

East Rockhill Township Board of Supervisors

July 26, 2022

Regular Business Meeting Minutes

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00p.m. on July 26, 2022, in the meeting room at the East Rockhill Township Municipal Office, 1622 North Ridge Road, Perkasio, PA 18944.

Present:	Dave Nyman	Supervisor Vice-Chairperson
	Jim Nietupski	Supervisor Member
	Marianne Morano	Township Manager
	Will Oetinger, Esq.	Township Solicitor
	Steve Baluh, P.E.	Township Engineer
	Jeff Scholl	Public Works Director
	Chief Dickinson, Jr.	Pennridge Regional Police Department

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:

An Executive Session will follow the meeting for real estate potential preservation and potential litigation.

Public Comment #1:

- Judy Eby, 2157 Dublin Pike, asked for status of enforcement for the properties located across the street from her dwelling with a camper and contracting use. Mrs. Morano advised that the camper would be discussed as potential litigation in Executive Session following the meeting and the Contractor was anticipated to vacate by September 15, 2022.

Approval of Minutes and Bills Payable:

Approval of Minutes from June 28, 2022, Regular Meeting.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve the meeting minutes from the Board of Supervisors' June 28, 2022, Regular Meeting as presented. With no additional discussion, all present voted in favor.

Payment of Unpaid Bills dated July 22, 2022, in the amount of \$594,307.19.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve payment of the Bills List dated July 22, 2022, for a total amount of \$594,307.19 as presented. With no additional discussion, all present voted in favor.

Township Manager's Report: Marianne Morano

Zoning Hearing Board Application from Rob and Heather Andolina for 25 Firethorn Drive. Mr. and Mrs. Andolina were present to review the application seeking a variance at 25 Firethorn Drive, Perkasio Bucks County Tax Map Parcel 12-027-091 located in the S – Suburban Zoning District. The Applicant is seeking a variance for a rear yard setback where 25 feet is permitted.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to take a neutral position on the application. With no additional discussion, all present voted in favor.

Conditional Use Hearing Application for 809 & 901 Three Mile Run Road.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to authorize the Township Solicitor request the applicant provide a time extension to allow the Planning Commission two meetings to review the application and if an extension is not granted a hearing be scheduled on August 30, 2022, at 7:00pm and authorize engaging Scott MacNair, Esq. to serve as Special Council for the proposed B3 Performance Development at 809 and 901 Three Mile Run Road Conditional Use Hearing as presented. With no additional discussion, all present voted in favor.

General Code Proposal.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve the General Code proposal for eCode360 electronic Code of Ordinance platform Standard in the amount of \$1,120.00 as presented. With no additional discussion, all present voted in favor.

Trash District Bid. Board consensus was to proceed with bid placement as presented clarifying the alternate bid should offer identical services to residents outside the trash district within the contract period and the bid contract period shall be 2023 – 2025 with 2 option years.

Municipal Complex Cell Tower. Mr. Nyman noted RF Hill Amateur Radio Club currently has an antenna on Perkasio Regional Authority water tower and were seeking to relocate the antenna in response to a fee assessment.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to authorize the Township Manager contacting the Municipal Complex cell tower owner on behalf of RF Hill Amateur Radio Club to install a repeater antenna as presented. With no additional discussion, all present voted in favor.

Fuel Bids 2022-2023. Mrs. Morano advised that the Petroleum Traders Corporation provided notice the ultra-low sulfur diesel bid required 6,000 gallons of fuel be delivered at one time and was therefore requesting an amendment to the bid award. The Township Solicitor did not have a concern.

On motion by Nietupski, seconded by Nyman, to award the unleaded regular 87 octane bid amount of 0.0989 market value to Riggins, Inc. and to award the ultra-low sulfur diesel bid amount of 0.2540 market value to Riggins, Inc. for the 2022 - 2023 fuel bids covering the bid period of August 1, 2022, to July 31, 2023, as presented. With no additional discussion, all present voted in favor.

June 28, 2022 Meeting Follow-Up. Mr. Jim Snyder, 45 Stone Edge Road, provided documents to the Board indicating a missing stop sign and site visibility concern in Perkasio Borough on two state owned roads. The documents were forwarded to Perkasio Borough who reinstalled the stop sign and PennDOT who responded the reported trees were on private property and they did not observe a site visibility concern.

