

East Rockhill Township Board of Supervisors

September 28, 2021

Regular Business Meeting Minutes

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00p.m. on September 28, 2021 following the 2022 Preliminary Budget review in the meeting room at the East Rockhill Township Municipal Office, 1622 North Ridge Road, Perkasie, PA 18944.

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| Present: | David Nyman | Supervisor Chairperson |
| | Gary Volovnik | Supervisor Vice-Chairperson |
| | Jim Nietupski | Supervisor Member |
| | Marianne Morano | Township Manager |
| | John Rice, 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. Nyman with the Pledge of Allegiance.

Members of the public and press were present.

Announcements or Presentations:

Pennridge Community Center Annual Report: Mr. Nyman provided the annual report announcing the many services available for members 55 years and older in addition to their Legacy Room rental being available to the general public.

Public Comment #1:

- Lou DiTonno, 1 Boulder Drive, stated the Ridge Run Development was isolated during remnants of Hurricane Ida storm due to Stone Edge Road bridge flooding, Hill Road bridge flooding and a tree down on East Rock Road.
- Tom Reiss, 53 Stone Edge Road, has owned the property since 1992 and flooding has occurred regularly since that time.
- Larry Wheatley, 5 Boulder Drive, stated water concerns as a result of the remnants of Hurricane Ida and the rain storm the previous week.

Approval of Minutes and Bills Payable:

Approval of Minutes from August 24, 2021 Regular Meeting.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to adopt the meeting minutes from the Board of Supervisors' August 24, 2021 Regular Meeting as presented. With no additional discussion, all present voted in favor.

Payment Unpaid Bills dated September 23, 2021 in the amount of \$397,604.96.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to approve payment of the Bills List dated September 23, 2021 in the amount of \$397,604.96 as presented. With no additional discussion, all present voted in favor.

Township Manager's Report: Marianne Morano

Park and Recreation Board Appointment. Mr. M. Arthur Hallett introduced himself.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to appoint M. Arthur Hallett to the Park and Recreation Board with a term ending December 31, 2021. With no additional discussion, all present voted in favor.

Road Dedication Resolution 2021-13.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to adopt **Resolution 2021-13** accepting the deed of dedication of Fox Hill Road as presented. With no additional discussion, all present voted in favor.

Presentation of the 2022 Minimum Municipal Obligation (MMO) to the Township Pension Plans.

Received and distributed to the Supervisors for review.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to acknowledge receipt of the 2022 Minimum Municipal Obligation. With no additional discussion, all present voted in favor.

Salt Bids 2021-2022 Season.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to award the 2021-2022 salt bids to Cargill, Inc. through Costars at the rate of \$62.31 per ton for the 250 tons as required and to Morton Salt, Inc. through Bucks County Consortium at the rate of \$57.88 per ton delivered and \$57.00 per ton undelivered as presented. With no additional discussion, all present voted in favor.

Municipal Office Addition. A proposal was presented from Wenhold Builders for crown moulding and eave extension for fascia replacement. It was noted the current fascia was as specified and installed according to approved bid plans. Board consensus was to replace the fascia with the same style but with a material of a heavier guage that would remain straight.

Request to Purchase Sewer EDU's. Correspondence from Pennridge Wastewater Treatment Authority (PWTA) to all members was received to consider the sale of 25 sewer EDU's to Hilltown Township Water and Sewer Authority. The Board was provided an evaluation of how many EDUs East Rockhill Township currently has.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to decline the request for the sale of Equivalent Dwelling Units (EDUs). With no additional discussion, all present voted in favor.

Bridge #279 on West Rock Road over Three Mile Run. Bucks County anticipated bridge reconstruction and closure Spring 2022.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, 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 as of September 23, 2021. Of note, remnants of Hurricane Ida with unprecedented rain fall was handled without any major incidents and a check valve at the sewer pump station needs replacement. The report is on file.

