

East Rockhill Township Board of Supervisors
April 19, 2018
Regular Business Meeting Minutes
&
Pennridge Airport Conditional Use Supplemental Hearing

A Conditional Use Supplemental Hearing related to the Pennridge Airport Corporate Hangars located at 1100 Ridge Road and the regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00p.m. on April 19, 2018 in the Township meeting room at the East Rockhill Township Municipal Building, 1622 North Ridge Road, Perkasio, PA 18944.

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| Present: | Gary Volovnik | Chairperson |
| | David Nyman | Vice-Chairperson |
| | Jim Nietupski | Member |
| | Marianne Morano | Township Manager |
| | Patrick Armstrong, Esq. | Township Solicitor |
| | C. Robert Wynn, P.E. | Township Engineer |
| | Jeff Scholl | Public Works Director |

The meeting was called to order at 6:59p.m. by Mr. Volovnik with the Pledge of Allegiance.

Pennridge Airport Corporate Hangars Conditional Use Supplemental Hearing: Patrick Armstrong, Esq.

The public hearing was opened at 7:00pm which was advertised and held to consider additional evidence and testimony on the applicant's conditional use application for the expansion of the Airport (G4) use which is permitted as a conditional use in the Industrial I Zoning District. The proposal is to construct two hangar buildings in the northeast portion of the property, adjacent to existing hangars, using the existing access to Schoolhouse Road, consisting of a 32,000sf building with five units constructed in the area of the existing airplane tie-down lot, which will be removed and a second 32,400sf building containing four units to be constructed to the rear (north) of the existing T hangar site.

Transcripts of the Public Hearing can be requested from ERSA Court Reporters, 30 South 17th Street, United Plaza, Suite 1520, Philadelphia, Pennsylvania, 215-564-1233.

Applicant has submitted executed agreements for review by the Township Solicitor.

No public comments were received and no one was present with party status.

The public hearing was closed at 7:02pm to the April 19, 2018 7:00pm Board of Supervisors meeting unless posted otherwise.

The regular meeting resumed at 7:02pm.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to authorize Patrick Armstrong to execute Docket Number 2017-04700-38 Stipulation of Partial Settlement for submission to the Bucks County Court of Common Pleas Judge. With no additional discussion, all present voted in favor.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to authorize Patrick Armstrong to execute Docket Number 2017-04700-38 Second Stipulation of Partial Settlement for submission

to the Bucks County Court of Common Pleas Judge. With no additional discussion, all present voted in favor.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to authorize Patrick Armstrong to execute Docket Number 2017-04721-39 Stipulation of Settlement of Land Development for submission to the Bucks County Court of Common Pleas Judge. With no additional discussion, all present voted in favor.

It was noted any defaults would be addressed by the Judge of the Bucks County Court of Common Pleas.

Public Comment #1

- Jim Frederick, 1524 Park Avenue, requested the speed limit on his road that is posted 35mph be lowered to 25mph. Pennridge Regional Police performs traffic enforcement on Old Bethlehem Pike and will include Park Avenue.

Announcements:

Mr. Volovnik announced Upcoming Meetings.

Approval of Minutes and Bills Payable:

Approval of Minutes from March 27, 2018 Regular Meeting

On motion by Mr. Nyman, seconded by Mr. Nietupski, to adopt the meeting minutes from the Board of Supervisors' March 27, 2018 Regular Meeting. With no additional discussion, all present voted in favor.

Payment of Unpaid Bills dated April 13, 2018 in the amount of \$189,503.78.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve payment of Bills List dated April 13, 2018 in the amount of \$189,503.78. With no additional discussion, all present voted in favor.

Pennridge Community Center Report: David Nyman

The second quarter Pennridge Community Center Newsletter is in the Board's packets and available for the public. Of note, the car group that presents Perkasio Boroughs *Under the Stars Car Show* has declined to participate in 2018 due to damage caused by the use of alcohol at the event. They will hold a car show at Pennridge High School on July 28 in partnership with the Senior Center.

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

Pennridge Wastewater Treatment Authority Report: John Cressman

The March 26, 2018 draft minutes and February 2018 flows are on file.

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

Pennridge Regional Police Commission Report: Sgt. Maloney

Sergeant Maloney shared the March 2018 Pennridge Regional Police activity report. The report is on file. Mr. Nyman noted the Pennridge Community Center appreciated the Chief of Police meeting with Pennridge Community Center members.

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

Comprehensive Plan Update Proposal: Proposals were received from Boucher and James in the amount of \$49,000; Gilmore Associates in the amount of \$48,866 and Bucks County Planning Commission in the amount of \$25,692 to update the 2005 Comprehensive Plan. Mr. Evan Stone, Bucks County Planning Commission Executive Director, was present to review his proposal. Consensus of the Board was to not have a separate ad hoc committee but to invite all residents along with Park and Recreation members to Planning Commission work sessions to participate in development of the plan update. The update process will commence September, 2018.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to authorize the execution of Bucks County Planning Commission proposal updating the 2005 Comprehensive Plan for a total base cost / not to exceed amount of \$25,692.00. With no additional discussion, all present voted in favor.