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:

Mr. Scholl updated the Board on Public Works activities as of July 21, 2022. The 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.

Township Engineer Report: Steve Baluh, P.E.

Wood's Edge Development.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to accept the 18-month maintenance period has been completed for the Woods Edge Subdivision as presented. With no additional discussion, all present voted in favor.

Pennridge School District Transportation Facility. Mr. Kelly Harper, Pennridge School District and Mr. Andrew Cecere, Sitelogic, Inc., were present.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve the request for a Land Development waiver for 1506 North Fifth Street, Perkasio with tax parcel number 12-009-214 for a proposed permanent salt shed in the C-E Zoning District as presented. With no additional discussion, all present voted in favor.

Robert B. Deibler Elementary School. Mr. Kelly Harper, Pennridge School District and Mr. Andrew Cecere, Sitelogic, Inc., were present. No lights or power to the outdoor pavilion are proposed.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve the request for a Land Development waiver request at 1122 W. Schwenkmill Road, Perkasio with tax parcel number 12-009-160 for a proposed outdoor pavilion in the RR Zoning District as presented subject to any future improvements or expansion be subject to Land Development requirements. With no additional discussion, all present voted in favor.

Amendment to East Rockhill Township Code of Ordinance Chapter 26.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to authorize an amendment to the Stormwater Ordinance to be consistent with the requisite the requirements of the DEP MS4 program as presented. With no additional discussion, all present voted in favor.

Subdivision Plan Review Status Memo Dated July 14, 2022.

No action required.

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

Township Solicitor Report: Will Oetinger, Esq.

Stormwater Operation and Maintenance Agreement and Access Easement.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to authorize the Chairperson execution of revised Stormwater Operation and Maintenance Agreement and Access Easement at Tax Map Parcel 12-020-008 on Hill Road owned by Robert R. Mager as presented. With no additional discussion, all present voted in favor.

Amendment to East Rockhill Township Code of Ordinance Chapter 20. Mr. Nietupski requested an update to the Township Burning Ordinance. Pennridge Regional Police Department will enforce what is currently in place and advise if an amendment is recommended.

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

Board and Commission Reports

Pennridge Regional Police Department: Chief Dickinson, Jr.

The Chief shared the June 2022 Pennridge Regional Police activity report. The report is on file.

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

Planning Commission: Anne Fenley

Mrs. Fenley noted the Pennridge School District proposed salt shed and outdoor pavilion were reviewed and recommended for waiver of Land Development. The July agenda and draft minutes were provided to the Board.

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

Pennridge Wastewater Treatment Authority: Dave Nyman

Mr. Nyman noted it was a 15-minute meeting. The June 2022 minutes and flow reports were provided to the Board.

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

New or Other Business – Supervisors' Items:

There was none.

Public Comment #2:

- Ron Schulberger, 2386 Hill Road, asked for the status of acoustic panel installation. Product delivery is another 9 weeks with installation thereafter.
- Anne Fenley, 1500 Branch Road, stated the current trash district supplier would not collect her trash because of a bridge in the vicinity and stated concern service could not be provided to all residents. The Township does not have any control over trash haulers but would contact the current trash district hauler on her behalf.

Adjournment:

On motion by Mr. Nietupski, seconded by Mr. Nyman, to adjourn the regular meeting into executive session. With no additional discussion, the meeting was adjourned at 7:46 p.m.

