

**East Rockhill Township Board of Supervisors**

**February 26, 2019**

**Regular Business Meeting Minutes**

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00p.m. on February 26, 2019 in the Township meeting room at the East Rockhill Township Municipal Building, 1622 North Ridge Road, Perkasie, PA 18944.

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

The meeting was called to order at 6:58p.m. by Mr. Volovnik with the Pledge of Allegiance.

Mr. Volovnik announced an Executive Session would follow the meeting to discuss litigation.

**Public Comment #1**

- Jeannine Gravel, 2198 N. Rockhill Road, noted the blue bird houses and bat houses in Willard H. Markey Centennial Park need repair and volunteered to make replacements. Ms. Gravel asked if junk yards are permitted in Resource Protection district and was advised if she has a property she would like the Township to investigate there is Report a Concern on the website or she could email the Township.

**Approval of Minutes and Bills Payable:**

**Approval of Minutes from January 22, 2019 Regular Meeting**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to adopt the meeting minutes from the Board of Supervisors' January 22, 2019 Regular Meeting. With no additional discussion, all present voted in favor.

**Payment of Unpaid Bills dated February 22, 2019 in the amount of \$252,082.66.**

**On motion** by Mr. Nyman, seconded by Mr. Nietupski, to approve payment of Bills List dated February 22, 2019 in the amount of \$252,082.66. With no additional discussion, all present voted in favor.

**Planning Commission Report: Anne Fenley**

**February 7, 2019 Agenda:** Ms. Anne Fenley reported the comprehensive plan surveys have been given to Bucks County Planning Commission to tally results and the Commission began review of the Comprehensive Plan update.

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

**Pennridge Wastewater Treatment Authority Report: Dave Nyman**

The January 28, 2019 Pennridge Wastewater Treatment Authority draft minutes and December 2018 flow reports are on file. Mr. Nyman noted at the February meeting fraud prevention policy is being implemented; Ordinance is under consideration to remove Inflow & Infiltration; NPDES permit renewal, Chapter 94 report and EDU update are being worked on; electrical upgrade is under consideration in 2019 and Hilltown Township is requesting to purchase 25 EDU's.

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

**Pennridge Area Coordinating Committee Report: David Nyman**

Mr. Nyman reviewed the January 24, 2019 PACC notes. The meeting notes are on file. Mr. Nyman noted the center has had water damage and details were posted to the Township website.

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

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

Sergeant Maloney shared the January 2019 Pennridge Regional Police activity report. The report is on file.

There were general comments by the public asking the Sergeant questions without stating names and addresses for the record.

**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**

**Sign and Livestock Ordinance Revision Proposal.** A proposal from Bucks County Planning Commission was provided to the Board in the amount of \$2,400.00 to develop use regulations for 'Livestock' and amend regulations for signs. Mr. Nietupski questioned the timing in regard to the current comprehensive plan review.

**On motion** by Mr. Nyman, seconded by Mr. Volovnik, to approve Manager execution of the agreement from Bucks County Planning Commission in the amount of \$2,400.00 to develop use regulations for 'livestock' and amend regulations for signs. With no additional discussion, the motion passed 2-1 with Mr. Nietupski voting in opposition.

**A snow emergency was declared on February 20, 2019 from 11am to 12:00am (midnight).**

**Annual state aid report MS-965 has been submitted to PennDOT electronically.**

**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 January, 2019. Mr. Scholl noted the recent wind storm resulted in two trees in roadways with one of the trees lying on electric wires which required PPL to remove the tree. The 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: Steve Baluh, P.E.**

**Subdivision Plan Review Status.** Review dated February 1, 2019 is in the Board's packets. No action is necessary.

**Pennridge Airport Hangars.** Mr. Baluh advised the Board the Hangar Land Development plans page 1 of 1 have been signed and will be recorded.

**Plan Submissions.** Mr. Baluh noted the Planning Commission will be holding a regular meeting in March as advertised to review a sketch plan for a car wash at SR313 and Fifth Street and a Dornstreich Lot Line adjustment.

