

## East Rockhill Township Board of Supervisors

September 25, 2018

### Regular Business Meeting Minutes

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00pm on September 25, 2018 following the 2019 Preliminary Budget review in the Township meeting room at the East Rockhill Township Municipal Building, 1622 North Ridge Road, Perkasio, 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 7:01pm by Mr. Volovnik with the Pledge of Allegiance.

Mr. Volovnik announced the Board was seeking to implement a meeting with a small group of residents and the Quarry operator to allow residents the opportunity to voice their concerns. It was noted the idea was proposed late in the previous day at a settlement conference so all details were not known. Mr. Armstrong reviewed the steps the Township has taken to date and noted the extraction use and proposed asphalt plant continue to be before the Zoning Hearing Board and those hearings are ongoing. As stated previously, the extraction (quarry) operation is a permitted use in the extraction zone where the quarry is located.

#### **Public Comment #1**

- Len Kazmiroski, 3024 Hill Road, questioned if it would be an effective meeting with only ten people attending. It is up to residents to select a group and determine if a beneficial dialogue is to occur.
- Mr. Volovnik noted he has received numerous emails and not everyone is on the same page and the information is usually not factual.
- Mark Ezzo, 2904 Hill Road, does not believe 500 ton was removed from the site and should therefore not be operating under DEP. Township noted even if 500 ton was not removed the operator could apply for a mining permit and receive approval. Mr. Ezzo disagreed.
- Jim Pascale, 1921 Three Mile Run Road, believes operator is there in bad faith; does not want to attend a meeting with the quarry operator; quarry should operate in other circumstances; moved here from New Jersey three years ago; is not reside close to the quarry; the DEP process is unfriendly; quarry operator working hand and glove with DEP; DEP signed asphalt approval without public input; leadership of board should have discussion with DEP to revise archaic regulations; 500 ton to 1000 ton quarry operations an hour will result in water and air pollution; residents in the area have been thrown under the bus; Bucks County is in top 25 of the nation for air pollution; 7.8 ton of particulate matter will be in the air with suppression system;

motorist and pedestrian traffic concerns; protected species; state game lands surround the area; people's lives will be ruined; false narrative is being used; heard from female Bucks County Commissioner that this quarry was part of the Turnpike bid contract; believes the Township failed by not removing extraction zone and placing somewhere else in the Township.

- Josh Scheiderer, 754 E. Rockhill Road, asked if Pierson has done any building or constructing.
- Joanne Kanter, 1710 West Rock Road, no interest in hearing what quarry operator has to say; would like a seat at the settlement table and does not see any benefits to quarry. p
- Jeannine Gravel, 2198 N. Rockhill Road, stated that DEP said air quality permit was never issued by DEP for an asphalt plant. Of Mr. Pierson's 22 quarries in Eastern PA, only has one asphalt plant.
- MaryLou Griffith, 63 Ridge Run Road, noted where she works DEP has high standards on two community wells.
- LuAnn Ausen, 1921 Three Mile Run Road, believes DEP is corrupt.
- Sean Trotter, 34 Ridge Run Road, questioned how they can operate currently. It was noted DEP handles the operation and the Township regulates the use. The applicant is currently going through the approval process at the Zoning Hearing Board meetings for the use.
- Krill Gidasov, 2048 N. Rockhill Road, stated there is an asbestos vein in the area and would like to see a geological study. Traffic study should be amended to take into consideration increase in proposed production levels.
- Bruce Costa, 1476 West Rock Road, did not understand the term prejudicial client and indicated paranoia was brewing.
- Chris Ullery, Intelligencer, asked how a resident-applicant meeting would be scheduled.
- John Scheiderer, 754 E. Rockhill Road, would like a motion for operation to cease.
- Todd Hippauff, 29 N. Rockhill Road, asked if stone is allowed to be removed from the site? It is.
- Ryan Gottshall, 2201 N. Rockhill Road, stated the meeting is a good idea; requested traffic study again; did not like the unknowns; wants to see quarry as an agenda item; keeps fighting and punching; does not want asphalt plant; DEP is still accepting public written comment on permanent crusher; other municipality ordinances related to an asphalt plant should be reviewed.
- Katie Zackon, 727 E. Rockhill Road, glad there was no settlement; does not want asphalt plant even if state of the art; fears for her life driving on road with the truck traffic.
- Mr. Volovnik reiterated that quarry operations are allowed in the extraction zone and that the quarry has been there for over 100 years. He has lived in the vicinity when it operated in the past and while it was non-operational. The quarry is legally allowed and repeated his request for a small group of residents meet with the quarry operator to make it the best it could be. A court resolution contains no guarantee of improvements.

