

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

March 20, 2012

The regularly scheduled meeting for March was held on March 20, 2012 in the Township Building in Ferndale, PA. Chairman Wm. Sadow, Jr. opened the meeting at 7:30 P.M. with a salute to the flag.

**Other Members Present: Others in attendance:**

Carl Bahnck, Vice-Chairman Attorney  
Albert Santopietro B. Closser  
Nancy Alessi Secretary  
Shannon Doman Arlene E. Eichlin  
Treasurer:  
Keith R. DeLuca

Solicitor: Jordan B. Yeager  
Arrived at 9:45 P.M.

The Chairman, Wm. Sadow, Jr., commented that the Board of Supervisors met in Executive Session from 7:20 to 7:35 P.M. to discuss Real Estate.

**SCHEDULING:**

-The schedule for the month was reviewed by Chairman, Wm. Sadow, Jr.-The Thursday, April 19, 2012 meeting of the Bridgeton-Nockamixon-Tinicum Groundwater Management Committee has been rescheduled to Thursday, April 26, 2012 @ 7:30 P.M.

**MINUTES OF MEETING:**

-A motion was made by Nancy Alessi, seconded by Carl Bahnck, to approve the minutes of the January 17, 2012 Board of Supervisors meeting with the following amendment: Page 4 under the BNT GWMC report remove Beaver Run and replace with Rapp Creek. The motion carried 5-0-0.

**PUBLIC COMMENT: Open for 20 minutes - limited to three minutes per person.**

Katherine Throckmorton commented that the Gallows Run Watershed Assoc. will be holding a forum on Thursday, April 19, 2012 from 7:00-9:00 P.M. at PALMS regarding Act 13 of 2012, the recent Oil and Gas Bill passed by Pennsylvania.

-John Davenport, Center Hill Road, commented that he is in favor of responsible drilling and he has been in contact with the primary drilling company (Pasadena Oil & Gas), and they noted that no fracking would be used in this area. The Board requested the contact information.

Other residents with comments and/or questions: Alana Balogh, Stephen Donovan, Thomas Eckhoff and Sharon Mendelson.

**STAFF REPORTS:**

a. **Public Works Report - February 2012 -** A motion was made by Albert Santopietro, seconded by Wm. Sadow, Jr., to approve the February 2012 Public Works report as presented. The motion carried 5-0-0.

-**Tar & Chip Roads - Discussion -** A motion was made by Albert Santopietro, seconded by Nancy Alessi, to approve the tar & chipping of approximately five to seven+/- (5-7+/-) miles of Township roads by Asphalt Maintenance Solutions, LLC (AMS). The motion carried 5-0-0. The 2012 proposed roads for tar & chipping are: Buck Drive .53; Kintner Hill (Center Hill to Lonely Cottage) .96; Trauger's Crossing (Rte. 611 to Nockamixon) .98; Beaver Run 1.09; Rock Ridge 1.41. Additional roadways may be considered at a later date.

-**Extension of Tar & Chip Contract with AMS -** A motion was made by Albert Santopietro, seconded by Carl Bahnck, to exercise the Township's right to extend the contract in one-year increments with AMS. The motion carried 5-0-0.

-**Bridge Repairs - BMS#09-7217-0467-0002 -** Discussion - Letter to Bridgeton for 25% of repair cost. There was a consensus of the Board to direct the Secretary to send a letter to Bridgeton Township advising of the costs for one-fourth (¼) of the

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repairs to the Lonely Cottage Road over Beaver Run along with an apology for not contacting them sooner.

**b. Treasurer's Report:**

Keith DeLuca gave the report.

-The Foreign Fire Insurance Tax Distribution and General Municipal Pension System State Aid Program Certification Form AG-385 has been completed and is awaiting board approval. **A motion was made by Nancy Alessi, seconded by Albert Santopietro, to approve the distribution of the Foreign Fire Tax Insurance and the General Municipal Pension System State Aid Program Certification Form AG-385. The motion carried 5-0-0.**

-The Public Works Director has provided the Treasurer with three proposals to present to the Board. The proposal is to provide equipment, trucking, and labor to pave the walking path at Veterans Park with the Township providing the asphalt. The three proposals are: S&H landscaping, \$7,412.00; Bray Brothers, \$9,998.00 and A.H. Cornell & Sons, \$12,400.00. **A motion was made by Carl Bahnck, seconded by Albert Santopietro, to accept the S&H Landscaping proposal for the blacktopping of the Veteran's Park walkway.** Under discussion, the Board suggested that the start date be scheduled between June 15 and July 1, and to co-ordinate the availability of the park with the Park & Rec Committee. **The motion carried 5-0-0.**

-In a conversation with the Township Engineer this past week it was determined that the Township begin to address replacing the bridges on Trauger's Crossing Road and Lonely Cottage Road. It would benefit the Township to have the Township Engineer begin designing the replacement bridge deck. **A motion was made by Wm. Sadow, Jr., seconded by Albert Santopietro, to proceed with the design and drawings for the Lonely Cottage Road Bridge and the Trauger's Crossing Road Bridge. The motion carried 5-0-0.**

-The Treasurer attended a meeting hosted by the Ottsville Fire Company to discuss the purchase of new narrowband two-way radios. In meeting with the Motorola rep and members of neighboring fire companies, the Treasurer concluded that less expensive radios would fit the needs of Emergency Management. In addition the Emergency Management Coordinator may have a buyer for the old radios, which along with a lower cost per radio would allow the Township to purchase two radios.

