

East Rockhill Township Board of Supervisors

November 23, 2021

Regular Business Meeting Minutes

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00p.m. on November 23, 2021 in the meeting room at the East Rockhill Township Municipal Office, 1622 North Ridge Road, Perkasio, PA 18944.

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| 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 or Presentations:

An Executive Session will follow the meeting for real estate.

- Mr. Nietupski questioned if real estate comment was sufficient to meet Open Records requirements. Mr. Oetinger stated it was sufficient but will confirm.

Mr. Nyman asked for public comment on non-agenda items.

Public Comment #1:

- Tom Reiss, 53 Stone Edge Road, asked for the status of Stone Edge Road culvert. It was stated status of Stone Edge culvert was an agenda item.

Approval of Minutes and Bills Payable:

Approval of Minutes from September 28, 2021 and October 26, 2021 Budget Meetings and October 26, 2021 Regular Meeting.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to adopt the meeting minutes from the Board of Supervisors' September 28, 2021 and October 26, 2021 Budget Meetings, and October 26, 2021 Regular Meeting as presented. With no additional discussion, all present voted in favor.

Payment Unpaid Bills dated November 17, 2021 in the amount of \$232,835.71.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to approve payment of the Bills List dated November 17, 2021 in the amount of \$232,835.71 as presented. With no additional discussion, all present voted in favor.

Township Manager's Report: Marianne Morano

Uniform Construction Code Joint Board of Appeal Appointment Mr. Kevin Toothman 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 Kevin Toothman as a Joint Uniform Construction Code Appeal Board member with 1-year term with the first term ending December 31, 2021. With no additional discussion, all present voted in favor.

Street Tree Removal Request 10 Greenleaf Circle, Perkasio. A request for the removal of a healthy street tree has been received for 10 Greenleaf Circle which has resulted in the sidewalk lifting over two inches. The property owner has posted the required escrow.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to approve the removal of a street tree at 10 Greenleaf Circle. With no additional discussion, all present voted in favor.

Municipal Office

Consensus of the board was to seek pricing for panels as recommended in JMS Acoustics report for the meeting room and lobby for consideration.

Perkiomen Watershed Request

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to authorize execution of a letter of support to Berks, Bucks, Lehigh, Montgomery County Commissioners to conduct an Act 167 Plan study for stormwater mitigation. With no additional discussion, all present voted in favor.

Resolution 2021-16 Street Light Assessment.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to adopt **Resolution 2021-16**, setting the Street Light Assessment at \$41.00 per designated property for 2022. With no additional discussion, all present voted in favor.

Resolution 2021-17 Fixing the East Rockhill Township Fee Schedule for 2022.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to adopt **Resolution 2021-17**, setting the fees for 2022 as presented. With no additional discussion, all present voted in favor.

Resolution 2021-18 adopting a Final 2022 Budget.

Mrs. Morano presented an overview of the 2022 preliminary budget and stated the draft budget was advertised and made available on the website. No public comment was received.

- Kevin Toothman, 2554 Hill Road, asked about security cameras in the Willard H. Markey Centennial Park. The proposed cameras are due to numerous turfing incidents for enforcement purposes.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to adopt **Resolution 2021-18** adopting the Final 2022 Budget in the amount of \$5,895,425 in revenue and \$5,895,425 in expenses for all funds. With no additional discussion, all present voted in favor.

Resolution 2021-19 Fixing the Real Estate Tax Rate for 2022.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to adopt **Resolution 2021-19** fixing the Real Estate Tax Rate for 2022 at 8.725 mills for general purposes; 1.0 mill for Fire Protection; 1.26 mills for Building Debt Service; 1.25 mills for Capital Improvement. With no additional discussion, all present voted in favor.

PP&L on Hill Road. Mrs. Morano addressed a public comment received at the October 26, 2021 Board of Supervisors meeting stating the tree trimming concern on Hill Road was reported to PPL, but typically a contractor does not come out every year.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, 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 November 18, 2021. Of note, leaf collection has been completed except for the last section. The report is on file.

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

Township Engineer Report: Steve Baluh, P.E.

Status of Stone Edge Road Culvert. A contractor has been engaged to clean up either side of the culvert as permitted by DEP. DEP has verified regulations have not been amended and the prior project raising the Stone Edge Road two feet (2') could be completed contingent on acquiring the required easement from private property owners. The property owner has not responded to letters and phone calls and therefore Mr. Baluh and Mrs. Morano will contact the property owner in person.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to authorize the Township Manager to submit information to Bucks County Planning Commission to add Stone Edge Road Culvert to the PennDOT Bridge Bill Project Request. With no additional discussion, all present voted in favor.

