

East Rockhill Township Board of Supervisors

November 26, 2024

Regular Business Meeting Minutes

The regular business meeting of the East Rockhill Township Board of Supervisors was held at 7:00 PM on November 26, 2024, in the meeting room at the East Rockhill Township Municipal Office, 1622 North Ridge Road, Perkasie, PA 18944.

<u>Present:</u>	Dave Nyman	Supervisor Chairperson
	Gary Volovnik	Supervisor Vice-Chairperson
	Jim Nietupski	Supervisor Member
	Marianne Hart Morano	Township Manager
	Will Oetinger, Esq.	Township Solicitor
	Steve Baluh, P.E.	Township Engineer
	Jeff Scholl	Public Works Director
	Chief Dickinson	Pennridge 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:

- Next Board of Supervisors Meeting December 17, 2024 at 7:00pm
- Executive session to take place following the meeting for potential real estate acquisition and potential litigation

Presentations:

Renew Bible Church secondary access to Schwenkmill Road: Greg Landis and Scott Mease P.E. were present. Mr. Landis stated to comply with the Board of Supervisors direction to allow for a second emergency exit, Renew Bible Church provided a concept plan to Pennridge School District for a driveway to join school property and Church property. Recognizing the school does not allow private use of their property the Church offered for the school to install the driveway and the Church pay for the improvement. Mr. Landis stated Renew Bible Church is a safe haven or reunification location for Pennridge School District and the Upper Bucks Vocational School located in Bedminster Township and that 500 to 1200 students could be directed to the site if the school locations needed to be vacated. Pennridge School District rejected the joint driveway and therefore a concept plan from the Church property to Schwenkmill Road was being presented for Board of Supervisor direction.

The Board of Supervisors asked for the Planning Commission to review the concept noting they preferred the access from school property to Church property which also benefited the school. They inquired if Bucks County Community College was a consideration for a reunification location and if another exit to Fifth Street was possible.

- George Hawthorne, 690 W. Schwenkmill Road, stated concerns of the impact to allowing access to Schwenkmill Road and the personal impact of Church activities to him.
- Sandra Hawthorne, 690 W. Schwenkmill Road, stated concerns of lighting from the Church onto her property and the personal impact of Church activities to her.

- Adam Meller, Revival and Renew Representative, stated the Bucks County Community College facility was looked at as a reunification location however the college interior layout did not have one large room to accommodate all students which is preferred.
- Scott Mease P.E., stated PennDOT is requiring a 2-lane thru lane onto Fifth Street.

Public Comment #1:

There was none.

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 October 22, 2024 Budget Work Session and 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 November 21, 2024 for a total amount of \$258,618.77 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 October 2024 Penridge Regional Police activity report.

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.

Penridge Wastewater Treatment Authority: Dave Nyman

The September and October minutes and flow reports were provided to the Board. Of note, open house feedback from municipal members was to update the 1975 agreement.

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

Penridge Area Coordinating Committee: Dave Nyman

The October 24, 2024 meeting notes were provided to the Board.

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.

Township Manager's Report: Marianne Hart Morano

2025 Final Budget. Mrs. Morano presented the 2025 Budget stating the preliminary budget was advertised and made available on the website for public review and comment. Her 2025 budget message providing an overview of the budget was provided to the board and posted on the website. No public comment was received.

Resolution 2024-10 Street Light Assessment.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to adopt **Resolution 2024-10**, setting the Street Light Assessment at \$45.00 per designated property for 2025. With no additional discussion, all present voted in favor.

Resolution 2024-11 Fixing the East Rockhill Township Fee Schedule for 2025.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to adopt **Resolution 2024-11**, setting the fees for 2025 as presented. With no additional discussion, all present voted in favor.

Resolution 2024-12 adopting a Final 2025 Budget.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to adopt **Resolution 2024-12** adopting the Final 2025 Budget in the amount of \$8,178,812.00 in revenue and \$8,178,812.00 in expenses for all funds. With no additional discussion, all present voted in favor.

