

East Rockhill Township Board of Supervisors

April 22, 2025

Regular Business Meeting Minutes

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00 PM on April 22, 2025, in the meeting room at the East Rockhill Township Municipal Office, 1622 North Ridge Road, Perkasio, PA 18944.

| | | |
|------------------------|----------------------|-----------------------------|
| <u>Present:</u> | Gary Volovnik | Supervisor Chairperson |
| | Dave Nyman | Supervisor Vice-Chairperson |
| | Jim Nietupski | Supervisor Member |
| | Marianne Hart Morano | Township Manager |
| | Will Oetinger, Esq. | Township Solicitor |
| | Steve Baluh, P.E. | Township Engineer |
| | Jeff Scholl | Public Works Director |

The meeting was called to order at 7:00 PM by Mr. Volovnik with the Pledge of Allegiance.

Members of the public and press were present.

Announcement:

- Next Board of Supervisors Regular Meeting is May 27, 2025 at 7:00 PM

Public Comment #1:

- Ron Schulberger, 2386 Hill Road, stated trees are not being maintained on Hill Road by PPL.

Approval of Minutes and Bills Payable:

Approval of Minutes.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve the meeting minutes from the Board of Supervisors March 25, 2025 Regular Meeting as presented. With no additional discussion, all present voted in favor.

Approval of Bills Payable.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve payment of the Bills List dated April 17, 2025 for a total amount of \$922,636.37 as presented. With no additional discussion, all present voted in favor.

Board and Commission Reports:

Pennridge Regional Police Department: Gary Volovnik

Mr. Volovnik shared the March 2025 Pennridge Regional Police activity report.

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.

Pennridge Area Coordinating Committee: Dave Nyman

The March 27, 2025 draft meeting minutes were provided to the Board.

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

Township Manager's Report: Marianne Hart Morano

Draft Financial Report. The 2024 draft financial report and representation letter to the Appointed Auditor were provided to the Board.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to authorize finalizing the 2024 financial report and Township Manager execution of the representation letter as presented. With no additional discussion, all present voted in favor.

Consideration of Change Order 001 payable to Gordon H. Bayer, Inc. proposal dated March 31, 2025 in the amount of \$60,393.22 for fill dirt and stockpile and stabilization of topsoil. Mr. Baluh stated the charges were for equipment and time due to 24 inches of topsoil were relocated from the building footprint not the typical 12 inches. All soil has been certified and building pad compaction testing has been completed.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve Change Order 001 as presented. With no additional discussion, all present voted in favor.

Ms. Morano requested an Executive Session to discuss personnel.

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

Public Works Report: Jeff Scholl

Public Works activities as of April 17, 2025 were provided to the Board.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to authorize the Township Solicitor to prepare necessary documentation and Township Manager execution of documentation to ensure the stormwater improvement at Three Mile Run Road and Old Bethlehem Road (Sternier Mill Road) can proceed and be completed prior to May 15, 2025. With no additional discussion, all present voted in favor.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to accept bids for the sale of a 2014 John Deere 625 XUV Gator in the amount of \$7,950.00; a 2013 John Deere 960R Zero Turn Mower in the amount of \$4,100.00; a golf ball dispenser in the amount of \$50.00 and a golf ball washer in the amount of \$75.00. With no additional discussion, all present voted in favor.

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.

Consideration to take action on bid for Hill Road.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to award the bid for the Hill Road Stormwater improvements to Passerini & Sons, Inc. in the amount of \$82,944.00 as presented. With no additional discussion, all present voted in favor.

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

Township Solicitor Report: Will Oetinger, Esq.

Conditional Use Adjudication. Perkasio Regional Authority for a new 8,712 SF water treatment building at an existing well site G1 Utilities Use at Blooming Glen Road (1100 Branch Road) tax map parcel 12-014-068.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to approve the adjudication as presented. With no additional discussion, all present voted in favor.

Draft Ordinance for Towing and Storage of Disabled or Abandoned Vehicles.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to authorize advertisement of the draft towing Ordinance contingent on changes as recommended by the Chief of Police. With no additional discussion, all present voted in favor.

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 Emergency Services reports. With no additional discussion, all present voted in favor.

New or Other Business Supervisors' Items:

- Mr. Nyman stated he attended the Perkasio Fire Department, Quakertown Fire Department and Sellersville Fire Department banquets and would like to recognize and state his appreciation for all their volunteer efforts on behalf of East Rockhill Township.
- Mr. Nietupski stated Senator Coleman's Chief of Staff will be attending the Pennsylvania State Association of Township Officials conference not the Senator.
- Mr. Volovnik stated there is a shortage of volunteer firefighters.

Public Comment #2:

- Lou DiTonno, 1 Boulder Drive, asked if the towing ordinance was for all towing. No duty towing only.
- Larry Wheatley, 5 Boulder Drive, asked what happened if State Police are on site first which recently happened to him.

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 7:50 PM.

Re-Convene:

Following the Executive Session, the meeting was re-convened at 8:00 PM.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to authorize the Township Manager advertise for a part time administrative position. With no additional discussion, all present voted in favor.

With no further discussion the meeting adjourned at 8:02 PM.

