

East Rockhill Township Board of Supervisors

February 27, 2018

Regular Business Meeting Minutes

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00p.m. on February 27, 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.

Public Comment #1

- Robert Cormack, 328 Harriet Drive, expressed concerns with the Airport Transportation Impact study last revision date November 17, 2017. Mr. Cormack will send his concerns to the Township Manager and the Township Engineer or Traffic Engineer and will send correspondence to PennDOT following up on issues verbalized at a PennDOT meeting with the applicant.
- Kim Gottshall, 2101 N. Rockhill Road, asked for an update to the core sample collections on Rockhill Road. Per the Township Engineer authorization at January's meeting, an update will be under the Engineers Report tonight.
- Ryan Gottshall, 2101 N. Rockhill Road, read excerpts from the Pennsylvania State Constitution citing the Quarry has violated some of those rights, showed water with sediment he had collected coming from the Quarry on Sunday after a week of rain, showed a video on his phone of him following a purported oversized water truck that did not stay in their lane and advised rock crusher noise had a 80 decibel reading.
- John Edwards, 1934 N. Rockhill Road, expressed concerns for pedestrians walking in the roadway and a supply of water for fire tanker trucks.
- Jeannine Gravel, 2198 N. Rockhill Road, stated that on January 31 was almost run off the road from a dump truck, has contacted DEP with noise grievances, has requested acceptable decibel level from DEP and provided documents from six quarries in the vicinity regarding noise abatement accommodations.

Announcements:

Mr. Volovnik announced Upcoming Meetings.

An Executive Session was held on February 26, 2018 and prior to tonight's meeting to discuss potential litigation and ongoing litigation (Pennridge Development Enterprises Conditional Use Appeal).

Approval of Minutes and Bills Payable:

Approval of Minutes from January 23, 2018 Regular Meeting

On motion by Mr. Nietupski, seconded by Mr. Nyman, to adopt the meeting minutes from the Board of Supervisors' January 23, 2018 Regular Meeting. With no additional discussion, all present voted in favor.

Payment of Unpaid Bills dated February 23, 2018 in the amount of \$298,534.24.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve payment of Bills List dated February 23, 2018 in the amount of \$298,534.24. With no additional discussion, all present voted in favor.

Zoning Hearing Board: Marianne Morano

The Township received an appeal to the Zoning Officer denial of the permit application to conduct a H12 Extractive Operations use on the property at 2055 North Rockhill Road and in the alternative an application for a Special Exception use to conduct a H12 use on the property. The application was filed by Richard E. Pierson Materials Corporation and will be heard by the Zoning Hearing Board on March 14, 2018 at 6:00pm at Pennridge High School. The H12 Extractive Operation use is a permitted use in the E Extractive Zoning District by Special Exception. A special exception use needs to go before the Zoning Hearing Board, but is a permitted use if the requirements of the Zoning Ordinance are complied with. The Board of Supervisors need to consider if they would like to authorize the Township Solicitor to participate in the Hearing.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to authorize the Township Solicitor to represent the Township at the Special Exception Zoning Hearing in consideration of Zoning Ordinance compliance, noise concerns, hours of operation, water quantity and quality, traffic concerns, buffers and berms, natural resource protection, Land Development compliance, potential damage to Township roads and public health, safety and welfare. With no additional discussion, all present voted in favor.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to authorize the Township Engineer to prepare a review letter of the Special Exception application. With no additional discussion, all present voted in favor.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to authorize the Township Engineer to attend the Special Exception Zoning Hearings. With no additional discussion, all present voted in favor.

Planning Commission Report:

Agenda and Draft Minutes for February 8, 2018: Ms. Anne Fenley reported the Planning Commission reviewed a Department of Community Economic Development Grant Submission for the Three Mile Run Road Pump Station grant application and recommended the Boice, Richlandtown Road, minor subdivision fee waiver approval for preliminary/final approval.

Boice Minor Subdivision: Mr. Baluh reported the Boice Minor Subdivision proposes to subdivide an existing 16.58 acre property into two residential lot. Lot 1 is 14.78 acres with an existing dwelling and outbuildings. Lot 2 is a proposed building lot 1.80 acres.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to reduce the road improvement fee-in-lieu amount of \$11,370.00 by \$2,000.00 in consideration of a new driveway pipe installation by Township staff. With no additional discussion, all present voted in favor.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to grant preliminary / final approval for the Boice Minor Subdivision and grant waivers as requested contingent on compliance with C. Robert Wynn Associates review letter dated February 2, 2018. With no additional discussion, all present voted in favor.

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

Pennridge Wastewater Treatment Authority Report: John Cressman

Mr. Cressman noted another open house was under consideration.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to acknowledge receipt of the January 22, 2018 draft minutes and December 2017 flows from the Pennridge Wastewater Treatment Authority. With no additional discussion, all present voted in favor.

PACC Report: David Nyman

Mr. Nyman reviewed the January 25, 2018 PACC notes. The meeting notes are on file.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to approve the Pennridge Area Coordinating Committee report. With no additional discussion, all present voted in favor.