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

Township Engineer Report: Steve Baluh, P.E.

Stone Edge Road Bridge. Mr. Baluh provided the history of the Stone Edge Road bridge installation.

- The Ridge Run Development was approved by a court stipulation agreement dated 1988. Per the recorded plan all five (5) phases were approved at that time.
- Stone Edge Road crosses Three Mile Run with a box culvert that was built according to the approved Ridge Run Development plan. An image was provided to the Board and public that showed the approved design which depicts the culvert is constructed below the 25 year floodplain and 100 year flood plain and thus was designed and constructed to flood during heavy rain events.
- In 1998 the Reserve at Woodbridge Development was approved by conditional use with the condition a new bridge was to be constructed or \$300,000 was to be contributed to the Township for Stone Edge Road improvements. The applicant appealed the approval and by a 1999 Court Order the new bridge requirement was removed and a \$225,000.00 contribution was required to be made to the Township. The funds remain accounted for by the Township allocated to remediate the Stone Edge Road culvert.
- The Reserve at Woodbridge was not approved with an easement or emergency access to Three Mile Run Road. There is a driveway that allows access to (Lysak) existing dwelling.
- A 2015 FEMA map which is still relevant today was provided depicting the railroad culvert causes water to spread out but the flood plain is narrow at the rail road bridge. A 100 year, 500 year and cross-section lines which indicates DEP has done a detailed study for accuracy was provided to the Board and public.
- A Three Mile Run creek profile depicted the railroad bridge height, a small private driveway and Stone Edge Road with 10 year to 500 year floodplain indicators. It was noted the private driveway and Stone Edge culvert are constructed below the 10 year flood level and was designed and approved to flood.
- In 2000 staff was directed to meet with DEP to explore options to improve the Stone Edge Road culvert. Changes in the existing creek bed were not permitted and it was to be maintained. At that time DEP recognized there was a problem and were agreeable to adding two (2) additional culverts and raising the height of Stone Edge Road two feet (2'). DEP required a construction easement to do the work and a floodplain easement in recognition that the water could back up more frequently on the private property. The floodplain easement encompassed a large portion of the private property. In 2004 the project ceased due to the Township not being able to meet the demands of the property owner and therefore obtaining the required easements could not be accomplished.
- It was stated to raise Stone Edge Road bed over the 100 year floodplain would have the potential to back up water more frequently downstream. If a bridge were constructed, the beams under the bridge would need to be out of the 100 year floodplain and therefore Stone Edge Road would be raised four feet (4') higher than Three Mile Run Road.

- Mr. Nietupski questioned if improvements could be done to Hill Road bridge and if there was grant availability. The Hill Road bridge is owned by Bucks County. FEMA has competitive grant projects which are considered with all project grant applications in the area.
- Mr. Volovnik questioned if stream overgrowth and depth of creek could be corrected. Approvals are required for any work outside of 50 feet from the edge of a roadway in a waterway from Army Corp of Engineers and DEP.
- Larry Wheatley, 5 Boulder Drive, stated SEPTA should be talked to about railroad bridge.
- Cathy Costello, 10 Boulder Drive, questioned what action could be taken if a property owner will not allow an easement. Eminent domain.
- Arthur Hallett, 2210 N. Rockhill Road, noted Bucks County recently did improvements to the Hill Road bridge.
- Lou DiTonno, 1 Boulder Drive, questioned if the two culverts considered in 2000 were an exception to the rule. Yes.
- Photos of flooding will be emailed to the Township Manager for the public record.
- Ron Schulberger, 2386 Hill Road, questioned the impact to properties downstream. Typically diminished with the length but would need to be investigated.
- Mr. Volovnik questioned why Old Bethlehem Pike bridge does not flood. The bridge has good height and less stream flow.
- Lou DiTonno, 1 Boulder Drive, stated he does not believe the McClennen Tract will not create more water into their development. The Township Engineer has stated there will be less water from the McClennen Tract and DEP NPDES permit is also required. These requirements were not in effect in 1988 when his development was approved.
- Larry Wheatley, 5 Boulder Drive, stated retention basins do not work
- Cathy Costello, 10 Boulder Drive, stated driveway pipes are not being maintained and are not functioning and property owners should be notified.
- Lou DiTonno, 1 Boulder Drive, stated water would flow in a stormwater pipe if it was at a 90 degree angle instead of a T.