Respectfully submitted,

DRAFT

Marianne Hart Morano
Township Manager

East Rockhill Township
Bills List

May 23, 2025

Summary of Fund Expenses

| FUND NAME | DESCRIPTION | TOTAL |
|--|---|---------------|
| General | <i>General Purposes</i> | \$ 274,317.75 |
| Fire | <i>Revenue from Real Estate 1.0 mil. Expenses related to Fire Volunteer Services.</i> | \$ 778.74 |
| Open Space | <i>Revenue from Earned Income 0.25. Expenses for preservation and maintenance per HB1523.</i> | \$ 1,391.58 |
| Sewer | <i>Revenue from sewer rates and connections. Expenses for sewer operations.</i> | \$ 131,051.71 |
| Park & Recreation / Golf Driving Range | <i>Revenue from token sales, park reservations & contributions. Expenses for driving range and park maintenance.</i> | \$ 1,849.99 |
| Street Light | <i>Revenue from annual street light assessment for properties in district. Expenses payable to PPL for street light rental and maintenance.</i> | \$ 1,793.45 |
| 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> | \$ 367,535.05 |
| State Aid (Liquid Fuels) | <i>Revenue from State fuel tax. Expenses according to PennDOT guidelines for road and vehicle maintenance.</i> | \$ 10,091.05 |
| Escrow | <i>Revenue for consultant review time. Expenses for projects under review with escrow requirements.</i> | \$ 10,140.62 |
| Bills List Total | | \$ 804,747.16 |

East Rockhill Township
Bills List

May 23, 2025

Detail of Fund Expenses

| <u>Payable To</u> | <u>Memo</u> | <u>Amount</u> |
|---|---|---------------|
| General Fund - 01 | | |
| 21st Century Media | Advertising | 554.00 |
| BCS Facilities Group | Township Office | 500.00 |
| BIU | Jan - Mar Code Services | 4,977.00 * |
| Bray Bros Inc | Harriet, Meadow & Willow Overlay | 125,553.17 |
| Britton Industries | Supplies | 30.00 |
| Chase Credit Card | Intuit | 63.00 |
| Chase Credit Card | Staples | 83.98 |
| Chase Credit Card | PSATS DN, JN, MM, JS | 3,472.48 |
| Chase Credit Card | Lowe's | 23.92 |
| Chase Credit Card | Harbor Freight | 8.99 |
| Clemens Uniform | Uniforms | 48.51 * |
| Clemens Uniform | Uniforms | 194.04 |
| Clemons Richter & Reiss | Jones | 936.00 * |
| Clemons Richter & Reiss | Clearie | 78.00 * |
| Clemons Richter & Reiss | Harris | 390.00 |
| Clemons Richter & Reiss | Jones | 370.50 |
| Cowan Associates | Twp Maint Complex | 4,889.85 |
| Delaware Valley Health Insurance (DVHT) | Insurance Premium | 12,334.93 |
| Dunlap SLK | 2024 Audit | 500.00 |
| Emerald Garden | Lawn Maintenance | 862.00 |
| Faegre Drinker Biddle & Reath | Township Environmental Solicitor | 1,207.50 |
| Gannett PA LocalIQ | Advertising | 351.22 |
| Grim, Biehn & Thatcher | Township Solicitor General | 1,632.00 |
| Grim, Biehn & Thatcher | Township Solicitor Girgenti vs Jones | 87.50 |
| IPFone | Phone Service | 330.37 |
| IT Business Solutions | Monthly Service | 477.00 |
| IT Business Solutions | Computer & Monitor | 1,135.00 * |
| JRF Tree | Storm Cleanup | 1,050.00 |
| Kathleen Percetti | Reimbursement | 973.32 * |
| Keystone Collections Group | EIT Commission | 1,021.34 * |
| Keystone Collections Group | Costs Retained by Tax Officer (Act 192) | 1,118.11 * |
| Keystone Collections Group | EIT Taxpayer Refunds | 1,779.97 * |
| Keystone Collections Group | LST Commission | 147.44 * |
| Keystone Collections Group | LST Refunds | 10.85 * |
| Kriebel Security | Quarterly Service | 147.00 |
| Lawson | Supplies | 131.55 |
| Lincoln National | Insurance Premium | 282.81 |

East Rockhill Township
Bills List

May 23, 2025

Detail of Fund Expenses

| <u>Payable To</u> | <u>Memo</u> | <u>Amount</u> |
|---------------------------------|-------------------------------------|-----------------------------|
| PP&L Electric | Parking Lot Lights | 282.06 |
| PP&L Electric | Municipal Office | 166.89 |
| PP&L Electric | Garage/Shop | 124.32 |
| Pennridge Regional Police | Police Service | 94,720.42 |
| Perkasie Regional Authority | Municipal Office Water Bill | 158.95 * |
| Phillips & Donovan | Twp Maint Complex | 4,168.50 |
| Primo Brands | Water Service | 10.00 |
| Reiss Hauling & Recycling, Inc. | Trash & Recycling Service | 2,345.00 |
| Ricoh | Copier Rental & Copies | 273.40 * |
| T-Mobile | Cell Phone Service | 141.66 * |
| T-Mobile | Cell Phone Service | 141.45 |
| TRAISR LLC | Permit Software | 650.00 |
| Verizon | FIOS Service | 119.00 |
| Wynn Associates | Township Engineer Rock Hill Quarry | 33.25 |
| Wynn Associates | Township Engineer General | 292.60 |
| Wynn Associates | Township Engineer Twp Maint Complex | 1,502.20 |
| Wynn Associates | Township Engineer Roads | 1,434.70 |
| <i>General Fund</i> | | <u>\$ 274,317.75</u> |