-The Township has begun to receive reimbursements from FEMA/PEMA for damages incurred during Hurricane Irene and Tropical Storm Lee. Thus far Nockamixon Township has been awarded \$16,903.52.

-Year to date the Building Inspector/Zoning Officer billed the Township 11,090.00 and collected \$2,448.00 in fees.

-On tonight's bill list is a return of escrow for Mike Jugovich in the amount of \$3,134.85.

-Bills being presented tonight; from the General Fund, \$28,306.68; State Fund, \$1,175.26 and from the Escrow Fund, \$4,777.30.

**A motion was made by Carl Bahnck, seconded by Nancy Alessi, to approve the March 2012 Treasurer's Report as presented. The motion carried 5-0-0.**

**A motion was made by Nancy Alessi, seconded by Shannon Doman, to approve the March 2012 Bill List as presented. The motion carried 5-0-0.**

**COMMITTEE ACTION ITEMS:** (as needed)

-OSC - **Ellen Chapman, Co-Chair** - Springfield Township will host the Upper Bucks Open Space Meeting - Thursday, March 29, 2012 from 7:00-9:30 P.M. - She requested a letter from the Board to Gov. Corbett opposing the elimination of \$20 Million earmarked for agricultural land preservation. The Board requested that the Committee send a draft letter to their liaison and the Secretary. - The 2011 Monitoring Report for the County on Gorham Property is overdue. Wm. Sadow, Jr. will talk with George Housworth. - An out-of-meeting check was requested for the

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difference between the cost of membership and cost of registration for the PALTA Seminar. The check is due by April 1, 2012. **A motion was made by Nancy Alessi, seconded by Shannon Doman, to issue an out-of-meeting check to PALTA in an amount not to exceed \$420.00. The motion carried 5-0-0.**

**-EAC - Stephen Donovan, Member -** A recommendation was made by EAC to have an environmental professional conduct a review at the Cabot site. - They recommended posting weight limit restrictions for all bridges and roads in the Township. Chairman, Wm. Sadow, Jr. commented that all five Township bridges are posted. - Update of Hidden Valley activities. Wm. Sadow, Jr. commented that a new bridge has been constructed at the entrance.

**-Nockamixon Historic Commission - Neil Jesiolowski, Chair** commented that an application was submitted to fill one of the openings on the Historic Commission. He recommended that the Board approve Barry Wagner's appointment. **A motion was made by Nancy Alessi, seconded by Carl Bahnck, to appoint Barry Wagner to complete the unexpired term of Clarence Berger. The motion carried 5-0-0.**

**SOLICITOR'S REPORT:**

**a. TowerOne - Nockamixon Estoppel (B0687878-2) - Agreement Regarding Development Agreement -** After a lengthy discussion between Atty. B. Closser and the Board, this issue was tabled.

**SUBDIVISIONS:**

**a. A.M. Morton 3-Lot Sub. TMP# 30-13-5 - grants extension to June 30, 2012 -A motion was made by Nancy Alessi, seconded by Albert Santopietro, to accept the A.M. Morton 3-Lot Sub. Extension to June 30, 2012. The motion carried 5-0-0.**

**b. E. McArdle 5-Lot Sub. TMP# 30-11-33 - Acceptance of completion. A motion was made by Nancy Alessi, seconded by Shannon Doman, to accept the completion of the E. McArdle 5-Lot Sub. TMP# 30-11-33. The motion carried 5-0-0.**

**LAND DEVELOPMENTS:**

**a. Wehrung's Phase II L/D, TMP# 30-10-35 - grants extension to June 30, 2012. A motion was made by Wm. Sadow, Jr., Seconded by Albert Santopietro, to approve the Wehrung's Phase II L/D, TMP# 30-10-35 until June 30, 2012. The motion carried 5-0-0.**

**RELEASE OF ESCROW:**

**a. E. McArdle 5-Lot Sub. TMP# 30-11-33 - requests Release of Escrow after final bills are paid. A motion was made by Wm. Sadow, Jr., seconded by Carl Bahnck, to approve release of escrow for the E. McArdle 5-Lot Sub. TMP# 30-11-33 after final bills are paid. The motion carried 5-0-0.**

**OLD BUSINESS:**

**a. United States Post Office - Request for Resolution, Mailing Addresses (Ferndale) - Discussion -** No action was taken by the Board.

