

## East Rockhill Township Board of Supervisors

June 25, 2024

### Regular Business Meeting Minutes

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00 PM on June 25, 2024, in the meeting room at the East Rockhill Township Municipal Office, 1622 North Ridge Road, Perkasie, PA 18944.

<b><u>Present:</u></b>	Dave 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
	Chief Dickinson	Penridge Regional Police Department

The meeting was called to order at 7:00 PM by Mr. Nyman with the Pledge of Allegiance.

Members of the public and press were present.

#### **Announcements or Presentations:**

- Next Board of Supervisors Regular Meeting is July 23, 2024 at 7:00 PM
- Executive session to take place following the meeting for potential real estate acquisition

#### **Public Comment #1:**

- Jim Snyder, 45 Stone Edge Road, provided photographs of road damage due to a new single-family dwelling under construction on High Point Circle.
- Chuck Weaver, 47 Ridge Run Road, stated dirt and gravel are in the street and the development lost power for 6 hours due to a new single-family dwelling under construction on High Point Circle.
- Robert Napor, 2360 E. Rock Road, has a public comment for item 9c which will be taken at that time.

#### **Approval of Minutes and Bills Payable:**

##### **Approval of Minutes.**

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to approve the meeting minutes from the Board of Supervisors May 28, 2024 Regular Meeting as presented. With no additional discussion, all present voted in favor.

##### **Approval of Bills Payable.**

**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to approve payment of the Bills List dated June 21, 2024 for a total amount of \$248,861.64 as presented. With no additional discussion, all present voted in favor.

#### **Board and Commission Reports:**

**Penridge Regional Police Department: Chief Dickinson**

The Chief shared the May 2024 Pennridge Regional Police activity report.

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

**Planning Commission: Marianne Hart Morano**

The June 13, 2024 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.

**Pennridge Wastewater Treatment Authority: Dave Nyman**

The May 2024 minutes and flow reports were provided to the Board. Mr. Nyman noted the open space purchase was discussed and a re-certification resolution approved unanimously.

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

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

**Fuel Bids 2024-2025.**

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to award the unleaded regular 87 octane bid amount of 0.1790 market value to Riggins, Inc. and to award the ultra-low sulfur diesel bid amount of 0.3190 market value to Riggins, Inc. for the 2024 - 2025 fuel bids covering the bid period of August 1, 2024 to July 31, 2025 as presented. With no additional discussion, all present voted in favor.

**Pennridge Greenjackets Draft Lease.** A draft lease for Pennridge Greenjackets Football Association use of the Willard H. Markey Centennial Park was provided to the Board. Board members will provide comments to Ms. Morano and Mr. Oetinger.

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to table discussion of the draft lease until the July regular meeting. With no additional discussion, all present voted in favor.

**Cleaning Service Proposals.**

Three cleaning proposals were provided to the Board with a staff recommendation.

**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to authorize accepting the cleaning proposal from BCS Facilities Group as presented. With no additional discussion, all present voted in favor.

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

**Public Works Report:**

Public Works activities as of June 21, 2024 were provided to the Board.

**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.**

**Stone Edge Culvert.** Traffic Planning & Design has acquired FEMA information therefore final survey fieldwork is being determined. Drone survey work has been completed.

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

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

**Agreement for 809-901 Three Mile Run Road.** Mr. Oetinger noted a settlement agreement is being presented for 809-901 Three Mile Run Road as a result of a 2022 Conditional Use application for a subdivision for 46 townhouses permitted by right in the Suburban zoning district which was denied and appealed. The court stipulated settlement agreement plan has reduced the proposed development to 24 single family village-style dwellings and the Township purchasing development rights. He stated the draft plan was provided to residents with party status and the layout would not change but final details would be determined during land development review.

- Ben Goldthorp, applicant, stated a land development plan would be submitted within 9 months alleviating concern regarding the Sewer EDU fee.

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to authorize execution of the settlement agreement with Pennington Property Group, LLC contingent on the sewer tapping fee having an expiration date. With no additional discussion, all present voted in favor.