Fire Fund - 03

| | | |
|------------------|--------------------|-------------------------|
| Liberty Propane | Substation Propane | 610.04 |
| PP&L Electric | Substation | 168.70 |
| <i>Fire Fund</i> | | <u>\$ 778.74</u> |

Open Space Fund - 05

| | | |
|----------------------------|------------------|---------------------------|
| Keystone Collections Group | EIT Commission | 501.55 * |
| Keystone Collections Group | Taxpayer Refunds | 890.03 * |
| <i>Open Space Fund</i> | | <u>\$ 1,391.58</u> |

Sewer Fund - 08

| | | |
|---|---|------------|
| ARRO Consulting | Engineering Treatment Plant | 2,405.50 |
| ARRO Consulting | Engineering Treatment Plant S Aeration Tank | 2,162.00 |
| Blooming Glen Contractors | Treatment Plant N Aeration Tank | 110,750.00 |
| Chase Credit Card | Staples | 39.99 |
| Comcast | Treatment Plant Phone Service | 115.25 |
| Davis Feed | Supplies | 178.75 |
| Delaware Valley Health Insurance (DVHT) | Insurance Premium | 609.23 |

East Rockhill Township
Bills List

May 23, 2025

Detail of Fund Expenses

| <u>Payable To</u> | <u>Memo</u> | <u>Amount</u> |
|--------------------------|----------------------------|-----------------------------|
| Emerald Garden | Lawn Maintenance | 198.00 |
| Kevin Franks | Treatment Plant | 1,850.00 * |
| Kevin Franks | Treatment Plant | 1,850.00 |
| Lincoln National | Insurance Premium | 42.33 |
| Lingo | Pump Station Alarm Service | 163.98 |
| MJ Reider Associates | Lab Analysis | 683.65 |
| Nyco | Treatment Plant | 147.04 |
| PA One Call | Monthly Activity | 17.18 |
| PP&L Electric | Pump Station | 928.87 |
| PP&L Electric | Treatment Plant | 2,199.12 |
| Quakertown National Bank | 2021 Note Interest | 3,000.01 * |
| Riggins | Unleaded Fuel | 599.45 |
| Riggins | Diesel Fuel | 501.62 |
| T-Mobile | Cell Phone Service | 94.44 * |
| T-Mobile | Cell Phone Service | 94.30 |
| Univar | Aluminum Sulfate | 2,251.20 |
| Warehouse Battery Outlet | Parts | 169.80 |
| <i>Sewer Fund</i> | | <u>\$ 131,051.71</u> |

Park & Recreation / Driving Range Fund -09

| | | |
|--|----------------------------------|---------------------------|
| Anvil Signs & Graphics | Signs | 540.00 * |
| Chase Credit Card | Lowes | 53.44 |
| Chase Credit Card | Eagle Power | 82.51 |
| Emerald Garden | Lawn Maintenance | 419.00 |
| George Allen Portable Toilets Inc. | Markey Centennial Park | 320.00 |
| Miller Tire | Parts | 253.88 |
| PP&L Electric | Markey Centennial Park Sign | 28.56 |
| PP&L Electric | Markey Centennial Park Buildings | 83.60 |
| Verizon | FIOS Service | 69.00 |
| <i>Park & Rec / Driving Range Fund</i> | | <u>\$ 1,849.99</u> |

Street Light Fund - 13

| | | |
|--------------------------|---------------|---------------------------|
| PP&L Electric | Street Lights | 1,793.45 |
| <i>Street Light Fund</i> | | <u>\$ 1,793.45</u> |

East Rockhill Township
Bills List

May 23, 2025

Detail of Fund Expenses

| <u>Payable To</u> | <u>Memo</u> | <u>Amount</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 | | |
| Chase Credit Card | BCCD Grant | 25.00 |
| Commonwealth Precast | BCCD Grant | 5,874.00 |
| Gordon H Baver Inc | Twp Maint Complex Appl #7 | 275,777.37 |
| Integrity Mechanical Inc | Twp Maint Complex Mech Appl #2 | 8,126.10 * |
| Integrity Mechanical Inc | Twp Maint Complex Plumb Appl #2 | 45,900.00 * |
| Integrity Mechanical Inc | Twp Maint Complex Mech Appl #3 | 23,490.00 |
| M&W Precast | BCCD Grant | 5,944.49 |
| Naceville Materials | BCCD Grant | 738.09 |
| ORE Inc | BCCD Grant | 936.00 |
| Wynn Associates | Township Engineer Stone Edge Rd | 724.00 |
| | <i>Capital Reserve Fund</i> | <u>\$ 367,535.05</u> |
| State Aid (Liquid Fuel) Fund - 35 | | |
| Chase Credit Card | Amazon | 145.00 |
| Established Traffic Control | Signs | 841.00 |
| H&K Materials | Supplies | 136.62 |
| M&W Precast | Supplies | 12.13 |
| Miller Bros | Signal Repair | 1,797.70 |
| Perkasie Regional Authority | Jet Storm Line | 600.00 |
| PMG SM Holdings | Crack Sealer Rental | 6,146.50 |
| PP&L Electric | Signal 313 & 5th | 45.80 |
| PP&L Electric | Flasher 5th Street | 26.28 |
| PP&L Electric | Signal Campus & 5th | 41.42 |
| PP&L Electric | Signal 313 & 563 | 43.70 |
| PP&L Electric | Flasher Schwenkmill Road | 25.97 |
| PP&L Electric | Signal 313 & Mountain View | 56.46 |
| PP&L Electric | Flasher Mountain View | 26.28 |
| Warehouse Battery Outlet | Parts | 146.19 |
| | <i>State Aid Fund</i> | <u>\$ 10,091.05</u> |