Respectfully submitted,

DRAFT
Marianne Morano

Township Manager

East Rockhill Township
Unpaid Bills List

August 19, 2022

Summary of Fund Expenses

FUND NAME	DESCRIPTION	TOTAL
General	<i>General Purposes</i>	\$ 121,627.56
Fire	<i>Revenue from Real Estate 1.0 mil. Expenses related to Fire Volunteer Services.</i>	\$ -
Open Space	<i>Revenue from Earned Income 0.25. Expenses for preservation and maintenance per HB1523.</i>	\$ 592.16
Sewer	<i>Revenue from sewer rates and connections. Expenses for sewer operations.</i>	\$ 20,892.63
Park & Recreation / Golf Driving Range	<i>Revenue from token sales, park reservations & contributions. Expenses for driving range and park maintenance.</i>	\$ 1,323.84
Street Light	<i>Revenue from annual street light assessment for properties in district. Expenses payable to PPL for street light rental and maintenance.</i>	\$ 1,569.93
Capital Improvement	<i>Revenue from Real Estate 1.25 mil. Expenses for capital projects as budgeted and approved by Board of Supervisors.</i>	\$ -
Building Debt	<i>Revenue from Real Estate 1.26 mil. Expenses for Police Headquarter and Municipal Complex building debt.</i>	\$ 5,797.22
Capital Reserve	<i>Revenue from grants and contributions. Expenses per allocations as budgeted and approved by Board of Supervisors.</i>	\$ -
State Aid (Liquid Fuels)	<i>Revenue from State fuel tax. Expenses according to PennDOT guidelines for road and vehicle maintenance.</i>	\$ 4,887.96
Escrow	<i>Revenue for consultant review time. Expenses for projects under review with escrow requirements.</i>	\$ 7,911.07
Unpaid Bills Total		\$ 164,602.37

East Rockhill Township
Unpaid Bills List

August 19, 2022

Detail of Fund Expenses

<u>Payable To</u>	<u>Memo</u>	<u>Amount</u>
General Fund - 01		
BIU	Code Services May 2022	1,669.50
BIU	Code Services June 2022	1,512.00
Clemens Uniform	Uniforms	141.72
Clemons Richter & Reiss	General	52.50
Clemons Richter & Reiss	Andolina	350.00
Clemons Richter & Reiss	Special Council	70.00
Delaware Valley Health Insurance (DVHT)	Insurance Premium	8,680.74
Emerald Garden	Lawn Maintenance	870.00
General Code	eCode360	1,120.00
Grim, Biehn & Thatcher	Township Solicitor General Matters	1,520.00
Grim, Biehn & Thatcher	Township Solicitor Litigation	505.25
Home Depot	Supplies	408.21
IPFone	Phone Service	270.00
IT Business Solutions, Inc.	Monthly Service	459.00
Keystone Collections Group	EIT Commission	452.38 *
Keystone Collections Group	Costs Retained by Tax Officer (Act 192)	384.61 *
Keystone Collections Group	EIT Taxpayer Refunds	60.85 *
Keystone Collections Group	LST Commission	219.22 *
Kriebel Security	Quarterly Service	147.00 *
Neat & Clean	Township Office	280.00
News Herald	Subscription	24.50
ORE	Equipment Rental	525.00 *
PAPCO	Unleaded Fuel	389.88 *
Perkasie Regional Authority	Municipal Office Water Bill	141.35 *
Pennridge Regional Police	Police Service	83,114.33
Pitney Bowes	Quarterly Lease	102.00 *
PP&L Electric	Emergency Aux Bldg. + Break Room	118.39
PP&L Electric	Parking Lot Lights	136.93
PP&L Electric	Municipal Office	138.49
PP&L Electric	Garage/Shop	58.13
Principal Financial Group	Insurance Premium	381.32
Reiss Hauling & Recycling, Inc.	Trash & Recycling Service June 2022	2,570.00
Reiss Hauling & Recycling, Inc.	Trash & Recycling Service July 2022	2,570.00
Ricoh	Prepay Copier Rental	132.23
Riggins	Diesel Fuel	1,552.66
Shadywood Communications	Enews	215.00
Spectrum Building Products LLC	Sound Panels	8,700.00

East Rockhill Township
Unpaid Bills List

August 19, 2022

Detail of Fund Expenses

<u>Payable To</u>	<u>Memo</u>	<u>Amount</u>
Staples Credit Plan	Supplies	136.14
Sprint	Cell Phone Service	132.81 *
Sprint	Cell Phone Service	132.81
Tilley Fire Equipment Co	Fire Extinguishers	162.61
Verizon	FIOS service	109.00
Wynn Associates	Township Engineer Rockhill Quarry	161.20
Wynn Associates	Township Engineer General	594.80
Wynn Associates	Township Engineer Stone Edge Road	24.80
Wynn Associates	Township Engineer MS-4	99.20
Wynn Associates	Township Engineer Zoning 25 Firethorn	31.00
<i>General Fund</i>		<u><u>\$ 121,627.56</u></u>

