

East Rockhill Township Board of Supervisors

July 15, 2019

Special Meeting Minutes

The special business meeting of the East Rockhill Township Board of Supervisors was held at 4:00p.m. on July 15, 2019 in the Township meeting room at the East Rockhill Township Municipal Building, 1622 North Ridge Road, Perkasio, PA 18944 as advertised.

Present:	Gary Volovnik	Chairperson
	David Nyman	Vice-Chairperson
	Jim Nietupski	Member
	Marianne Morano	Township Manager
	Patrick Armstrong, Esq.	Township Solicitor
	Sean Gresh, Esq.	Township Environmental Consultant
	Steve Baluh, P.E.	Township Engineer

The meeting was called to order at 4:01p.m. by Mr. Volovnik with the Pledge of Allegiance.

Mr. Volovnik announced an executive session was held prior to today's meeting to discuss ongoing litigation.

Response to Recent Court Order from Court of Common Pleas.

Mr. Gresh reviewed ongoing litigation between East Rockhill Township, R.E. Pierson and Hanson Aggregates and a recent Court of Common Pleas Judge order which stated the Court of Common Pleas would take jurisdiction of the asphalt plant use with a hearing scheduled for September 23, 2019. Mr. Gresh summarized that in early May the Township was before the judge seeking jurisdiction of the Rock Hill Quarry asphalt plant and that the use be remanded back to the Zoning Hearing Board. Mr. Freed was present on behalf of REPA seeking to intervene. Grim, Biehn and Thatcher believe the recent Judge Order was issued in error and the asphalt plant use should be before the Zoning Hearing Board.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve Grim, Biehn and Thatcher file an appeal of Judge Mellon Order dated June 18, 2019. With no additional discussion, all present voted in favor.

Consider Bid Documentation for Municipal Office Addition and Renovation.

As per Board approval, bid documents were finalized and placed out for bid per Municipal regulations which require separate prime contractors. Prevailing wage is required. A total of 15 bids were received and opened on July 15, 2019 at 9:00am. Lowest Bidders were general contractor Gordon H. Baver Inc. \$659,000; mechanical Hirschberg \$45,000; electric Hunsberger \$69,500; plumbing Chris Wolff \$23,500 for a total of \$797,000.

Consensus of the Board was to have staff review the plans, taking bid questions into consideration and look to scale back the renovation portion of the project with Christopher Sipes, Keystone Architects assistance.

Consider Financial Institution Proposals for Municipal Office Addition and Renovation.

Proposals received from banking institutions were reviewed. No action was taken.

New or Other Business – Supervisors Items.

There was none.

Public Comment

- Jeannine Gravel, 2198 N. Rockhill Road, asked where public meetings would be held during the renovation process and if there was a landscaping plan. The Township anticipates the existing meeting space to be used and there are no landscaping details.
- Joe Berrardi, 144 Bridgeview Drive, asked is there will be a generator, the length of the construction project and if a tax increase would be necessary. The project is designed for a generator to be purchased at a later date, the bid documents specified nine months for length of project, and no tax increase is anticipated.
- Jeannine Gravel, 2198 N. Rockhill Road, asked if Judge Mellon gave a reason for denying resident intervention. The Order states interveners are represented by East Rockhill Township; resident legal representation should be consulted for further details.
- Mark Ezzo, 2904 Hill Road, stated that he believes Township residents are not represented and Judges are in applicant pocket.
- Josh Scheider, 754 E. Rockhill Road, asked for details on Court of Common Pleas appeal; if quarry could reopen and if the operator could begin preparing for an asphalt plant. The Judge Mellon Order took jurisdiction of the asphalt plant use which Township has appealed to Commonwealth Court seeking to move the asphalt plant use to the Zoning Hearing Board not the Court of Common Pleas. The recent Order is for asphalt plant only the extraction was decided by the Federal Court Order which determined extraction is regulated by the DEP. There is nothing legally stopping them at this time to begin preparation for an asphalt plant.
- Jeannine Gravel, 2198 N. Rockhill Road, asked if the DEP decides to keep mining closed and the Judge approves the asphalt plant, could the asphalt plant be installed. As long as the applicant could under DEP NPDES and air quality permits.
- Mark Ezzo, 2904 Hill Road, questioned if the appeal could be approved by Judicial error.

Adjournment

On motion by Mr. Nyman, seconded by Mr. Nietupski, to adjourn the meeting. With no additional discussion, the meeting was adjourned at 4:31p.m.

Respectfully submitted,

Marianne Morano
Township Manager