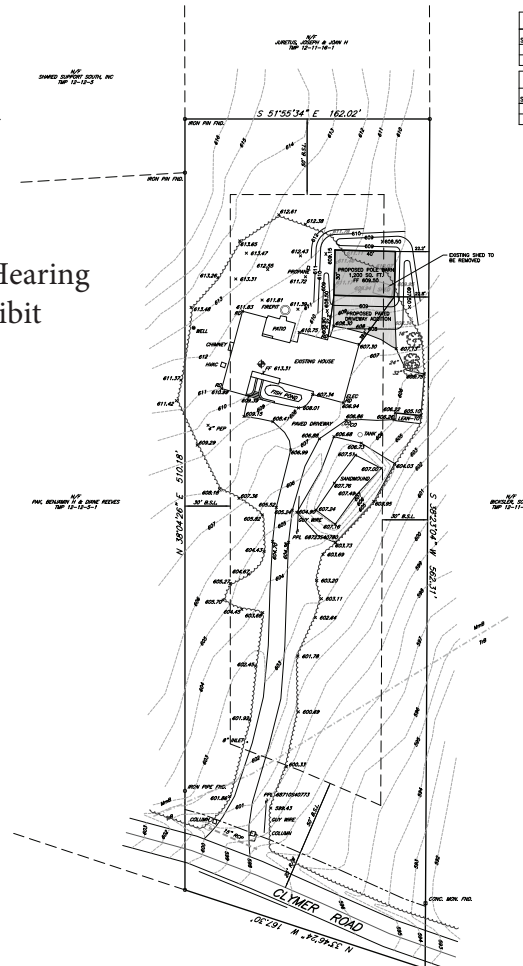
East Rockhill Township
Bills List

May 23, 2025

Detail of Fund Expenses

| <u>Payable To</u> | <u>Memo</u> | <u>Amount</u> |
|---------------------------|---|----------------------------|
| Escrow Fund - 90 | | |
| Grim Biehn & Thatcher | Township Solicitor Green Ridge West | 17.00 |
| Grim Biehn & Thatcher | Township Solicitor Like A Mustard Seed | 160.00 |
| Grim Biehn & Thatcher | Township Solicitor Pennington | 440.00 |
| Grim Biehn & Thatcher | Township Solicitor Cliff Capital | 17.50 |
| Grim Biehn & Thatcher | Township Solicitor PRA | 1,725.00 |
| Ron Haenle | Escrow Closure | 750.00 |
| Traffic Planning & Design | Park Hill Estates | 1,255.10 |
| Traffic Planning & Design | Pennington | 470.00 |
| Traffic Planning & Design | Pennridge HS | 865.00 |
| Wynn Associates | Township Engineer Weidner | 33.25 |
| Wynn Associates | Township Engineer Like A Mustard Seed | 494.93 |
| Wynn Associates | Township Engineer DR Horton | 825.84 |
| Wynn Associates | Township Engineer Pennington | 2,035.94 |
| Wynn Associates | Township Engineer JMD Group | 409.88 |
| Wynn Associates | Township Engineer Kibunjah | 33.25 |
| Wynn Associates | Township Engineer Dam | 53.20 |
| Wynn Associates | Township Engineer Pennridge Family Dental | 46.50 |
| Wynn Associates | Township Engineer Cliff Capital | 508.23 |
| <i>Escrow fund</i> | | <u>\$ 10,140.62</u> |
| Total Bills List | | \$ 804,747.16 |

**denotes already paid*



ORDINANCE NO. 2025-XXX

AN ORDINANCE OF THE EAST ROCKHILL TOWNSHIP BOARD OF SUPERVISORS ADDING A PART 5 TO CHAPTER 13 OF THE EAST ROCKHILL TOWNSHIP CODE OF ORDINANCES TO ESTABLISH PROCEDURES FOR THE SAFE AND ORDERLY TOWING AND STORAGE OF DISABLED OR ABANDONED VEHICLES AND ESTABLISHING PROCEDURES FOR APPLICATION FOR AND MAINTENANCE OF A TOWING LICENSE IN EAST ROCKHILL TOWNSHIP.

SECTION I

Section 13 Chapter 5 of the East Rockhill Township Code shall hereby read as follows:

§13-501. Applicability and Scope.