Fire Fund - 03

Fire Fund \$ -

Open Space Fund - 05

Grim, Biehn & Thatcher	Township Solicitor Land Preservation	256.00
Keystone Collections Group	EIT Commission	198.72 *
Keystone Collections Group	Taxpayer Refunds	30.44 *
Wynn Associates	Township Engineer Rapkin	107.00
<i>Open Space Fund</i>		<u><u>\$ 592.16</u></u>

Sewer Fund - 08

BSI Electric	Electrical Pump Station	8,344.63
Bullseye	Pumping Station Alarm Service	142.43
CKS Engineers	Engineering Pump Station	2,650.19
Comcast	Treatment Plant Phone Service	100.01
Delaware Valley Health Insurance (DVHT)	Insurance Premium	3,716.16
Emerald Garden	Lawn Maintenance	200.00
Grim Biehn & Thatcher	Township Solicitor Sewer	171.40
Kevin Franks	Treatment Plant	1,850.00
MJ Reider Associates	Lab Analysis	559.90
PA One Call	Monthly Activity	25.74
PP&L Electric	Pump Station	851.08
PP&L Electric	Treatment Plant	1,809.43
Principal Financial Group	Insurance Premium	294.54
Sprint	Cell Phone Service	88.56

East Rockhill Township
Unpaid Bills List

August 19, 2022

Detail of Fund Expenses

<u>Payable To</u>	<u>Memo</u>	<u>Amount</u>
Sprint	Cell Phone Service	88.56 *
		<i>Sewer Fund</i> <u>\$ 20,892.63</u>
Park & Recreation / Driving Range Fund -09		
Emerald Garden	Lawn Maintenance	425.00
George Allen Portable Toilets Inc.	Markey Centennial Park	160.00
Home Depot	Supplies	129.93
PP&L Electric	Markey Centennial Park Sign	26.42
PP&L Electric	Markey Centennial Park Buildings	38.74
Range Servant	Supplies	543.75
		<i>Park & Rec / Driving Range Fund</i> <u>\$ 1,323.84</u>
Street Light Fund - 13		
PP&L Electric	Street Lights	1,569.93
		<i>Street Light Fund</i> <u>\$ 1,569.93</u>
Capital Improvement Fund - 19		
		<i>Capital Improvement Fund</i> <u>\$ -</u>
Building Debt Fund - 22		
Pennridge Regional Police Department	Principle and Interest Debt Payment	5,797.22
		<i>Building Debt Fund</i> <u>\$ 5,797.22</u>
Capital Reserve Fund - 30		
		<i>Capital Reserve Fund</i> <u>\$ -</u>
State Aid (Liquid Fuel) Fund - 35		
Auto Plus	Supplies	44.08
H&K Materials	Supplies	3,395.29
Hart Mechanical	Repair	190.00
Kenco Hydraulics Inc	Supplies	75.00
Ore Inc	Equipment Rental	975.00
PP&L Electric	Signal 313 & 5th	29.12
PP&L Electric	Flasher 5th Street	24.28

East Rockhill Township
Unpaid Bills List

August 19, 2022

Detail of Fund Expenses

<u>Payable To</u>	<u>Memo</u>	<u>Amount</u>
PP&L Electric	Signal Campus & 5th	34.44
PP&L Electric	Signal 313 & 563	29.55
PP&L Electric	Flasher Schwenkmill Road	24.56
PP&L Electric	Signal 313 & Mountain View	41.75
PP&L Electric	Flasher Mountain View	24.89
<i>State Aid Fund</i>		<u>\$ 4,887.96</u>

