

**East Rockhill Township Board of Supervisors**

**July 23, 2019**

**Regular Business Meeting Minutes**

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00p.m. on July 23, 2019 in the Township meeting room at the East Rockhill Township Municipal Building, 1622 North Ridge Road, Perkasie, PA 18944.

Present:	David Nyman	Vice-Chairperson
	Jim Nietupski	Member
	Marianne Morano	Township Manager
	John Rice, Esq.	Township Solicitor
	Thomas Duncan, Esq.	Township Environmental Consultant
	Steve Baluh, P.E.	Township Engineer
	Jeff Scholl	Public Works Director

The meeting was called to order at 7:01 p.m. by Mr. Nyman with the Pledge of Allegiance.

Township Environmental Representation Mr. Thomas Duncan, Esq. from the firm Manko Gold Kacher & Fox was present to provide an update of the Township's DEP appeals. Mr. Duncan noted the firm has 35 environmental attorneys and 3 environmental engineers. The Township has two appeals before the Environmental Hearing Board one related to air quality for a crusher and one for NPDES which is for stormwater discharge and includes an amendment to the surface mining permit. The Environmental Hearing Board is made up of five Judges that are appointed by the Governor and it operates like a trial court. The Township is currently in the written discovery phase. Township Engineer Steve Baluh and the firm's internal environmental engineers have reviewed documents and several comment letters have been submitted to DEP. No parties have identified experts which is part of litigation and would not be discussed. The Rock Hill Quarry remains under a DEP cessation order as the Department reviews asbestos results. Mr. Duncan noted that public notice would be given in advance of the Quarry reactivation.

**Public Comment #1**

- Mary Schulberger, 2386 Hill Road, asked if the Environmental Hearing Board could supersede what DEP says and is there an appeal process. Issued permits could be voided and Commonwealth Court would hear appeals.
- Kurt Wiest, 779 E. Rockhill Road, asked about the status of the mining permit. DEP considers the mining permit active however the NPDES permit includes a correction to the mining permit. Senator Santarsiero office has questioned the 500-ton annual requirement.
- Jeannine Gravel, 2198 N. Rockhill Road, noted a draft report on the DEP website has downgraded the Tohickon Creek.
- Steve Connelly, 1600 West Rock Road, asked about surveyors on West Rock Road. Bucks County is doing design work for bridge re-construction.
- Ryan Gottshall, 2201 N. Rockhill Road, asked about the asbestos testing results received to date. Most recent testing was done with core samples in the mineral vein where naturally occurring asbestos may be. Results received from those core samples indicated 0.1% to 0.3% fibrous to non-fibrous test results.

- Kurt Wiest, 779 E. Rockhill Road, asked if there is a minimal asbestos level that is safe. That is under review.
- Karen Drum, 2105 N. Rockhill Road, is pleased the environmental firm is involved and read Congressman Brian Fitzpatrick communication following a June 23 meeting with DEP.
- Arthur Hallett, 2210 N. Rockhill Road, questioned the Tohickon Creek being downgraded. DEP received a draft report with a petition to upgrade the Tohickon Creek but based on testing in the report the Creek was downgraded. Details can be found on the draft report posted to the DEP website.

**Approval of Minutes and Bills Payable:**

**Approval of Minutes from June 20, 2019 Special Meeting and June 25, 2019 Regular Meeting.**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to adopt the meeting minutes from the Board of Supervisors' June 20, 2019 Special Meeting and June 25, 2019 Regular Meeting. With no additional discussion, all present voted in favor.

**Payment of Unpaid Bills dated June 21, 2019 in the amount of \$ 234,149.41.**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve payment of Bills List dated July 19, 2019 in the amount of \$234,149.41. With no additional discussion, all present voted in favor.

**Penridge Community Center Report: David Nyman**

Mr. Nyman noted the July – August newsletter was available for the public. Of note, the Center is co-sponsoring 'By the Moonlite' car show on July 27 from 5-9pm at Penridge High School with all proceeds benefitting the Center and 200 people attended the recent open house at the Center.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve the Penridge Community Center Report. With no additional discussion, all present voted in favor.

**Penridge Wastewater Treatment Authority Report: David Nyman**

The June 24, 2019 Penridge Wastewater Treatment Authority draft minutes and May 2019 flows are on file. Mr. Nyman noted inflow and infiltration continues to be under review.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve the Penridge Wastewater Treatment Authority report. With no additional discussion, all present voted in favor.

**Penridge Regional Police Commission Report: Sergeant Maloney**

Sergeant Maloney shared the June 2019 Penridge 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**

**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 2019-06** approving the destruction of specific Township records as presented. With no additional discussion, all present voted in favor.

**Resignation Letter from Nicholas Kalams, Elected Auditor.** Mr. Kalams no longer resides in the Township and regretfully can no longer serve as elected auditor. Bucks County Board of Elections will be advised.