Resolution 2024-13 Fixing the Real Estate Tax Rate for 2025.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to adopt **Resolution 2024-13** fixing the Real Estate Tax Rate for 2025 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.

Resolution 2024-14 Setting the sewer usage rate for 2025 and 2026.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to adopt **Resolution 2024-14** setting the quarterly residential sewer rate of \$175.00 effective January 1, 2025 and the residential quarterly Sewer rate of \$205.00 effective January 1, 2026 and the quarterly non-residential Sewer rate of \$192.50 effective January 1, 2025 and the non-residential quarterly Sewer rate of \$222.50 effective January 1, 2026. With no additional discussion, all present voted in favor.

Employee Manual.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to adopt **Resolution 2024-15** Employee Manual dated November 2024 contingent on reinstating the Board of Supervisors authority to be the final decision on page 44. With no additional discussion, all present voted in favor.

General Obligation Note.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to accept the Quakertown National Bank proposal for a 5 year fixed rate note with a 20 year term and authorize the Township Solicitor advertise an Ordinance for a General Obligation Note. With no additional discussion, all present voted in favor.

2025 Meeting Dates.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to authorize advertising the 2025 meeting dates for the Board of Supervisor 7:00 PM regular meetings on the fourth Tuesday of every month except for the month of December when the regular meeting shall be held on the third Tuesday and a 5:00 PM reorganization meeting January 6. The Planning Commission 7:00 PM work sessions will

be the first Thursday of every month and regular meetings the second Thursday of every month. The Park and Recreation 7:00 PM regular meetings will be the second Tuesday of every quarter in February, May and August except for November when the regular meeting shall be held the second Monday. ~~and~~ The Elected Auditors reorganization meeting will be 4:00 PM on January 7. With no additional discussion, all present voted in favor.

Electric Generation.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to authorize electric generation agreement with IGS Energy for 24 months at 0.08820 kWh and \$0.09373 with GRT effective January 2025. With no additional discussion, all present voted in favor.

Willard H. Markey Centennial Park Tree Trimming. Township is in receipt of a tree topping request from Pennridge Airport as received October 14, 2024 to trim the tree line adjacent to Airport property and three trees to the right of the driveway entrance. Pennridge Airport offered to remove the trees on the property line at their expense.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to authorize the Township engaging a third party contractor to top the trees adjacent to Airport property and take down the trees to the right of the driveway as identified in the October 14, 2024 report. With no additional discussion, all present voted in favor.

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

Public Works Report: Jeff Scholl

Public Works activities as of November 21, 2024 were provided to the Board. Of note, 75 loads of leaves have been collected to date with the Township looking into another location that will accept leaves due to the current facility is near capacity and the 2005 GMC truck sold on Municibid in the amount of \$12,200.00.

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.

Park Hill Estates (McClennen) Escrow Vouchers.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to authorize Escrow Release Voucher 3 for Park Hill Estates Subdivision in the amount of \$730,932.51 payable to Select Properties for erosion and sediment control, Old Bethlehem Pike, Hill Road, base paving and miscellaneous and Escrow Release Voucher 4 for Park Hill Estates Subdivision in the amount of \$73,093.25 payable to Select Properties for contingency for completed work as presented. With no additional discussion, all present voted in favor.

- Lou DiTonno, 1 Boulder Drive, asked for the status of the re-design of the Stone Edge Culvert. The Hydraulic study is underway by Traffic, Planning and Design.

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.

PFOA and PFAS.

Mr. Oetinger stated in 2016 Environmental Protection Agency (EPA) identified PFAS and PFOS contaminant and set an advisory limit of 70 parts per trillion (ppt) which was not legally enforceable. In 2023 Pennsylvania Department of Environmental Protection (DEP) set the first enforceable limit of 14 ppt which came into effective January 1, 2024. In April 2024 EPA mandated public water not exceed a total of 4 ppt for PFAS and 4 ppt for PFOS by 2029 and water providers are to report their monitoring starting in 2027. Perkasie Regional Authority (PRA) already complies with well monitoring quarterly testing and water test samples are taken from the entry point of the system as required by DEP with results going directly from the certified laboratory to DEP. DEP oversees public water systems. PRA results as received up to October 2024 confirm PRA is in compliance with DEP regulations.

