

**East Rockhill Township Board of Supervisors**

**April 27, 2021**

**Regular Business Meeting Minutes**

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00p.m. on April 27, 2021 in the meeting room at the East Rockhill Township Municipal Office, 1622 North Ridge Road, Perkasie, PA 18944.

Present:	David Nyman	Supervisor Chairperson
	Gary Volovnik	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

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:**

The Board of Supervisors held their monthly meeting with special meeting protocol. The meeting public packet was available on the Township website. In-person attendees are physically distanced and required to wear masks at all times. Pre-registration on a first-come first-serve basis with limited attendance was available. Anyone wishing to provide public comment could do so on agenda and non-agenda items. All public comment will be read at the Board's meeting.

An Executive Session will follow the regular meeting for litigation.

**Public Comment #1:**

- Jim Weikel, 1427 N. Ridge Road, complimented the Board on the Township office addition.
- Edgar Powell, 2747 Three Mile Run Road, expressed gratitude to the Board of Supervisors and Zoning Hearing Board for upholding the agricultural preservation designation and the efforts adopting the comprehensive plan also upholding agricultural preservation. His prepared statement is on file.
- Jeff Knueppel, 2810 Creek Road, stated the neighborhood is happy for Supervisor support of enforcement violations.

**Approval of Minutes and Bills Payable:**

**Approval of Minutes from March 23, 2021 Regular Meeting.**

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to adopt the meeting minutes from the Board of Supervisors' March 23, 2021 Regular Meeting as presented. With no additional discussion, all present voted in favor.

**Payment Unpaid Bills dated April 23, 2021 in the amount of \$319,122.96.**

**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to approve payment of the Bills List dated April 23, 2021 in the amount of \$319,122.96 as presented. With no additional discussion, all present voted in favor.

**Township Manager's Report: Marianne Morano**

**Joint Uniform Construction Code (UCC) Appeals Board.** Mr. Robert Smith was present to introduce himself as a candidate for the Joint Uniform Construction Code (UCC) Appeals Board vacancy position. The volunteer application was provided to the Board.

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to appoint Robert Smith as a Joint Uniform Construction Code Appeal Board member with 1-year terms with the first term ending December 31, 2021. With no additional discussion, all present voted in favor.

**Eagle Scout Project at Willard H. Markey Centennial Park.** Mr. Zach Calderone was present to review an Eagle Scout project proposed at the Willard H. Markey Centennial Park which consisted of grass area under and around two benches near baseball diamond to be dug out and replaced with a stone base and painting two walking path bridges with non-slip paint.

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to approve the Eagle Scout Project at Willard H. Markey Centennial Park as presented. With no additional discussion, all present voted in favor.

**Three Mile Run Road Sewer Pumping Station Bid.** Bid proposals were provided to the Board for the replacement of the sewer pumping station at 1000 Three Mile Run Road per the approved 2021 budget.

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to award Almeida & Hudak Contractors, LLC general construction in the amount of \$835,000.000 and to award BSI electrical construction in the amount of \$147,000.00 for the Sewage Pumping Station Replacement per the submitted bid documents with a bid date of March 3, 2021. With no additional discussion, all present voted in favor.

**Resolution 2021-06 Fixing the East Rockhill Township Fee Schedule as of May 1, 2021.**

**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to adopt **Resolution 2021-06**, contingent on removal of the increase to the building in-ground pool permit fee and setting the fees effective May 1, 2021 as presented. With no additional discussion, all present voted in favor.

**Comprehensive Plan Actions Prioritization.** Mrs. Morano noted the 2020 adopted Comprehensive Plan has 13 plan actions in addition to Chapter 15 recommendations and implementation. It was noted 7 of the 13 actions are related to a Zoning update; 3 of the 13 are related to the Act 537 plan update which is currently underway; action item number 5 to remove Fraxinus tree species would be addressed in Township Engineer review letters, action item number 6 to preserve farms is an ongoing effort with 1,850 acres out of 8,378 acres preserved to date and plan action item number 11 to develop a water quality and quantity baseline study was addressed with the July 2002 Pennridge Water Resource Plan which is an extensive plan.

Mrs. Morano will provide a timetable and cost from Bucks County Planning Commission and Mr. Baluh for an update to the Zoning Ordinance.

**Street Tree Removal Request 708 Campus Drive, Perkasio.** A request for the removal of a healthy street tree has been received for 708 Campus Drive which has resulted in the sidewalk lifting over two inches. Mr. Nyman suggested adding an escrow to guarantee the repair of the sidewalk assuring replacement. Cost of a small sidewalk replacement by a contractor was estimated at \$1,500.00. Township staff will obtain a contractor estimate for consideration.

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to approve the removal of street tree at 708 Campus Drive contingent on the property owner replacing the sidewalk within six months of tree removal and establishing an escrow in the amount of \$1,500.00 prior to removal of the tree. With no additional discussion, all present voted in favor.

**Conservation Easement Request.** Mr. Brad Glenn and Mrs. Kirsten Glenn are equitable owners of the Tohickon Campground located at 8308 Covered Bridge Road and have submitted a request to buy-back Area B totaling 3.1619 acres and Area C totaling 0.6805 acre of an existing conservation easement to expand the recreational opportunities at the campground including a stone parking lot and fenced dog park.

Mr. Glenn was present and current owner Mr. Jim Deegan submitted a letter of support to the Board. Mr. Glenn noted there are currently 168 sites, and a permit allows 200 sites.

General discussion regarding potential legal issues led to uncertainty if a conservation easement buy back was possible. Township staff is to work with Mr. Glenn to allow the stoned parking area and dog park, make sure buffers insure no impact to neighbors, and riparian buffers are addressed.