This Part is enacted to establish procedures to protect the public by regulating the safe and orderly towing of disabled, wrecked, abandoned or impounded motor vehicles by the Pennridge Regional Police Department (or other law enforcement agency designated by East Rockhill Township) and for applying for and maintaining a towing license in East Rockhill Township.

§13-502. Word Usage; Definitions.

- A. When not inconsistent with the context, words used in the present tense shall include the future, and words used in the plural shall include the singular. The words "shall" or "must" are mandatory and the word "may" is discretionary.
- B. For the purpose of this chapter, the following words and phrases shall have the meanings indicated below:

DISABLED, WRECKED, ABANDONED OR IMPOUNDED VEHICLE — An automobile, truck, tractor, trailer, motorcycle, motor home, or other vehicle or device in, upon or by which any person or property is or may be transported or drawn upon a highway, road or street, which is no longer capable of safe operation on a highway, road or street and presents a safety hazard to the public by virtue of its location on or adjacent to a public highway, road or street in the Township, or which is subject to towing pursuant to the Pennsylvania Vehicle Code.

FLATBED WRECKER — A flatbed vehicle equipped with a roll body and winch designed for and capable of lifting and transporting passenger and commercial vehicles.

HEAVY-DUTY WRECKER — A vehicle with a minimum twenty-five-ton capacity designed for and capable of lifting and transporting larger passenger and commercial vehicles.

LICENSEE — A person or tow operator who has been issued a license by the Township pursuant to the terms of this chapter.

LIGHT-DUTY WRECKER, WHEEL-LIFT WRECKER — A vehicle equipped with a hydraulic boom/winch that is designed for and capable of removing passenger and/or commercial vehicles.

PERSON — An individual person, firm, partnership, association, corporation, company or organization of any kind.

POLICE or POLICE DEPARTMENT — The Pennridge Regional Police Department, Bucks County or other municipal police department designated by East Rockhill. For the purposes of managing the scene of a Disabled, Wrecked, Abandoned, or Impounded Vehicle, the term POLICE or POLICE DEPARTMENT shall include a police department assisting the East Rockhill Township Police Department at the request of the East Rockhill Township Police Department.

TOW OPERATOR — A person engaged in the business of operating for hire the service of a vehicle, wrecker, tow truck, car carrier, or other vehicle, whereby disabled, wrecked, abandoned or impounded vehicles are towed or otherwise removed from the place where they are disabled, wrecked, abandoned or impounded by use of a vehicle so adapted for that purpose.

TOWNSHIP — East Rockhill Township, Bucks County. The Township may delegate the duties of this ordinance to the Pennridge Regional Police Department, or if the Pennridge Regional Police Department no longer exists, to another Police Department serving East Rockhill Township.

VEHICLE CODE — The Vehicle Code of the Commonwealth of Pennsylvania, 75 Pa.C.S.A. § 101 et seq.

WRECKER — Any light-duty, heavy-duty, wheel-lift, or flatbed wrecker.

§13-503. Towing License Required.

- A. No tow operator or other person shall operate for hire within the Township a wrecker or similar type of motor vehicle designed and/or able to provide road service, towing or removal of disabled, wrecked, abandoned, or impounded vehicles on behalf of and/or at the direction of the Township and/or the Police Department unless that tow operator is a licensee of the Township as hereinafter provided.
- B. Towing licenses, when issued, shall be issued for a period of one calendar year, commencing on January 1 and terminating on December 31 of the license year.

§13-504. Application for License and Renewal.

- A. An application for a new towing license may be made to the Police Department at any time. An

application for a license renewal must be received by the Township on or before November 1 of the year preceding the license period for which the license is sought.

- B. The application form for either a new license or a license renewal shall be prepared by the Township. The following information and/or documentation shall be submitted to the Township with the application:
 - (1) A list of tow trucks, wreckers, car carriers, or other vehicles available for service to the Township, including a description of each vehicle or piece of equipment (type, make, model year, capacity, etc.), the name and address of the owner/lessee of each vehicle or piece of equipment and their location and hourly availability.
 - (a) Tow trucks may be leased as long as the terms of the lease are for a fixed period greater than one year and for a fixed flat rate from a lessor whose business, company, entity or corporation whose usual and customary business is that of leasing motor vehicles.
 - (2) A description of the location of the secured storage areas where disabled, wrecked, abandoned, or impounded vehicles will be stored, including the addresses, dimensions, and security facilities of all such storage areas as set forth in this chapter.
 - (3) A certificate of insurance or other proof of insurance acceptable to the Township demonstrating that the applicant has and maintains general liability and garage keeper's liability insurance in amounts as set and required by the Township.
 - (4) An agreement to indemnify and hold harmless the Township for any and all losses or expenses incurred by virtue of any acts performed by the applicant and its employees, agents, etc., in the course of service.
 - (5) A mailing address and an email address at which licensee agrees to accept notices issued pursuant to this chapter.
 - (6) The application for a towing license or for towing license renewal shall be accompanied by an application fee in the amount designated in the Fee Schedule. The application fee may be amended from time to time by resolution of the Township Board of Supervisors.
- C. An application shall not be deemed complete, nor shall it be accepted by the Township, unless and until it contains all the information and documents required by this section.
- D. The application for either a new license or a license renewal shall be submitted to the Township and will be subject to review and approval by the Township. Within twenty (20) days of receipt of the application and application fee, the Township shall promptly advise the applicant of whether the license has been approved or disapproved. Failure of the Township to approve or disapprove an application within twenty (20) days shall not result in a deemed approval of the application.