PRA is a governmental authority and not under East Rockhill Township purview, however the Township has and will continue to support PRA efforts which they already did by expediting a new filtration system by granting waiver of land development at the Three Mile Run Road location. PRA has submitted a grant to Pennvest for the filtration system to be considered at a January 2025 meeting and public can support their application.

Mr. Oetinger stated DEP is providing bottled water to a property in the HSCA site with well water test results of 4 ppt, however according to DEP, the standards for HSCA sites are under different guidelines than public water systems standards. Well water not related to an HSCA site is the property owners responsibility.

- Mr. Nietupski stated the PRA Board members drink the public system water and they have indicated the treatment facility will be constructed regardless of a grant.
- Mr. Volovnik stated the Township does not have authority over PRA.
- Jennifer Wright, 400 Three Mile Run Road, stated PRA information is false and they are not giving correct numbers.
- Mr. Oetinger stated there is no proof the information is fraudulent. Township does not have authority to supersede DEP state regulations.
- Jackie Martish, 91 Ridge Run Road, stated her husband died from cancer.
- Cathy Costella, 10 Boulder Drive, stated she did not know of an issue with North Penn Water and there is cancer in the development.

Unilateral Declaration of Restrictions and Covenants 1622 N. Ridge Road.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to authorize the Chairperson's execution of an Unilateral Declaration of Restrictions and Covenants Agreement for the East Rockhill Maintenance Building NPDES PCSM Plan. With no further discussion, all present voted in favor.

Intermunicipal Government Agreement.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to adopt **Resolution 2024-16**, an Intermunicipal Government Agreement for yearly collection of residential and commercial recycling data and recycling grant application as presented. With no further discussion, all present voted in favor.

Conservation Easement Agreement of Sale 935 Three Mile Run Road.

On motion by Mr. Volovnik, seconded by Mr. Nietupski, to authorize the Chairperson execution of an Agreement of Sale of a Conservation Easement at a property located at 935 Three Mile Run Road owned by Stephen J. Piccari and Susan L. Piccari identified as tax map parcel 12-009-130 for a conservation easement totaling four (4) acres. With no additional discussion, all present voted in favor.

Board of Supervisors Compensation Ordinance.

Mr. Oetinger stated state law sets Township Supervisor compensation which becomes effective with a new term of office. East Rockhill can amend the Supervisor annual salary from \$1,890.00 to \$4,190.00.

- Mr. Nyman supported the increase which would be paid to Penridge Community Center with his new term of office.
- Mr. Nietupski did not support the increase which impacted general fund.
- Mr. Volovnik did not support the increase.

On motion by Mr. Nietupski, seconded by Mr. Volovnik, to approve the Township Solicitor's 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 presented voted in favor.

New or Other Business Supervisors' Items:

- Mr. Volovnik requested the status of Three Mile Run Road stormwater grant project. Construction could not take place in 2024 due to a PNDI restriction from May 15 to October 15 but is expected to take place in 2025.

Public Comment #2:

- Lou DiTonno, 1 Boulder Drive, asked if drinking water testing requirements are sent directly from a certified lab to DEP and why Jennifer Wright's results were different.
- Jennifer Wright, 400 Three Mile Run Road, stated DEP is not smart enough to figure out the difference and her numbers show accurate information.
- Mr. Oetinger, stated criminal fraud is being discussed and there is no evidence to support that and professionals will not risk jail time to lie.
- Kathy Costello, 10 Boulder Drive, stated a 15mph speed limit sign is needed at the new roundabout.

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 9:06 PM.

Respectfully submitted,

Marianne Hart Morano
Township Manager