

East Rockhill Township Board of Supervisors

January 23, 2018

Regular Business Meeting Minutes

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00p.m. on January 23, 2018 in the Township meeting room at the East Rockhill Township Municipal Building, 1622 North Ridge Road, Perkasie, PA 18944.

Present:	Gary Volovnik	Chairperson
	David Nyman	Vice-Chairperson
	Jim Nietupski	Member
	Marianne Morano	Township Manager
	Patrick Armstrong, Esq.	Township Solicitor
	Steve Baluh, P.E.	Township Engineer
	Jeff Scholl	Public Works Director

The meeting was called to order at 7:00p.m. by Mr. Volovnik with the Pledge of Allegiance.

Mr. Volovnik made a public statement concerning discussion at the last meeting regarding the recent activities at the quarry property in the Township. Since the Board's last meeting, the Township has received the quarry's Zoning Permit application for the extractive operations use on the property. That permit application has been denied for reasons based on the Township's Zoning Ordinance, including but not limited to the failure to secure special exception approval from the Zoning Hearing Board. The extractive operations use is permitted on the property by special exception. Given the potential for an appeal and/or other possible litigation, the Township was limited on what can be reported at this time.

Public Comment #1

- George Zuck, 2017 N. Rockhill Road, inquired if the Township had a spotted lanternfly program. As the Department of Agriculture oversees the spotted lanternfly, the Township has placed information on its website, social media accounts and newsletter. Mr. Zuck inquired about tree removal in right-of-ways. The Township removes dead trees in the right-of-way.
- Kim Gottshall, 2201 N. Rockhill Road, asked if the condition of the road would be studied now that the Quarry traffic study was received. It is an agenda item.
- Ryan Gottshall, 2201 N. Rockhill Road, suggested that Rockhill Road speed be lowered to 25mph, feels the width of Rockhill Road is not adequate for truck traffic, would like to see additional speed limit and watch children signs installed and asked about current condition of the roadway. It was explained that core samples will show how much asphalt and stone base is in the road and will be reviewed according to PennDOT specifications. Chief Blake noted an electronic speed board was on Rockhill Road and results indicated average of 400 vehicles a day and the average speed is 20mph.
- Sandi Hippauf, 29R Rockhill Road, asked if the special exception hearing will be open to the public and what conditions can be placed? All Zoning Hearings are open to the public and the applicant would need to meet the H-12 extraction criteria.

Announcements:

Mr. Volovnik announced Upcoming Meeting. Township Offices will be closed all day February 19, 2018 in observance of President's Day.

An Executive Session will follow the Regular Meeting to discuss ongoing litigation (Pennridge Development Enterprises Conditional Use Appeal) and real estate.

Approval of Minutes and Bills Payable:

Approval of Minutes from December 26, 2017 Regular Meeting

On motion by Mr. Nietupski, seconded by Mr. Nyman, to adopt the meeting minutes from the Board of Supervisors' December 26, 2017 Regular Meeting. With no additional discussion, all present voted in favor.

Approval of Minutes from January 3, 2018 Reorganization Meeting

On motion by Mr. Nyman, seconded by Mr. Nietupski, to adopt the meeting minutes from the Board of Supervisors' January 3, 2018 Reorganization Meeting. With no additional discussion, all present voted in favor.

Payment of 2017 Unpaid Bills dated January 19, 2018 in the amount of \$32,041.46 and 2018 Unpaid Bills dated January 19, 2018 in the amount of \$341,650.56.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve payment of 2017 Bills List dated January 19, 2018 in the amount of \$32,041.46. With no additional discussion, all present voted in favor.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve payment of 2018 Bills List dated January 19, 2018 in the amount of \$341,650.56. With no additional discussion, all present voted in favor.

Planning Commission Report: Anne Fenley

The Planning Commission reviewed the 2017 annual activity report and the Boice, Richlandtown Road, minor subdivision which is a 6-acre lot where a second building lot is proposed. No action was taken.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve the Planning Commission Report and the 2017 Annual Planning Commission Report. With no additional discussion, all present voted in favor.

Pennridge Community Center Report: David Nyman

Mr. Nyman noted the quarterly newsletter would be reverting back to a bi-monthly edition after the 2nd quarter publication.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to approve the Pennridge Community Center Report. With no additional discussion, all present voted in favor.

Pennridge Wastewater Treatment Authority Report:

On motion by Mr. Nietupski, seconded by Mr. Nyman, to acknowledge participation in the Pennridge Wastewater Treatment Authority. With no additional discussion, all present voted in favor.

Pennridge Regional Police Commission Report: Chief Blake

Chief Blake shared the December 2017 Pennridge Regional Police activity report. Of note in 2017 82 motor carrier inspections took place with 103 safety violations detected and documented. The report is on file.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve the Police Commission Report. With no additional discussion, all present voted in favor.

Township Manager's Report: Marianne Morano

Ordinance Requirement Exemption Request by Christopher Woll 2007 West Rock Road:

Correspondence has been received seeking waiver of the installation of a driveway trench box and planting 187 trees due to Mr. Woll removing 25% of trees when only 20% was allowed. Mr. Woll was present.

On motion by Mr. Nyman, seconded by Mr. Nietupski, not to grant trench box waiver but to grant tree waiver subject to tree replacement fee-in-lieu of. With no additional discussion, the motion passed 2-1 with Mr. Volovnik voting in opposition.

Professional Services Iron Bridge Park Proposal: A Boucher and James proposal has been received for Iron Bridge Park Planning Services to prepare a plan to balance active and passive recreational uses, protection of natural resources and propose appropriate location and planning for recreational uses at the Iron Bridge Park, 400 Branch Road, not to exceed \$20,000.00.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve the Township Manager executing the Boucher and James Iron Bridge Park proposal not to exceed \$20,000.00. With no additional discussion, all present voted in favor.