§13-505. Standards and Conditions for Issuance of Towing License.

- A. An applicant for a towing license shall own or lease a minimum of two Light-Duty Wreckers or Wheel Lift Wreckers, as defined herein, to qualify for a light-duty tow license. An applicant wishing to qualify for a heavy-duty tow license, shall have at least two Heavy-Duty Wreckers, as defined herein, and all must be in proper working condition.
- B. Storage.
 - (1) The applicant shall have storage for disabled, wrecked, abandoned or impounded vehicles. The applicant shall have a secured storage area capable of holding a minimum of three (3) vehicles and unsecured storage capable of storing a minimum of five (5) vehicles. The secured storage area may include an area inside a secured structure, outside, or any combination thereof. If part of the secured storage area is outside storage, it must be secured either by a six (6) foot high fence or some other means of security acceptable to the Township.
 - (2) The applicant shall permit inspection of the secured storage area, whether on site or off site, upon request of the Township.
- C. The location of the applicant's place of towing business shall be within the borders of the Township and/or within five air miles of any Township boundary, in order to provide immediate response time to a call for service from the Township and/or the Police Department.
- D. All applicants shall be in compliance with all Federal, state, county, and local laws, regulations, codes and ordinances.
- E. All applicants shall maintain the following insurance issued by companies licensed to do business in the Commonwealth of Pennsylvania, and present proof thereof to the Township or Police Department at the time of application, on an annual basis, and upon request:
 - (1) General public liability insurance in the minimum amount of \$1,000,000; and
 - (2) Garage keeper's legal liability insurance in the minimum amount of \$500,000.
 - (3) Each insurance policy required herein shall contain an endorsement providing 10 days' notice to East Rockhill Township in the event of any change or cancellation for any cause. Written notice to the Township shall be the responsibility of the issuing company.

§13-506. Licensees.

- A. In addition to all of the standards and conditions applicable to an applicant for a towing license, a towing license, if issued by the Township may be issued to a licensee upon the

following conditions of and with the express agreement of the licensee to the following:

- (1) The licensee shall, at all times, act as an independent contractor to, and not as an employee of the Township or the Police Department. All payment for service pursuant to said license shall be by the owner, operator, or custodian of the disabled, wrecked, abandoned or impounded vehicle to the licensee.
- (2) No licensee shall use or employ a vehicle that is not listed on the licensee's license application or renewal application.
- (3) The licensee shall ensure any operator of any wrecker and/or other vehicle and/or equipment possesses a current and valid Pennsylvania driver's license for the class of vehicle they are operating. The licensee is further responsible to ensure that the operator obeys all laws of the Vehicle Code of the Commonwealth of Pennsylvania.
- (4) Licensee shall hold the Township and the Police Department, its officers, employees, agents, designees and/or assigns, harmless for any and all claims, actions or cause of action arising from suspension or revocation of the license for any reason set forth in this chapter, or from any and all claims arising from the duties performed by licensee pursuant to this chapter.
- (5) No individual wrecker may be licensed by more than one tow operator and/or licensee.
- (6) No license issued pursuant to this chapter may be transferred from one tow operator and/or licensee to another tow operator and/or licensee.

§13-507. Vehicle and Equipment Requirements.

- A. No wrecker or other vehicle shall be licensed by the Township unless the vehicle is properly registered and inspected as required by the Vehicle Code of the Commonwealth of Pennsylvania and meets all the requirements of said Vehicle Code.
- B. Licensees shall keep and maintain all wreckers and/or other vehicles and/or equipment listed on its application in a safe and operable condition. Said wreckers, other vehicles and equipment shall be made available for an inspection by the Police Department at any time to confirm compliance with the requirements and standards established herein, as well as compliance with all motor vehicle requirements of the Commonwealth of Pennsylvania.
- C. On each side of every wrecker or other vehicle for which a license has been granted, there shall be legibly inscribed the name, address and telephone number of the licensee's towing business.
- D. All wreckers must be equipped with the following:
 - (1) Broom, shovel, crowbar, buckets, debris containers and oil dry.

- (2) A fire extinguisher, the minimum rating of which shall be at least ten (10) pounds ABC.
- (3) An amber rotating light mounted at the top of the cab of the type that contains at least two sealed beam bulbs and is visible for a distance not less than five hundred (500) feet under normal atmospheric conditions, or equivalent lighting equipment, i.e., amber LED warning lights.
- (4) Two (2) flashing red lights (four-way flashers) so mounted as to show the width of the vehicle from the rear. Said lights shall be visible for a distance of not less than five hundred (500) feet under normal atmospheric conditions.
- (5) Not less than twelve (12), thirty (30) minute-burning type flares and three reflecting type flares.
- (6) Hoisting equipment of sufficient capacity to perform the service intended. The hoisting equipment of each tow truck shall be securely mounted to the frame of the vehicle.
- (7) A two-way communication system, such as two-way radios or mobile/cellular telephones.
- (8) Portable rear lighting for towed vehicles.