**Three Mile Run Road and Old Bethlehem Road Reclassification Ordinance 304.** A public hearing was held in compliance with the Pennsylvania Municipal Planning Code to consider a draft road reclassification Ordinance which has been reviewed by East Rockhill Township Planning Commission and Bucks County Planning Commission as authorized by the Board of Supervisors. It was noted that the draft Ordinance is a recommendation in the 2020 Comprehensive Plan.

- Ned Powell, 2747 Three Mile Run Road, thanked the Board and shared safety concerns for foot traffic due to the narrow roadway.

**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to adopt **Ordinance 304** as presented. With no additional discussion, all present voted in favor.

**Zoning Hearing Board Appeal.** Mr. Oetinger stated the Board considered a Zoning Hearing Board application when it was submitted and took a neutral position for a single-family dwelling on a vacant non-conforming lot on East Rock Road Bucks County Tax Map Parcel 12-011-033-005. The Zoning Hearing Board granted two variances which has been appealed by a citizen with party status to the Hearing. Mr. Oetinger stated the applicant and the citizen have legal representation and it was his suggestion the Board file a Notice of Intervention to have input but not take an active rule to ensure the Township is not required to issue a building permit for a settlement agreement they do not support. The Court of Common Pleas of Bucks County Beverly Girgenti vs. East Rockhill Township Zoning Hearing Board and Roger and Patti Jones was provided to the Board.

- Mr. Nietupski stated his concern the Zoning Hearing Board does not deny applications, the applicant Mr. and Mrs. Jones are not residents and therefore would like to support the Appellant.
- Mrs. Morano stated the applicant, Mr. Jones, is a resident and volunteer firefighter.
- Robert Napor, 2360 E. Rock Road, stated his objection to the Zoning Hearing Board decision and cited the 2020 Comprehensive Plan does not support the approval.

- Bill Stewart, 2341 did not believe a hardship was proven for them to build on the vacant lot and lower property value.
- Paul Hennessey, 2330 E. Rock Road, stated it is a story about money to sell separate parcels noting there is an adjoining lot to the vacant lot with an abandoned house and the neighborhood is not okay with the new house and the density.
- Luke Heverly, 2320 E. Rock Road, stated the Zoning Hearing Board erred in their judgement and the street has large lots noting a 2-acre lot with a 1300sf dwelling and this 0.86 parcel proposed a 2500sf dwelling.
- Beverly Girgenti, 2330 E. Rock Road, stated the comprehensive plan sold them on purchasing their property and that they have attempted to buy the lot in question several times but did not get a response. They did not believe a hardship was proven for them to build on the vacant lot and would lower property values of the neighborhood.
- Mr. Nyman announced a short adjournment into an Executive Session to consult with the Township Solicitor.

**On motion** by Mr. Nietupski, seconded by Mr. Volovnik, to intervene in the land use appeal on behalf of the objectors. With no additional discussion, all present voted in favor.

**On motion** by Mr. Volovnik, seconded by Mr. Nietupski, to approve 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. 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. Volovnik noted the recent extreme heat during the Willard H. Markey Centennial Park playground reconstruction and commended the job quality.

**Public Comment #2:**

- Sue Clark, 46 Stone Edge Road, stated speeding concerns and questioned the results from the recent speed board.
- Chief Dickinson acknowledged Ms. Clarks concerns and noted the results were under or within the percentage to not be enforceable and believed the narrowness of the road makes it appear vehicles are going faster than 35mph.
- Steve Duda, 935 Three Mile Run Road, asked about road improvements for 809-901 Three Mile Run Road settlement agreement. A chicane is proposed for traffic calming and would be reviewed with land development.
- Jessica McCauley, 711 Three Mile Run Road, thanked the Board and requested speed humps at the railroad bridge for pedestrian traffic leaving the walking path.

**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 8:31 PM.

Respectfully submitted,

Marianne Hart Morano  
Township Manager