- LuAnn Ausen, 1921 Three Mile Run Road, interrupted Mr. Volovnik to vehemently disagree the area has changed and stated the quarry should be relocated elsewhere.
- Ryan Gottshall, 2201 N. Rockhill Road, stated a stone base has been prepared at the location of proposed asphalt plant.

**Announcements:**

Mr. Volovnik announced Upcoming Meetings.

An executive session was held on September 10, 2018, September 21, 2018 and September 24, 2018 in regards to ongoing litigation (Pierson).

**Approval of Minutes and Bills Payable:**

**Approval of Minutes from August 28, 2018 Regular Meeting**

On motion by Mr. Nietupski, seconded by Mr. Nyman, to adopt the meeting minutes from the Board of Supervisors' August 28, 2018 Regular Meeting as presented. With no additional discussion, all present voted in favor.

**Payment of Unpaid Bills dated September 20, 2018 in the amount of \$224,370.23**

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve payment of Bills List dated September 20, 2018 in the amount of \$224,370.23 as presented. With no additional discussion, all present voted in favor.

**Planning Commission Report: Anne Fenley**

**Agenda and Draft Minutes September 6, 2018:** Ms. Anne Fenley reported the Planning Commission began the reviewed of the Comprehensive plan with the assistance of the Bucks County Planning Commission staff. The next meeting is November 1, 2018 to review a survey that will be mailed January, 2019.

**Pennridge Community Center Report: David Nyman**

The September - October 2018 Pennridge Community Center Newsletter is available for the public. Of note, their budget has been finalized and their annual municipal report is being prepared.

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**

The August 27, 2018 draft minutes and July 2018 flows are on file.

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

**Pennridge Regional Police Commission Report: Chief Blake**

Chief Blake shared the August, 2018 Pennridge Regional Police activity report. The report is on file. Officer DiGiovanni was present to answer questions regarding truck traffic and regulations.

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

**Township Manager's Report: Marianne Morano**

**Minimum Municipal Obligation Resolution 2018-11 and 2018-12:**

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to adopt Resolution 2018-11 Non-Uniform Municipal Obligation and adopt Resolution 2018-12 Non-Uniform Municipal Obligation cash balance plan. With no additional discussion, all present voted in favor.

**Salt Bids 2018-2019 Season:**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to award the 2018-2019 salt bids to Morton Salt, Inc. through Costars at the rate of \$56.51 per ton for the required 250 tons and to Morton Salt, Inc. through Bucks County Consortium at the rate of \$47.92 per ton delivered and \$47.00 per ton undelivered as presented. With no additional discussion, all present voted in favor.

**Mehmanus Holdings Request for Tree Contribution Reduction.** Correspondence was received requesting a reduction in the subdivision and land development required tree contribution.

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to accept a \$1,500.00 tree contribution from Mehmanus Holdings also known as the Pennridge Animal Hospital. With no additional discussion, all present voted in favor.

Mrs. Morano requested an executive session to discuss real estate.

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, 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 August, 2018. The Public Works report is on file.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, 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 September 5, 2018 is in the Board's packets. No action is necessary.

**Jake Brake Proposed Ordinance:**

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to authorize the Township Engineer to move forward with an engine retarder restriction (Jake Brake) study and PennDOT submission for North Rockhill Road from the quarry entrance to Old Bethlehem Pike and the Township Solicitor advertisement of the Ordinance amendment. With no additional discussion, all present voted in favor.

Mr. Baluh will review other roads as candidates for inclusion in the Jake Brake Ordinance.

**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.**

**UCC Joint Board of Appeals:**

Consensus of the Board was to amend the Board to three members and have Dublin Borough make an effort to have at least one member.

**Development Agreements for Pennridge Airport 1100 Ridge Road:**

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to authorize the Chairperson to execute the Development Agreements for the Pennridge Airport Business Park Land Development Plan contingent on financial security being established as presented. With no additional discussion, all present voted in favor.

Mr. Armstrong requested an Executive Session to discuss litigation in regards to R.E. Pierson.

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

- Perkasio Fire Chief Dave Worthington requested the Board consider an Ordinance requiring Nox Box installation for all new commercial construction. Mrs. Morano will obtain a copy of the recently approved Ordinance from Perkasio Borough.

**New or Other Business - Supervisors' Items**

There was none.

**Public Comment #2:**

There was none.

**Adjournment**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to adjourn into Executive Session. With no additional discussion, the meeting was adjourned at 9:15p.m.

Respectfully submitted,

Marianne Morano  
Township Manager