**2019 Paving Bid Results for Azalea Court and Holly Drive.** Per the Board's authorization at their special road inspection meeting on June 20, 2019 bids were obtained for an overlay on Azalea Court and Holly Drive which was is an unbudgeted 2019 expense.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to award an overlay on Azalea Court and Holly Drive to Blooming Glen Contractors for a not to exceed bid amount of \$96,996.00 as presented. With no additional discussion, all present voted in favor.

**Mid-Year Budget Review.** Mrs. Morano advised the Board all the funds have been reviewed. Income and expenses are as anticipated according to the 2019 budget except for legal and engineering expenses in General Fund which have over expended the six-month allocation. Mr. Nietupski thanked Mrs. Morano for her budget oversight and for taking on additional job duties that allows for cost savings.

**June Meeting Follow-Up.** Following up on questions raised at the June regular meeting, once the Rock Hill Quarry became active, the Fire Department no longer enters the site.

Mrs. Morano requested an Executive Session to discuss real estate.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, 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 June 2019. The report is on file.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve the purchase of an alarm dialer replacement for a not to exceed amount of \$1,500.00 as presented. With no additional discussion, all present voted in favor.

**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.

**Engineer Report: Steve Baluh, P.E.**

**Wood's Edge Subdivision Authorization Voucher 8.**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve Authorization Voucher Number 8 for the Wood's Edge Subdivision in the amount of \$342.01 for construction observation/escrow administration payable to C. Robert Wynn Associates, Inc. With no additional discussion, all present voted in favor.

**Municipal Office Addition and Renovation Bids.** As discussed at the July 15<sup>th</sup> Special Meeting, the four prime Contractor lowest bid amounts totaled \$797,000. Staff has met with the architect to reduce the renovation portion of the building. Mr. Nietupski asked if modular construction could be used for the addition. Staff will consult with the Architect if that is a viable option.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to reject the Municipal Office addition and renovation bids opened on July 15, 2019 as presented. With no additional discussion, all present voted in favor.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to authorize revised bid documentation to be finalized and rebid as presented. With no additional discussion, all present voted in favor.

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

**Solicitor Report: John Rice, Esq.**

**Stormwater Operation and Maintenance Agreement and Unilateral Declaration of Covenants Tree Protection for 1888 West Rock Road.**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to approve Chairperson to execute the Stormwater Operation and Maintenance Agreement and Unilateral Declaration of Covenants Tree Protection for 1888 West Rock Road for Keith Bonner as presented. With no additional discussion, all present voted in favor.

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to accept 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 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:**

- Ryan Gottshall, 2201 N. Rockhill Road, requested the record destruction resolution. A copy of Resolution 2019-06 with Appendix A was given to Mr. Gottshall and it was noted he could review the schedules and procedures for disposition of records on Pennsylvania Historical and Museum Commission website. Mr. Gottshall proceeded to question what water source would be used to fight a fire on North Rockhill Road and the locations of fire hydrants. Perkasio Fire Chief Worthington was present and advised fire hydrants are on Three Mile Run Road and Rockhill Road with a flow rate of 2,000 gallons a minute and hydrant locations could be requested from Perkasio Regional Authority. Mr. Gottshall further noted railway ties have been located on SEPTA property behind his residence for 20 years.
- Mary Schulberger, 2386 Hill Road, asked how a fire at the quarry would be handled. A fire at the quarry would utilize a water source on the quarry property.
- Kim Gottshall, 2201 N. Rockhill Road, asked if special training is received to fight an asphalt plant fire. Chief Worthington stated that the fire would be extinguished using a lot of water and effort would be made to lesson the loss to the equipment. A foam product that does not contain PFAS could be used.

- Jeannie Gravel, 2198 N. Rockhill Road, asked if the Township alerts new residents that there is a quarry. Mr. Rice stated that anyone buying property needs to do due diligence and go into the Borough or Township office and obtain information and should not rely on a real estate agent only. Mrs. Gravel believes the railway signal sound has gotten louder.
- John Edwards, 1934 N. Rockhill Road, noted that nation-wide railway sounds have increased for safety reasons. Mr. Edwards was directed to contact the Board of Elections for Elected Auditor position information. It was noted quarry water mainly drains to the Quakertown Swamp.
- Ryan Gottshall, 2201 N. Rockhill Road, asked if Hanson Aggregates denied the Perkasio Fire Department access to the Rock Hill Quarry. Chief Worthington advised Hanson Aggregates did not stop access. It was a fire department's decision for the safety of the fire fighters to no longer use the site.

**Adjournment**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to adjourn into Executive Session. With no additional discussion, the meeting was adjourned at 8:03p.m.

Respectfully submitted,

Marianne Morano  
Township Manager