Escrow Fund - 90

Blue Sky	Escrow Return	94.45
Grim Biehn & Thatcher	Township Solicitor McClennan	38.00
Grim Biehn & Thatcher	Township Solicitor St Peters UCC	177.50
Grim Biehn & Thatcher	Township Solicitor Pennridge SD	228.00
Grim Biehn & Thatcher	Township Solicitor Deibler Elementary	76.00
Grim Biehn & Thatcher	Township Solicitor Pennington	627.00
Indian Valley Appraisal Company	McClennan	1,200.00
Kenneth Gross	Escrow Return	500.02
Peace Lutheran Church	Escrow Return	95.23
Perkasie Regional Authority	Escrow Return	1,917.57
Wynn Associates	Township Engineer First Baptist Church	30.00
Wynn Associates	Township Engineer Pennridge SD	1,248.79
Wynn Associates	Township Engineer Pennridge SD	132.95
Wynn Associates	Township Engineer McClennan	384.40
Wynn Associates	Township Engineer Scholl	1,018.04
Wynn Associates	Township Engineer JMD Group	62.00
Wynn Associates	Township Engineer Pennington	15.00
Wynn Associates	Township Engineer Blue Sky	54.87
Wynn Associates	Township Engineer Bentz	11.25
<i>Escrow fund</i>		<u>\$ 7,911.07</u>

Total Unpaid Bills \$ 164,602.37

**denotes already paid*

2022 – 2023 ROCK SALT BID RESULTS

CONSTORTIUM BID opened August 17, 2022		
ERT amount 700 tons		
	DELIVERED Price per Ton	UNDELIVERED Price per Ton
Morton Salt, Inc.	\$ 67.76	\$ 67.00
	Minimum 20-ton delivered Minimum 10-ton undelivered pick up at Bristol	
Silvi Concrete Products dba Riverside Construction	\$ 70.15	\$ 70.00
Eastern Salt Company	\$ 85.85	\$ 85.85
American Rock Salt	\$ 99.90	none

Because of historically higher prices with costars that have a 250 ton purchase requirement, for the 2022-2023 bid Township only bid through the Consortium.

Morton Salt, Inc. through Bucks County Consortium at the rate of \$67.76 for salt purchase delivery and \$67.00 for salt purchase picked up as needed.

Prior Bid Results:

2021: 8/1/2021-7/31/2022: \$57.88/ton (consortium) \$62.31/ton (CoStars)
 2020: 8/1/2020-7/31/2021: \$47.75/ton (consortium) \$52.78/ton (CoStars)
 2019: 8/1/2019-7/31/2020: \$48.50/ton (consortium) \$54.69/ton (CoStars)
 2018: 8/1/2018-7/31/2019: \$47.92/ton (consortium) \$56.51/ton (CoStars)
 2017: 8/1/2017-7/31/2018: \$48.82/ton (consortium) \$55.95/ton (CoStars)

Prior Salt & Anti-Skid Quantities Purchased:

2021: 299 ton salt (\$18,490) & 183 ton stone (\$4,283)
 2020: 388 ton salt (\$20,008) & 135 ton stone (\$2,661)
 2019: 440 ton salt (\$22,268) & 156 ton stone (\$2,180)
 2018: 671 ton salt (\$34,356) & 200 ton stone (\$2,574)
 2017: 329 ton salt (\$17,237) & 114 ton stone (\$1,234)



Carol C. Dorey Real Estate, Inc
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August 15, 2022

Marianne Morano, Manager
East Rockhill Township
1622 N. Ridge Road
Perkasie, PA 18944
Via email

Re: Robert Rapkin parcel further described as:
Tax Map Parcel #12-009-121, 1800 Three Mile Run Road, East Rockhill Township

Dear Ms. Morano,

I am writing to request a compliance statement as required by Article 7, paragraph 7.03 of the Conservation Easement agreement dated June 30, 2022. Robert Rapkin has entered into an agreement of sale for his farm located at 1800 Three Mile Run Road, East Rockhill Township, Bucks County.

Vincent Grimm and Donna Duffy-Bell are purchasing the farm with an expected closing date of September 20, 2022. Could you please provide a written compliance statement.