Zoning Hearing Application for 2055 North Rockhill Road: The applicant appeals the Township's Notice of Violation dated March 23, 2018 related to an asphalt plant. Applicant appeals the determination (i) that an asphalt plant on the property violates or will violate the Zoning Ordinance (ii) that an asphalt plant on the property requires relief from the Zoning Hearing Board, and (iii) that land development approval from the Board of Supervisors is required to operate an asphalt plant. Alternatively, the Applicant requests a special exception to permit an asphalt plant as an accessory use to the H12 Extractive Operation use. This application shall be combined and consolidated with an existing appeal that is scheduled for April 25, 2018.

2018 Road Project Bid Results: Bid proposals were provided to the Board for paving Branch Road from SR313 to Schwenkmill Road per the approved 2018 budget. The amount of \$93,500 was budgeted for the overlay and the lowest bid amount exceeds the budget by \$35,874.50. Township Engineer has reviewed the submitted bid documents and did not have any concerns. Consensus was to not delay the infrastructure improvement.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to approve Bray Brothers, Inc. in the amount of \$129,374.50 for an overlay on Branch Road from SR313 to Schwenkmill Road per the submitted bid documents. With no additional discussion, all present voted in favor.

Resolution 2018-08 Fixing the East Rockhill Township Fees as of April 20, 2018.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to adopt Resolution 2018-08 setting the fees as of April 20, 2018 as presented. With no additional discussion, all present voted in favor.

Offer of Employment for Administrative Assistant:

On motion by Mr. Nietupski, seconded by Mr. Nyman, to ratify Mrs. Morano's action offering employment to LuAnn Hebrank as a full-time Administrative Assistant effective April 25, 2018. With no additional discussion, all present voted in favor.

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

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: Jeff Scholl

Mr. Scholl updated the Board on Public Works activities for March, 2018. Of note, during recent heavy rain events Derstine's, Frank Environmental, and B&C Septic assisted with a pump failure at the Three Mile Run Road pump station. A pump with 9,000 hours on it was taken offline and is being refurbished. Once that has been returned a pump with 8,600 hours will be evaluated. The Public Works report is on file.

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

Engineer Report: C. Robert Wynn, P.E.

Subdivision Plan Review Status. Review dated April 9, 2018 is in the Board's packets. No action is necessary.

North Rockhill Road Speed Limit:

On motion by Mr. Nyman, seconded by Mr. Nietupski, to authorize the advertisement and Ordinance change lowering the speed limit on North Rockhill Road from Old Bethlehem Pike to the railroad crossing train bridge from 35mph to 25mph. With no additional discussion, all present voted in favor.

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

Solicitor Report: Patrick Armstrong, Esq.

Consideration of Firework Sale Ordinance Amendment. Mr. Armstrong advised the Board of a Pennsylvania Law change allowing commercial firework sales. Current Zoning Ordinance would most likely consider it a retail sale use. It was noted the law allows display's 150 feet from residential buildings, that you must be at least 18 years of age and cannot be under the influence. Consensus was to not authorize an Ordinance amendment at this time.

Mr. Armstrong requested an Executive Session to discuss litigation in regards to Penridge Development Mandamus litigation and a right-to-know appeal. Mr. Armstrong noted the Board may need to reconvene after adjournment.

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. Nyman, seconded by Mr. Nietupski, 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:

- George Zuck, 2017 North Rockhill Road, requested information on the possibility of a bike lane on SR563. Heritage Conservancy was seeking grants for the bike lane which would be located in Haycock, Nockamixon and East Rockhill Townships. At this time the Township's did not have sufficient funds. Mr. Zuck was not in favor of restricting the use for non-bike users.
- Kim Gottshall, 2201 North Rockhill Road, requested the status of Zoning Hearing Board exhibits from the applicant. They have not been received at this time. Ms. Gottshall wanted to register a complaint that two days last week and today back up alarms were heard before 7am.
- John Edwards, 1934 North Rockhill Road, recently had a truck at a corner on East Rock Road almost run him off the road into a guardrail around 3pm.

Adjournment

On motion by Mr. Nietupski, seconded by Mr. Nyman, to adjourn into Executive Session. With no additional discussion, the meeting was adjourned at 8:24p.m.

Re-Convened

The meeting was reconvened at 8:31pm.

On motion by Mr. Nietupski, seconded by Mr. Nyman, to authorize the Township Solicitor obtaining right-to-know documents from DEP related to the Quarry Zoning Hearing Board Appeal which may be in excess of \$500.00. With no additional discussion, all present voted in favor.

On motion by Mr. Nyman, seconded by Mr. Nietupski, to adjourn into Executive Session. With no additional discussion, the meeting was adjourned at 8:32p.m

Respectfully submitted,

Marianne Morano
Township Manager