§13-508. Police Duty Tow Schedule and Geographic Designations.

- A. The Township or its designee shall establish reasonable rules and regulations to implement this chapter, including but not limited to the following rules in regard to towing schedules:
 - Assigned Geographic Area: If Police Department is a regional police department, the Police Department may assign geographic areas of responsibility. The assigned geographic areas of responsibility shall be by municipality. If the Police Department divides geographic areas of responsibility, the assigned geographic area for a Towing Contractor shall be the municipality in which the Towing Contractor is located or if not located in either, in closest proximity to. The assigned areas of responsibility will be communicated to each Towing Contractor in writing and the Towing Contractor will be responsible for providing towing coverage twenty-four (24) hours per day, seven (7) days a week within the assigned geographic area. The Police Department will evaluate assigned towing areas on an annual basis and make such adjustments as necessary. More than one towing contractor may be assigned per geographic area in the event of more than one qualified applicant.
 - If the Police Department assigns more than one Towing Contractor to a geographic area, the Police Department may establish a duty tow schedule based on a weekly rotation of assignments within that geographic area, and the use of the duty tow

by the officers of the Police Department.

- B. If called by the Police Department as the assigned duty tow licensee on call at any given time, a licensee shall arrive at the location of the disabled, wrecked, abandoned or impounded vehicle within twenty-five (25) minutes from the time the Police Department placed a call to the licensee requesting service. If a licensee's vehicle is delayed while in transit to the requested location, the vehicle operator shall advise the police dispatcher of the delay and his present location, whereupon a determination shall be made by the appropriate police official as to whether the secondary assigned duty tow licensee on call at that time will be called to respond to the call for service.
- C. In any event, should a licensee be unable to respond to the service call from the Police Department with the appropriate wrecker or other vehicle in the required response time, the Police Department will call the secondary assigned duty tow licensee on call at that time to respond to the call for service.

§13-509. Duties at Scene of Disabled, Wrecked or Abandoned Vehicle.

- A. If the owner or operator of a disabled, wrecked or abandoned vehicle cannot, or refuses or fails to, have the said vehicle removed from its location on or adjacent to a public highway, road or street in the Township, within a reasonable time, the Police Department shall call the licensee then assigned as the duty tow operator to affect such a removal. Requests by the owner or operator of said vehicle to utilize a non-licensed wrecker to remove the said vehicle will be honored if the Police Department determines that the safe movement of traffic will not be impeded, public safety will not otherwise be compromised, and that the said vehicle will be removed within a reasonable time.
- B. All disabled or wrecked vehicles shall be removed from the roadway as soon as possible following an accident, in accordance with the Vehicle Code of Pennsylvania except, however, when a police investigation requires that the vehicle(s) remain at the scene until an investigation is completed.
- C. Licensees shall be responsible for removing all vehicular parts and debris from the highway and the licensee shall leave the accident scene in a safe and broom-clean condition.
- D. No person, other legal entity, licensee, or any other tow operator shall seek, persuade, entice, request, or offer towing service at an accident scene, or appear or remain at an accident scene, unless summoned by a party to the accident or by the Police Department.
- E. Prior to departing the scene, the licensee shall inspect its vehicle and the towed vehicle to ensure compliance with Section 4903 and 4905 of the vehicle code.

§13-510. Towing Fees.

- A. The fees charged by a licensee and/or tow operator shall not exceed the amounts set in

- the duly adopted Township Fee Schedule as set by the Township from time to time.
- B. Towing fees shall be posted conspicuously at the tow operator's place of business and any storage area or any other secure facility.

§13-511. License Revocation, Complaints and Penalties.

- A. The Township may revoke a licensee's towing license if any of the following conditions apply:
- (1) The license was procured by fraudulent conduct, false statement, and/or omission of a material fact.
 - (2) The licensee no longer meets all the standards for issuance of a towing license.
 - (3) A wrecker or vehicle or equipment governed by this chapter is inoperable, missing, or unsafe.
 - (4) The licensee has violated the rate schedule.
 - (5) The licensee has not responded to Township and/or Police Department requests for towing and/ or other service in a timely fashion more than three times in a twelve-month period.
 - (6) The licensee has otherwise failed to comply with any of the provisions of this chapter, especially when such failure is willful and intentional or when such failure or reckless conduct by the licensee or its operator jeopardizes the personal safety of a police officer or any other individual.
 - (7) When it can be established with reasonable certainty that the licensee or his/her designee has engaged in criminal or unethical behavior in the performance of his/her responsibilities under this Chapter or in business generally.
- B. Notice of license revocation shall be sent in writing to the licensee and is effective upon mailing, at which time licensee shall be removed from the police tow duty schedule.
- C. The owner, operator or person in charge of any disabled, wrecked, abandoned or impounded vehicle that is towed and/or stored by a licensee may file a written complaint against the licensee with the Township for any alleged violation of this chapter by the licensee involving said disabled, wrecked, abandoned or impounded vehicle. The Police Department shall make a determination of the merit of such complaint, and if the complaint is validated, the Township may revoke the licensee's towing license and/or take any other action deemed appropriate under the circumstances.