Pennridge Regional Police Commission Report: Sergeant Maloney

Sergeant Maloney shared the January 2018 Pennridge Regional Police activity report. The report is on file.

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

Three Mile Run Road Pump Station Design: Mrs. Morano requested Mr. Baluh to update the Board on the status. Mr. Baluh advised a preliminary design has been provided by CKS Engineers and the estimated cost of the pump station replacement is \$650,000 which exceeds the DCED small project grant amount of \$500,000. Township staff has reviewed the design and do not see any unnecessary expenses.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve extending CKS Engineers contract to complete design work and apply for necessary permits for a not to exceed amount of \$50,000.00. With no additional discussion, all present voted in favor.

Final Approval of 2018 Projects: Mrs. Morano reviewed 2018 projects and equipment. The projects are on file.

On motion by Mr. Nietupski, seconded by Mr. Nyman, final approve of 2018 projects and equipment as presented. With no additional discussion, all present voted in favor.

Community Event Sponsorship: Requests have been received from Pennridge Chamber Celtic Fest and Pennridge Community Day for sponsorship consideration.

On motion by Mr. Nyman, seconded by Mr. Volovnik, to authorize \$250.00 to the Celtic Fest and \$250.00 to the Pennridge Community Day. With no additional discussion, the motion passed 2-1 with Mr. Nietupski opposed to setting a trend.

Hilltown Township Request to Purchase EDU's: All members were advised of the request to purchase 25 EDUs by Hilltown Water and Sewer Authority. The consensus of the Board was to decline the request for sale of Equivalent Dwelling Units (EDUs). Consensus of the Board was for the Township Engineer to evaluate how many EDUs should be retained with PWTA.

Township Administrative Assistant Resignation.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to accept Gina Wooler's resignation as a Township Administrative Assistant effective April 20, 2018, with regret, and authorizing Mrs. Morano to advertise for the position. With no additional discussion, all present voted in favor.

UCC Appeal Board Resignation.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to accept John Fenley resignation as a UCC Appeal Board member effective February 1, 2018, with regret. 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.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to adopt Resolution 2018-07 approving the destruction of specific Township records as presented. With no additional discussion, all present voted in favor.

On motion by Mr. Volovnik, 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 January, 2018. The report is on file.

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 February 6, 2018 is in the Board's packets. No action is necessary.

West Rock Road Grant: The West Rock Road Bucks County Conservation District grant has received approval for stormwater improvements and the contract has been executed. Mr. Baluh noted two private road property owners have not contributed the \$200.00 required buy-in. Township staff will contact the property owners. Once the required contributions

have been received consensus was to move forward with completing the grant as submitted.

Rockhill Road Inspection: Mr. Baluh provided the Board a preliminary summary of findings in regards to Rockhill Quarry traffic. Consensus was to finalize the report.

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

Solicitor Report: Patrick Armstrong, Esq.

Foreman Farm Sewage System Operations and Maintenance Agreement. The Foreman Farm Sewage System Operations and Maintenance Agreement has been executed by the homeowner as prepared by Mr. Armstrong.

On motion by Mr. Volovnik, seconded by Mr. Nyman, to approve Chairperson Execution of the Foreman Farm Sewage System Operations and Maintenance Agreement and initialing the property owner change of address. With no additional discussion, all present voted in favor.

Mr. Armstrong requested an Executive Session to discuss the status of the Robert Mager litigation.

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

Department and Emergency Services Reports

On motion by Mr. Volovnik, 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.

New or Other Business - Supervisors' Items

There was none.

Public Comment #2:

- John Cressman, 5 Shale Circle, noted Blue Argillite was found at 1920 Ridge Road.
- John Edwards, 1934 N. Rockhill Road, inquired if trucks could be directed to Rockhill Road and Three Mile Run Road. The roads are weight restricted and jake brake noise would be problematic.
- Jeannine Gravel, 2198 N. Rockhill Road, inquired if different truck routes could be used so it is not always the same neighbors impacted.
- George Zuck, 2017 N. Rockhill Road, asked if 500 ton was truly removed. DEP has verified that the require removal took place per DEP regulations.
- Ryan Gottshall, 2101 N. Rockhill Road, asked how many meetings has East Rockhill had with R.E. Pierson? Two. In October indicating mining at Rockhill Quarry was under consideration when they were directed to submit a proposal and the first week of January 2018 after the Township become aware they were already on the

site late December 2017. Mr. Gottshall was not on the blasting notification list and discovered there is one call per household, expressed concerns about outside lighting and asked about bridges on Rockhill Road. The creek and railroad bridge are designed to current standards which is 40 tons. Trucks over that weight are not legal. Mr. Gottshall believed the concrete facility has not been active 1983. The Township believes the last operations were 2000.

- Kim Gottshall, 2101 N. Rockhill Road, questioned the six inch Rockhill Road optimal surface referred to in the preliminary traffic impact report. The surface was based on the industry standard for 50 trucks a day.

Adjournment

On motion by Mr. Volovnik, seconded by Mr. Nyman, to adjourn into Executive Session. With no additional discussion, the meeting was adjourned at 9:09p.m.

Respectfully submitted,

Marianne Morano
Township Manager