**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 April 22, 2021. Of note, chip seal in some development marked locations is underway with a street sweeper to return in 2 weeks to allow the material to be effective; the treatment plant tanks need to be drained and painted. Contractors have indicated there will be a 10-year guarantee on the product however estimated cost is above the budget amount and requires a bid. It was noted the budget amount was provided by the third-party consultant to paint the outside of the tank however maintenance to the 20-year-old tanks is recommended by staff. 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.**

**Hyseni Preliminary / Final Lot Line Adjustment.** Lot line adjustment subdivision proposes three conveyances totaling 0.21 acres (gross) between TMP #12-5-65 and TMP #12-5-66, resulting in no net change in gross area of each parcel. The properties are 0.52 acres gross (Hyseni, TMP #12-5-65) and 3.90 acres gross (Isopi/Booth, TMP #12-5-66) in area. Both properties contain existing single-family dwellings with several outbuildings. Various structures on each lot are nonconforming with respect to building setbacks, and the Hyseni property is nonconforming with respect to lot size. Hyseni also own the adjoining

TMP 12-5-65-1 (0.10 Acres gross) which contains a garage. Both lots are served by on-site sanitary sewage service and on-lot wells. Site is located within the Resource Protection (RP) Zoning District.

Mrs. Hyseni was present to answer any questions.

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to grant preliminary/final approval to the Hyseni Lot Line Adjustment plan contingent on compliance with Wynn Associates letter dated April 22, 2021 and granting of waivers as requested. With no additional discussion, all present voted in favor.

**Subdivision Plan Review Status.** Review dated April 7, 2021 is in the Board's packets.

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to acknowledge the Green Ridge Estate West Preliminary Plan extension request to June 30, 2021 and the Weidner Tract Preliminary Plan extension request to August 10, 2021. With no additional discussion, all present voted in favor.

**Fox Hill Subdivision.** Mr. Baluh updated the Board that First Bank recently acquired the Fox Hill Subdivision from Bucks County Bank and have engaged a contractor to complete final work. Documentation will be submitted prior to the Township when considering dedication. The Board was agreeable to Mr. Baluh's recommendation to retain escrow monies for plantings as most improvements were 10 years old.

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

**Township Solicitor Report: Wil Oetinger, Esq.**

**Condemnation for Open Space Purchase at 1404 Schwenkmill Road.**

**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to adopt **Resolution 2021-07** for eminent domain of real estate consisting of approximately 1.8 acres on tax map parcel 12-009-159-007 as presented. With no additional discussion, all present voted in favor.

**Agreement of Sale for 1404 Schwenkmill Road Open Space Purchase.**

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to authorize execution of Deed in Lieu of Condemnation Agreement of Sale for approximately 1.8 acres on tax map parcel 12-009-159-007 for an aggregate purchase of \$95,000.00 through Open Space funds upon execution by current owner as presented. With no additional discussion, all present voted in favor.

**Policy for Township Resources for Political Purposes.** Mr. Oetinger will reformat the Resolution for three signatures.

**On motion** by Mr. Nyman, seconded by Mr. Volovnik, to adopt **Resolution 2021-08** establishing a policy for utilization of East Rockhill Township resources for political activity as presented. Mr. Nietupski expressed disapproval believing that staff should assist "resident volunteers". With no additional discussion, the motion passed 2-1, with Mr. Nietupski voting in opposition.

**Stormwater Operation and Maintenance Agreement and Access Easement for Pennridge School District, 1200 N. Fifth Street.**

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to approve Chairperson to execute the Stormwater Operation and Maintenance Agreement and Access Easement for 1200 N. Fifth Street,

Pennridge School District, tax map parcel 12-009-200-001 upon receipt as presented. With no additional discussion, all present voted in favor.

**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**

#### **Penridge Regional Police Department: Chief Blake**

Chief Blake shared the March 2021 Penridge Regional Police activity report. Of note, the annual Drug Take Back took place April 24 at Police Headquarters and Grand View Hospital resulting in 49.39 pounds of unused medication collected. Bucks County from April 2020 to present collected 168.99 pounds. The report is on file.

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

#### **Planning Commission Report: Anne Fenley**

Mrs. Fenley shared highlights of the April 8, 2021 meeting. The agenda and draft minutes were provided to the Board.

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

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

Mr. Nyman shared the April 26, 2021 meeting report. The March 2021 minutes and flow reports were provided to the Board.

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

#### **Penridge Area Coordinating Committee: David Nyman**

Mr. Nyman shared highlights of the March 25, 2021 meeting. The notes were provided to the Board and are on file. PACC did not meet in April, but plan to meet May 27, 2021.

**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to accept the Penridge 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. Nyman read a resolution recognizing and commending Chief Rodney Blake for his years 33 years of service to the Penridge Community and Penridge Regional Police Department.  
**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to adopt **Resolution 2021-05** recognizing and commending Chief Blake for his dedicated service as presented. With no additional discussion, all present voted in favor.

- Chief Blake thanked the Board and Manager for their support and recognition.
- Chief Blake introduced Paul Dickinson Jr. as the next Chief to be appointed by Pennridge Police Commission on April 28, 2021.
- Mr. Nietupski requested notification of when Mr. Nyman is unable to attend Pennridge Wastewater Treatment Authority meetings so he could attend as the appointed alternate; he suggested a policy to have the Township manager send any documents requested by one Supervisor to all three Supervisors, and he expressed concern regarding resident notification of the new polling location at Bucks County Community College. No formal action was taken by the Board.
- Mrs. Morano shared the actions she has taken and plans to take with regard to advertising the change in polling location.

**Public Comment #2 as received according to public comment protocol:**

There was none.

**Adjournment:**

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to adjourn the regular meeting into Executive Session. With no additional discussion, the meeting was adjourned at 8:19p.m.

Respectfully submitted,

Marianne Morano  
Township Manager