in the C. Robert Wynn Associates Letter dated October 7, 2010.

Pennridge School District-Fifth Street Campus Renovation: Mr. Baluh reviewed correspondence from the School District asking to finalize the end of the maintenance agreement and release remaining escrows. Mr. Baluh indicated that while the school district did wrap things up with the contractor, they assumed responsibility for the plantings and there remain replacements that need to be completed before Mr. Baluh would recommend ending the maintenance period and releasing funds. By **motion** of Mr. Volovnik and **second** by Mr. Nietupski the Board voted 3-0 to authorize a six month extension of the initial maintenance period for the Pennridge School District Fifth Street Campus Renovation project. The **motion carried 3-0**.

**Item #9 Solicitor's Report** Patrick Armstrong, Esquire reported that the Zoning Amendment for removal of the Wind Energy requirements and the stand alone Environmental Ordinance for Wind Energy, Geo Thermal, Solar and Wood Burning Stoves were advertised for public hearing and consideration by the Board in accordance with law. The legal notice was posted at the Township building and posted on the Township's website. The ordinances were reviewed by the Township Planning Commission and the Bucks County Planning Commission and recommended for approval and were provided to the Bucks County Law Library.

Zoning Amendment: At 7:30 PM Mr. Cressman opened the Public Hearing for the proposed Zoning Amendment labeled Ordinance No. 259. There were no public comments so the hearing was closed and **Ordinance No. 259** was **adopted by 3-0** vote by **motion** of Mr. Nietupski and **second** by Mr. Volovnik.

Energy Ordinance: At 7:35 PM Mr. Cressman opened the Public Hearing for the proposed Energy Ordinance labeled Ordinance No. 260.

Anne Fenley made the following comments:

1. The 75' setback for ground mounted solar panel arrays is greater than in other communities and may be considered extreme.

2. The Ordinance does not permit open loop geo thermal systems at all.
3. She's not sure there is technology currently available to meet the requirements for an automatic shutdown device for the geo thermal system and suggested that the requirement might be a little bit overboard.
4. She thinks residents should be able to burn newspapers in their outdoor burner.

Mr. Nietupski asked if anyone had any comments on the 150' setback requirement for outdoor burners? There were none.

The Board took Mrs. Fenley's comments under advisement but decided that since they streamlined the appeal process that they would keep the requirements as written. Anyone who can't satisfy them can submit an appeal application to the Board for their consideration.

By **motion** of Mr. Volovnik and **second** by Mr. Nietupski, the Board **voted 3-0** to adopt **Ordinance No. 260**.

The monthly reports were **unanimously** accepted by the Board by **motion** of Mr. Volovnik and **second** by Mr. Nietupski.

**Item #10: Emergency Services Report:** Reports were received from Sellersville, Dublin and Perkasio Fire Departments. Perkasio Fire Chief Dave Worthington noted that a copy of the Annual Report was provided to the Township Manager as well as a copy for the Board of Supervisors. He noted that the call volume increased in 2010. Mr. Volovnik **moved** to accept the Emergency Service Reports. The motion was **seconded** by Mr. Nietupski and **approved 3-0**.

**Item #11: Other Business:**

Mr. Nietupski asked Mrs. Klepfer to make sure the website had current dates for the Conditional Use Posted. He also asked the other Board members if they had any objection to advertising the League of Women Voters seminar on Running for Local Office on the website. There were no objections.

Mr. Nietupski informed the other Board members that he did some research and discovered that the farmer who farms the Township's open space properties does pay a fee for other properties he farms and he thinks we should be asking for a rent to be paid for farming the public land. Anne Fenley asked if the farmer provides any goods or services to the Township in exchange for farming the land? Mrs. Klepfer was not aware of what arrangement Mr. Funk had made with him but was not aware of any regular payment. Mr. Volovnik and Mr. Cressman suggested that Mrs. Fenley's question be more thoroughly researched before approaching the farmer.

**Public Comment II** - There were no public comments.

**Adjournment:**

**On motion** by Mr. Nietupski, **seconded** by Mr. Volovnik the Board adjourned the meeting into Executive Session for Litigation and Real Estate at 8:15 PM. With no additional comment, **all voted in favor**.

Respectfully Submitted,

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Anne W. Klepfer, Secretary / Township Manager

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Date Approved