The Township Engineer will meet with Department of Environmental Protection for consideration of allowable design options impacting the FEMA floodplain and develop options for consideration.

Release of Escrow Vouchers.

Pennridge Animal Hospital.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to accept completion of the Pennridge Animal Hospital (Mehmanus Holdings LLC) and the maintenance period. With no additional discussion, all present voted in favor.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to approve the Mehmanus Holdings LLC Escrow Voucher 1 dated September 17, 2021 payable to Wynn Associates, Inc. in the amount of \$448.17 for construction observation and to approve the Mehmanus Holdings LLC Escrow Voucher 2 dated September 17, 2021 payable to Mehmanus Holdings LLC in the amount of \$78,280.82 for reduction to maintenance retainage as presented. With no additional discussion, all present voted in favor.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to accept the Township Engineer's report. With no additional discussion, all present voted in favor.

Township Solicitor Report: John Rice, Esq.

Fox Stormwater Operation and Maintenance Agreement and Access Easement for Casadonti Homes Inc., Ridge Road Bucks County Tax Map Parcel 12-009-224-002

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to approve the Chairperson to execute the Stormwater Operation and Maintenance Agreement and Access Easement for Ridge Road, Casadonti Homes, tax map parcel 12-009-224-002 as presented. With no additional discussion, all present voted in favor.

Mr. Rice requested an Executive Session to discuss litigation.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to accept the Township Solicitor's report. With no additional discussion, all present voted in favor.

Board and Commission Reports

Pennridge Regional Police Department: Chief Paul Dickinson, Jr.

The Chief shared the August, 2021 Pennridge Regional Police activity report. The report is on file.

- Lou DiTonno, 1 Boulder Drive, requested the status of Stone Edge Road speed studies. The Police Department had speed boards in three (3) locations and conducted 45 details were done in the last month. Speeds are not excessive and on average are 25 mph.
- Larry Wheatley, 5 Boulder Drive, stated the presence of the Officer's car slows down vehicles.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to accept the Pennridge Regional Police Department report. With no additional discussion, all present voted in favor.

Pennridge Wastewater Treatment Authority: David Nyman

Mr. Nyman shared the September 27, 2021 meeting report noting the 2022 budget was approved. The August 2021 minutes and flow reports were provided to the Board.

- Larry Wheatley, 5 Boulder Drive, stated PRA trucks continue to go by his house which is a cul-de-sac. Mrs. Morano was directed to contact PRA (Perkasie Regional Authority) for a reason.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to accept the Pennridge Wastewater Treatment Authority report. With no additional discussion, all present voted in favor.

Pennridge Area Coordinating Committee: Gary Volovnik

Mr. Volovnik shared highlights of the September 23, 2021, meeting. The notes were provided to the Board and are on file.

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

Department and Emergency Services Reports

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to acknowledge receipt of the Department and Emergency Services reports. With no additional discussion, all present voted in favor.

New or Other Business – Supervisors’ Items:

- Mr. Nietupski suggested the Township Engineer Planning Commission review letters be posted to the Township website. It was stated the entire review letter is available in approved minutes with the applicants response to each item.

Public Comment #2:

- Lou DiTonno, 1 Boulder Drive, stated a thank you in particular to the Township Engineer.

Adjournment:

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to adjourn the regular meeting. With no additional discussion, the meeting was adjourned at 8:37p.m.

Respectfully submitted,

Marianne Morano
Township Manager