Elected Auditor Resignation.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to accept Tracy McGinty resignation as an elected auditor, with regret, noting she was moving out of the Township. With no additional discussion, all present voted in favor.

Opposition to HB 1620 Wireless Infrastructure Deployment Bill: The Board reviewed a draft resolution opposing HB 1620 which would amend the Wireless Broadband Collocation Act to provide a statewide preemption of local zoning for wireless facilities.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to adopt Resolution 2018-04 opposing HB 1620 Wireless Infrastructure Deployment Bill. With no additional discussion, all present voted in favor.

Destruction of Records: The Board reviewed a draft resolution authorizing the destruction of a specific list of Township records as set forth in the Municipal Records Manual. Mr. Volovnik was in favor of having Township documents digitized.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to adopt Resolution 2018-05 approving the destruction of specific Township records as presented. With no additional discussion, all present voted in favor.

2017 Manger Overview. Mrs. Morano cited her 2017 Overview which had been provided to the Board of Supervisors and in the public packets. The report is posted to the Township website. **A snow emergency was declared on January 4, 2018 from 1:00pm to 12:00am (midnight).**

Annual state aid report MS-965 has been submitted to PennDOT.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve the Township Manager Report. With no additional discussion, all present voted in favor.

Public Works Report: Jeff Scholl

Mr. Scholl updated the Board on Public Works activities for December, 2017.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to proceed with the purchase of a Road mower arm attachment for the 2007 boom mower, a John Deere 310 SLHL backhoe with the trade-in of the 1999 Case backhoe, a zero turn mower with the trade-in of the 2008 Hustler Zero Turn mower as budgeted. With no additional discussion, all present voted in favor.

Rockhill Road Core Samples: Mr. Scholl recommended core samples be taken on Rockhill Road to document the current condition of the road.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve equipment rental to collect core samples on North Rockhill Road and the Township Engineer to review the results according to PennDOT specifications. With no additional discussion, all present voted in favor.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve the Township Public Works Report. With no additional discussion, all present voted in favor.

Engineer Report: Steve Baluh, P.E.

Subdivision Plan Review Status. Review dated December 27, 2017 is in the Board's packets. No action is necessary.

Foreman Farm Planning Module.

Mr. Baluh noted that this has been deemed to be a Community system.

On motion by Mr. Nyman, seconded by Mr. Volovnik, to adopt Resolution 2018-06 Foreman Farm Planning Module and the Township Solicitor preparation of an O & M Agreement. With no additional discussion, all present voted in favor.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve the Township Engineer report. With no additional discussion, all present voted in favor.

Solicitor Report: Patrick Armstrong, Esq.

Mr. Armstrong requested an Executive Session to discuss the status of the Penridge Development Enterprises litigation.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve the Township Solicitor report. With no additional discussion, all present voted in favor.

Department and Emergency Services Reports

On motion by Mr. Nyman, seconded by Mr. Nietupski, to acknowledge receipt of the Department and Service Reports. With no additional discussion, all present voted in favor. Copies are on file.

Mr. Volovnik noted the retirement of Judge Baum, thereby closing District Court 07-02-3 in Perkasio and thanked him for a fantastic job.

New or Other Business - Supervisors' Items

- Mr. Nietupski recommended Zoning Hearing party status at the special exception hearing for the Quarry.

Public Comment #2:

- Ryan Gottshall, 2201 N. Rockhill Road, noted there are abandoned vehicles and trespassers at the inactive concrete plant adjacent to the Quarry, that trees have been removed from the Quarry location and he has pictures of before and after. Noise and activity has diminished and residential well results are published to DCNR website.
- Jeannine Gravel, 2198 N. Rockhill Road, spoke to DEP and should a well go dry as a result of quarry operations the well is replaced at no cost to the resident, but a line to the house would not be. Ms. Gravel questioned blasting regulations. Mr. Armstrong stated that the non-coal surface mining act regulates blasting but each quarry site is looked at individually. Ground vibrations and air blasts are monitored with scientific research calculation data.
- Kim Gottshall, 2201 N. Rockhill Road, noted trees removed at Quarry were visible from Willard H. Markey Centennial Park and thereby all residents are impacted.
- Scott Seidel, 1914 N. Rockhill Road, asked what activities can take place. DEP has placed blasting on hold as they wait for additional documentation.
- Ryan Gottshall, 2201 N. Rockhill Road, stated he has received asbestos results, and recommended truck inspections when site becomes active.
- Ann Fuhmeister, 2022 N. Rockhill Road, received a certified letter from Main Blasting offering an inspection of her home prior to blasting. She has not received a return phone call from Main Blasting.
- It was noted Ryan Gottshall and Ann Fuhmeister have spoken to Gary Latsha at DEP.
- George Zuck, 2017 N. Rockhill Road, also received a letter from Main Blasting and they were out the same day and performed an inspection to which he already received the results. Mr. Zuck stated that he moved there knowing there was a quarry and that it could reactivate. He is not in favor of a 25mph speed limit.
- Kim Gottshall, 2201 N. Rockhill Road, asked if the Board met with DEP. The Board cannot meet collectively as that would be a Sunshine Law violation. Staff has met with DEP.

Adjournment

On motion by Mr. Nyman, seconded by Mr. Nietupski, to adjourn into Executive Session. With no additional discussion, the meeting was adjourned at 8:21p.m.

Respectfully submitted,

Marianne Morano
Township Manager