**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: John B. Rice, Esq.**

**Brake Retarder Restriction on Portion of North Rockhill Road.** A public notice has been posted and advertised for the public hearing to amend Code of Ordinances Chapter 15, Part 2 by adding a new Section 15-219 Brake Retarder Prohibition at Certain Locations and establishing a prohibition on the use of brake retarders along North Rockhill Road between Muskrat Road and Quarry Road. It was noted a submission to PennDOT included North Rockhill Road from Old Bethlehem Pike to Three Mile Run Road however a downhill grade exceeded 4 percent and therefore inclusion of portions of the road were denied by PennDOT for safety reasons. The public hearing was open to the public.

- Josh Scheider, 754 E. Rockhill Road, noted he lives near Bethel Baptist Church and works at the Church and asked what sound jake brakes make, does not want to hear any noise from brakes, and how much the penalty was. The penalty is \$25 as allowed under the motor vehicle code. Sergeant Maloney advised additional charges are added to the penalty resulting in a total fine of \$100 and more depending on additional violations.
- Ron Schulberger, 2386 Hill Road, asked if Old Bethlehem Pike near Forrest Lodge could be restricted. It was noted the road ownership is shared with West Rockhill Township.
- Karen Drum, 2105 N. Rockhill Road, has driven tractor trailers and believes, if driving the posted speed limit of 25mph on North Rockhill Road, jake brakes will not be necessary.

- Katie Zackon, 727 E. Rockhill Road, noted a full traffic study has been provided by the Quarry operator consultant but would like the Township to consider a traffic study also. Mr. Nyman noted the Township is required to follow PennDOT requirements even though these are Township roads.
- Mary Schulberger, 2386 Hill Road, asked if the speed could be lowered just at the Bethel Baptist Church where they operate a school. It was noted the Township called Bethel Baptist and was advised there are no walkers to the school and therefore PennDOT would not approve a school zone. Other signage may be possible.
- Josh Scheider, 754 E. Rockhill Road, stated employees walk to the school and would like a dual speed limit with trucks required to drive at 15mph and cars at 35mph.
- Kim Gottshall, 2201 N. Rockhill Road, noted there was a school zone at Seylar Elementary. School zones without walking students were installed prior to current PennDOT regulations and are therefore grandfathered. Any new school zones must meet current PennDOT regulations.

There were general comments by the public without stating names and addresses for the record. No official action was taken by the Board.

The public hearing was closed.

**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to adopt **Ordinance 291** amending Chapter 15, Part 2 by adding Section 15-219 Brake Retarder Prohibition on North Rockhill Road between Muskrat Road and Quarry Road with the maximum penalty permitted by law. With no additional discussion, all present voted in favor.

**Federal Court Hearing.** Mr. Rice noted the Township was in Federal Court February 13 and 14 providing testimony to Judge McHugh and they had closing argument on February 15, 2019. He believes the Judge understood the zoning issues and the Township was waiting for a decision. Once issued, the decision will be posted to the Township website.

There were general comments by the public without stating names and addresses for the record.

- Kurt Weist, 779 E. Rockhill Road, has resided here for 21 years and noted he frequently travels. He just became aware of Quarry issues but believes the annual 500 ton removal did not happen. That is a DEP issue.

#### **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**

- Mr. Nietupski cited his recent attendance at the Bucks County Association of Township Officials Convention and noted Bucks County charges \$5 per vehicle registration which has allowed the County to repair 45 bridges. He also noted an Opioid Panel discussion revealed that the County has a drug and alcohol commission and 2% of narcan is available at all drug stores at no cost.

- Mr. Nyman requested an Executive Session to discuss land acquisition.

**Public Comment #2:**

- John Edwards, 1934 N. Rockhill Road, asked if someone lied under oath who would investigate. A formal complaint from the complainant would go to the District Attorney for investigation.

**Adjournment**

**On motion** by Mr. Nietupski, seconded by Mr. Nyman, to adjourn into Executive Session. With no additional discussion, the meeting was adjourned at 8:02p.m.

Respectfully submitted,

Marianne Morano  
Township Manager