Regards,

Amy Ernst

Amy L. Ernst
Carol C. Dorey Real Estate

CC: William Oetinger, Esquire
Robert Rapkin
Scott Freeman, Coldwell Banker Hearthside



AREA SUMMARY
 PARCEL AREA OF TWP# 12-9-121 (BY DEED-GROSS) 24.766 ACRES
 CONSERVATION EASEMENT HIGHEST PROTECTION AREA (TWP# 12-9-121) 22.362 ACRES
 BUILDING ENVELOPE AREA (TWP# 12-9-121) 2.403 ACRES

NOTES

- 1. PROPERTY AS SHOWN FROM THE FOLLOWING:
- 2. ALL INFORMATION IS BASED ON THE FOLLOWING:

LEGEND

- CONSERVATION EASEMENT HIGHEST PROTECTION AREA
- PARCEL AREA OF TWP# 12-9-121 (BY DEED-GROSS)
- BUILDING ENVELOPE AREA

CONSERVATION PLAN W/ACR/PAL

ROBERT M. & BONNIE S. RAPKIN
 THREE MILE RUN ROAD
 TWP# 12-9-121

WYNN ASSOCIATES, INC.
 MUNICIPAL ENGINEERING SERVICES
 611 W. Broad Street, Harrisburg, PA 17101 Tel: 717-658-7300 Fax: 717-658-7306

DATE: 8-28-2022 SCALE: 1" = 100'

PROJECT: CONSERVATION PLAN W/ACR/PAL

NO. 1 OF 1

CONSERVATION PLAN W/ACR/PAL

ROBERT M. & BONNIE S. RAPKIN
 THREE MILE RUN ROAD
 TWP# 12-9-121

WYNN ASSOCIATES, INC.
 MUNICIPAL ENGINEERING SERVICES
 611 W. Broad Street, Harrisburg, PA 17101 Tel: 717-658-7300 Fax: 717-658-7306

DATE: 8-28-2022 SCALE: 1" = 100'

PROJECT: CONSERVATION PLAN W/ACR/PAL

NO. 1 OF 1

RESOLUTION NO. 2022-08

RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS OF EAST ROCKHILL TOWNSHIP TO SELECT AND APPROPRIATE EITHER AMICABLY OR BY EMINENT DOMAIN CERTAIN REAL ESTATE IN EAST ROCKHILL TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, IN FEE SIMPLE, FOR PROTECTING EXISTING SCENIC AND AESTHETIC VALUES OF PROPERTY IN PROXIMITY TO EXISTING TOWNSHIP PROPERTY CONSERVATION INTERESTS AND/OR TO ACQUIRE IN FEE SIMPLE LAND TO BE USED FOR PUBLIC PARK, RECREATION, STREAM BANK PROTECTION, OPEN SPACE, AND/OR OTHER AUTHORIZED PUBLIC AND/OR MUNICIPAL USES; AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION THEREOF; PROVIDING FOR THE FURNISHING OF SECURITY FOR THE PAYMENT OF DAMAGES IN ACCORDANCE WITH THE LAW; AND AUTHORIZING CERTAIN OFFICERS OF EAST ROCKHILL TOWNSHIP TO ACT FOR IT IN ALL PROCEDURES AND ACTIONS REQUIRED BY THE EMINENT DOMAIN CODE.

WHEREAS, the East Rockhill Township Board of Supervisors desires to provide for authorized public lands for the benefit of its citizens; and

WHEREAS, the East Rockhill Township Board of Supervisors desires to control the use of land in proximity to existing Township preserved property in order to protect the scenic, aesthetic and/or watershed values of the land and to provide for additional public and municipal use, improvements and benefit; and

WHEREAS, the Second Class Township Code permits the Township to acquire land or buildings for park and recreational purposes, stormwater management, and other authorized public and municipal uses 53 P.S. §§67201, 67702; and

WHEREAS, in order to carry out the foregoing-described purposes, it is necessary that the Township acquire title in fee simple to land suitably located within the Township.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That the Township authorizes the condemnation of and hereby selects and appropriates for the condemnation of the property located at 426 Three Mile Run Road in East Rockhill Township, more particularly described at Bucks County Tax Map Parcel No. 12-020-030.

2. That the nature of the title acquired by the authorized condemnation shall be absolute or fee simple title, including all easements, rights-of-way and real property interests of whatever nature.
3. That the Township Solicitor and the proper officers of the Township are hereby authorized to attempt to acquire said property by amicable agreement, however, if said property cannot be amicably acquired, the Township Solicitor and Township officers are hereby authorized to file a Declaration of Taking and such other action to carry out the purpose of this Resolution.
4. That the institution of such proceedings, and any other damages, which may be agreed upon or awarded to any party in interest, including the owner or owners of said property, shall be paid out of the Township's Open Space Fund and/or other Township fund as deemed appropriate.