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: Will Oetinger, Esq.

WEGBB Joint Stipulation. Mr. Oetinger stated the Lake House Inn has been using two residential properties owned by them to accommodate event guests. Numerous Zoning Hearings took place which the Township largely prevailed upon, however the Zoning Hearing Board Order is not enforceable; only a Judge has the authority to enforce the use cessation. Therefore the joint stipulation which will be signed by a Judge is being presented that rentals will not take occur after December 19, 2021 while appeals take place which could take years before there is a resolution. The Lake House Inn owner requested a zoning compliance letter for a re-finance and it was believed was needed to develop the Elephant Hotel in Bedminster Township. If the Elephant Hotel could be developed, the two residential properties could be sold and thereby end the Township's involvement.

- Alice Moore, 2747 Three Mile Run Road, stated she resides across the street from the Lake House Inn and next to 1090 Old Bethlehem Road which is one of the residential properties. She

questioned how the court will monitor enforcement with her end goal to put an end to illegal commercial operations, as well as protect the natural resources surrounding Lake Nockamixon State Park. Mr. Oetinger stated that the residents will be the best source to allow enforcement if they see renters at the properties. Dr. Moore stated she did not know she needed to act as police but does have a log of people staying on the property since the Zoning Hearings and asked for security cameras similar to what is proposed at the Park.

- Ned Powell, 2747 Three Mile Run Road, asked if the status of the two residential properties which are stayed at this time could be recommenced if the Elephant Hotel does not happen. Yes, as part of the appeal process they could.
- Mr. Nietupski asked what would be needed for enforcement. Residents word and testimony is sufficient.
- Ned Powell, 2747 Three Mile Run Road, requested the response from the Lake House Inn for the stone walk way installed between the two residential properties. Mr. Baluh stated that plans were submitted and verified that they were within Township stormwater exemption requirements. The Township asked for a commercial stormwater exemption fee which has been disputed by the property owner.
- Jeff Kneuppel, 2810 Creek Road, stated that the Elephant Inn will be large which will increase attendance at Lake House Inn and will need occupancy and noise enforcement.
- Curt Barthel, 2743 Three Mile Run Road, stated that he is not represented legally and does not like to contact the police department for non-threatening items, unless however the road is being blocked during events and light is going onto his property.
- Mr. Nietupski, stated light cannot project off a neighbor's property.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to authorize execution of the WEGBB Joint Stipulation as presented. With no additional discussion, all present voted in favor.

Board and Commission Reports

Penridge Regional Police Department: Chief Paul Dickinson, Jr.

The Chief shared the October, 2021 Penridge Regional Police activity report. Of note, Drug Take Back collection for Bucks County totaled 9,374 pounds and a Toys for Tots collection bin is in the Headquarters lobby until December 9. The report is on file.

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

Penridge Wastewater Treatment Authority: Jim Nietupski

Mr. Nietupski, PWTA alternate, shared the November 15, 2021 meeting report and noted an alternate has no standing on the PWTA Board and East Rockhill Township is the only representative with an appointed alternate. The October 2021 minutes and flow reports and Wisler Pearlstine November 11, 2021 correspondence were provided to the Board.

On motion by Mr. Nyman, 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: Dave Nyman

Mr. Nyman shared highlights of the October 28, 2021, meeting. The notes were provided to the Board and are on file.

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

New or Other Business – Supervisors’ Items:

- Mr. Nietupski stated he recently attended a Right to Know webinar and no response to a right-to-know within 5 days is deemed denied. The Township does respond within 5 days however Mr. Oetinger will review to see if an update to the Township Resolution is needed.
- Mr. Nietupski asked if the Township should look at solar options. It was noted prices were obtained two years ago as part of budget review and was not cost feasible and there is no tax benefit due to Township’s tax exempt status. Mr. Volovnik and Mrs. Morano will meet with a consultant for a possible cost re-assessment.

Public Comment #2:

- Curt Barthel, 2743 Three Mile Run Road, thanked the Board for its willingness to allow public participation. He asked about the 10-year Comp Plan and status of repair and reduced speed limit to Three Mile Run Road near his property. The repair is stormwater related and dependent on grant application and approval. The Township Engineer is reviewing reduced speed limit for several roads as per the Plan.
- Alice Moore, 2747 Three Mile Run Road, asked to see the grant stormwater design submission. The submission will be done in 2022.

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 8:08p.m.

Respectfully submitted,

Marianne Morano
Township Manager