SECTION II

Repealer. All ordinance or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION III

Severability. If any section, subsection, clause or provision of this chapter shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this chapter shall be valid and enforceable.

SECTION IV

Effective Date. This ordinance shall be effective five days after enactment.

ORDAINED AND ENACTED by the Board of Supervisors of East Rockhill Township this day of _____, 2025.

EAST ROCKHILL TOWNSHIP BOARD OF SUPERVISORS

Gary W. Volovnik, Chair

David R. Nyman, Vice Chair

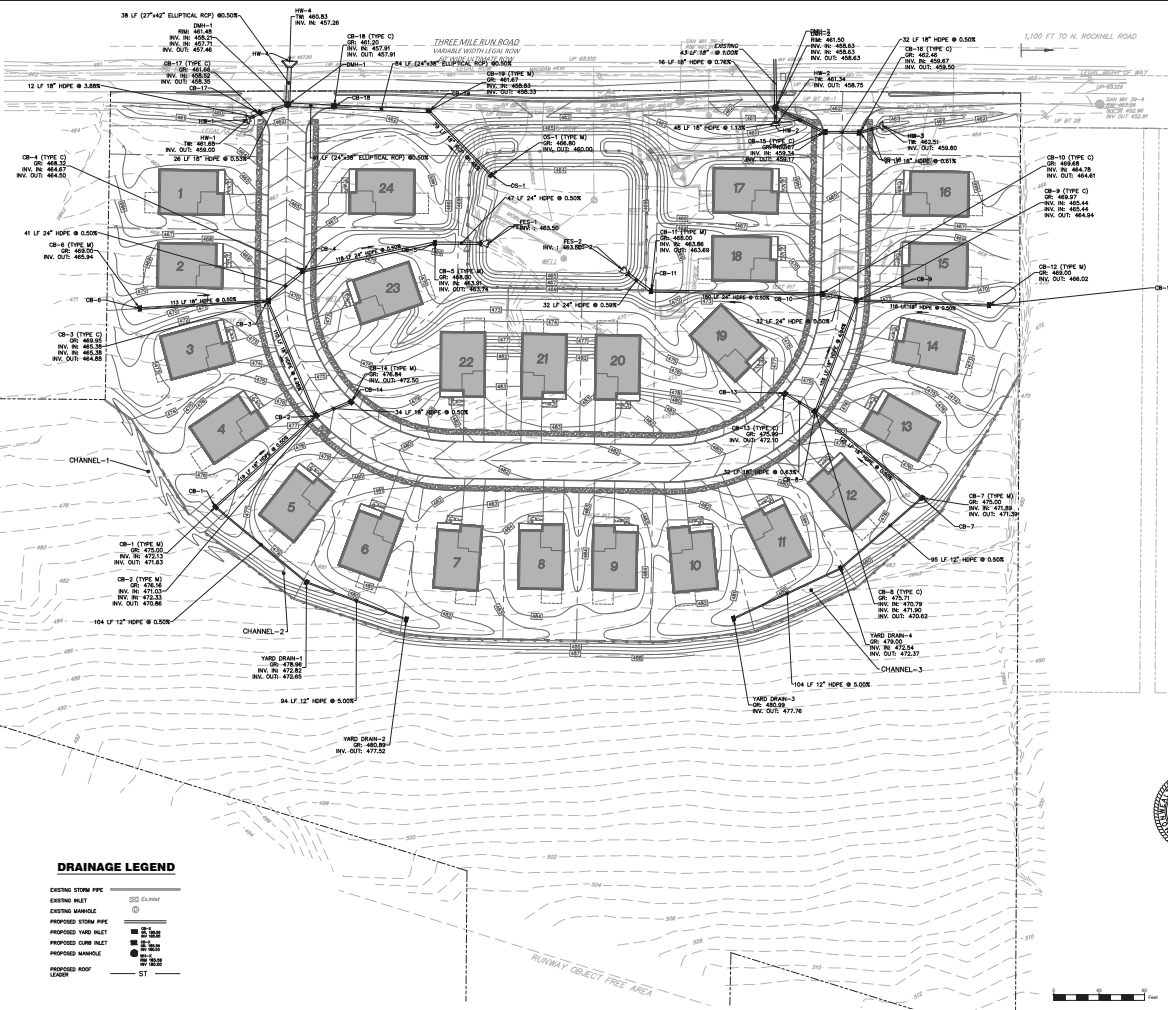
ATTEST:

Marianne M. _____
Township Manager/Secretary

DRAFT









James C. Nietupski, Member

809 Three
Mile Run
Road
Agreement
Exhibit



- [illegible]

DRAINAGE LEGEND

| | |
|----------------------|--|
| EXISTING STORM PIPE |  Exist |
| EXISTING INLET |  Exist |
| EXISTING MANHOLE |  Exist |
| PROPOSED STORM PIPE |  Prop |
| PROPOSED YARD INLET |  Prop |
| PROPOSED CURB INLET |  Prop |
| PROPOSED MANHOLE |  Prop |
| PROPOSED ROOF LEADER |  Prop |

[illegible]