ADOPTED this _____ day of August, A.D., 2022.

EAST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS

Gary W. Volovnik

David R. Nyman

James C. Nietupski

ATTEST:

Marianne Morano
Township Manager

RESOLUTION NO. 2022-09

A RESOLUTION OF THE BOARD OF SUPERVISORS OF EAST ROCKHILL TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, REQUIRING THE ELECTED TAX COLLECTOR TO WAIVE ADDITIONAL CHARGES FOR REAL ESTATE TAXES WHERE NOTICE OF THE REAL ESTATE TAXES WAS NOT RECEIVED FOLLOWING THE TRANSFER OF REAL PROPERTY

WHEREAS, Pennsylvania Act 2022-57 requires municipalities to adopt a resolution or ordinance requiring the Tax Collector to waive Additional Charges for real estate taxes under certain circumstances beginning in the first tax year after the effective date of Act 2022-57; AND

WHEREAS, the Board of Supervisors of East Rockhill Township, by Resolution, hereby requires the Tax Collector to waive Additional Charges for real estate taxes following the transfer of real property where such taxes were not received.

NOW, THEREFORE, be it hereby *RESOLVED* that

1. The Tax Collector shall waive Additional Charges for real estate taxes in the then current tax year, if the taxpayer does all of the following:
 - A. Provides a waiver request of Additional Charges to the Tax Collector in possession of the claim within twelve months of a Qualifying Event;
 - B. Attests that a notice was not received;
 - C. Provides the Tax Collector in possession of the claim with any one of the following:
 - i. A copy of the deed showing the date of real property transfer
 - ii. A copy of the title following the acquisition of a mobile or manufactured home subject to taxation as real estate showing the date of issuance or a copy of an executed lease agreement between the owner of a mobile or manufactured home and the owner of a parcel of land on which the mobile or manufactured home will be situated showing the date the lease commences; and
 - D. Pays the face value amount of the tax notice for the real estate tax with the waiver request.
2. A form providing for the waiver of Additional Charges will be made available from the Tax Collector and the East Rockhill Township Building.
3. The taxpayer granted a waiver and paying real estate tax as provided in this subsection shall not be subject to an action at law or in equity for an Additional Charge, and any claim existing or lien filed for an Additional Charge shall be deemed satisfied.

4. The Tax Collector accepting a waiver and payment in good faith in accordance with this resolution and Act 57 of 2022 shall not be personally liable for any amount due or arising from the real estate tax that is subject in the waiver.
5. As used in this Resolution, the following words and phrases shall have the following meanings given to them unless the context clearly indicates otherwise:

ADDITIONAL CHARGE- Any interest, fee, penalty, or charge accruing to and in excess of the face amount of the real estate tax as provided in the real estate tax notice.

QUALIFYING EVENT- For the purposes of real property, the date of transfer of ownership. For the purposes of manufactured or mobile homes, the date of transfer of ownership or the date a lease agreement commences for the original location or relocation of a mobile or manufactured home on a parcel of land not owned by the owner of the mobile or manufactured home. The term does not include the renewal of a lease for the same location.

TAX COLLECTOR- A tax collector as defined in Section 2 of the Local Tax Collection Law (72 P.S. §5511.1, *et seq.*), a delinquent tax collector as provided in section 26.1 of the Local Tax Collection Law, the tax claim bureau or an alternative collector of taxes as provided in the Real Estate Tax Sale Law (72 P.S. §5860.101, *et seq.*), an employee, agent or assignee authorized to collect the tax, a purchaser of claim for the tax or any other person authorized by law or contract to secure collection of, or take any action at law or in equity against, the person or property of the taxpayer for the real estate tax or amounts, liens or claims derived from the real estate tax.

SO RESOLVED, this _____ day of _____, A.D., 2022.

EAST ROCKHILL TOWNSHIP
BOARD OF SUPERVISORS

Gary W. Volovnik

David R. Nyman

James C. Nietupski

Attest: _____
Township Manager