**b. PCF 5K - Request for Fire Police for May 5, 2012 - 5K Run -** A motion was made by Albert Santopietro, seconded by Carl Bahnck, to request the authorization for use of Fire Police from Riegelsville Borough and Tinicum, Springfield, Bridgeton and Haycock Townships. The motion carried 5-0-0.

**c. PCF 5K - Request for overhead Banner -** the Secretary read the paragraph in the PennDOT application stating that Nockamixon Township would hang/remove and maintain the banners as well as assume all liability for damages. **A motion was made by Wm. Sadow, Jr., seconded by Albert Santopietro, to deny the request for the overhead banner. In lieu of the overhead banner, the Board suggested they use portable signs and remove them after the event. The motion carried 5-0-0.**

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**d. Electrical Inspectors Update - Discussion** - Carl Bahnck suggested a list of three UL listed and approved electrical inspectors be made available for residents. Currently, Keystone Municipal Services is the Township's Zoning, Building and Electrical inspector. The Board requested a list of inspectors from the Zoning Officer. After a lengthy discussion, the Board tabled until the April Board meeting.

**e. Clean-Up Day Event - April 29, 2012 - Update - Permission to pick up Supplies** - A motion was made by Shannon Doman, seconded by Nancy Alessi, to grant permission to the Secretary to pick up supplies for the Clean-Up Day Event. The motion carried 5-0-0. The Secretary commented that fliers have been distributed to local businesses. Volunteers are needed to make phone calls.

**f. 1798 Map CD - Request to copy - Discussion** - Proposals were received from Staples and Richter Printing for 25 copies. The Board suggested additional printers including the U.B. Technical School. The Secretary requested permission to contact printing companies and, due to the size of the map, take them to various stores for proposals. The Board approved.

**g. SECTV - Update - Request for Complaints - T. Himmelwright** - Due to another commitment, Mr. Himmelwright was unable to attend tonight's meeting. The Chairman read the letter received from SECTV which requested contact information for resident's complaints. The Board suggested that residents with complaints please contact SECTV. The Chair, Wm. Sadow, Jr., will contact T. Himmelwright.

**NEW BUSINESS:**

**a. 2011 PURTA Report-Motion to Approve** - A motion was made by Carl Bahnck, seconded by Nancy Alessi, to approve the 2011 PURTA Report. The motion carried 5-0-0.

**b. Suburban Realtors Alliance-Annual Update to Data Base - Approval** - A motion was made by Albert Santopietro, seconded by Nancy Alessi, to approve the Secretary sending information to Suburban Realtors Alliance to update their data base. The motion carried 5-0-0.

**c. Genesis Adventures - Request for Acknowledgement Letter of their presence Saturday, September 8, 2012** - A motion was made by Nancy Alessi, seconded by Wm. Sadow, Jr., to send an acknowledgement letter to Genesis Adventures for their presence in the Township Saturday, September 8, 2012. The motion carried 4-1-0 with Albert Santopietro voting nay.

**d. Permission for Twp. Engineer to Re-advertise Act 537 upon approval of draft by PADEP** - A motion was made by Wm. Sadow, Jr., seconded by Albert Santopietro, to grant permission to the Twp. Engineer to re-advertise Act 537 upon approval of the draft by PADEP. The motion carried 5-0-0.

**COMMITTEE REPORTS:**

**a. Zoning Report** - A motion was made by Wm. Sadow, Jr., seconded by Albert Santopietro to approve the March 2012 zoning report as presented. The motion carried 5-0-0.

**b. Emergency Management** - no report

**c. Environmental Advisory Committee** - discussed earlier in the meeting.

**d. BNT Ground Water Committee** - no report

**e. Open Space Committee** - Discussed earlier in the meeting.

**f. Park & Recreation Board** - no report

**g. Nockamixon Historic commission** - Discussed earlier in the meeting.

-A question was raised concerning the 4-way Stop sign at Kintner Hill and Lake Warren. PennDOT's approval is needed.

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-Nancy Alessi noted that Lloyd Traven and Jerry Fritz represented Nockamixon Township at the Philadelphia Flower Show. She also thanked Ottsville Fire Company, via Carl Bahnck, for the invitation to their annual banquet.

**The meeting continued with the Solicitor's Report - Solicitor Jordan B. Yeager arrived at 9:45 P.M., Atty. B. Closser left the meeting.**

Solicitor, Jordan Yeager updated the Board on the following: status of Act 13, the amendments to the Oil & Gas Act passed recently; status of the permit application filed by Turm Oil; an update on the Delaware River Basin Commission and the legal challenge to Act 13.

ADJOURNMENT: A motion was made by Carl Bahnck, seconded by Nancy Alessi, to adjourn the Board of Supervisors meeting at 10:25 P.M. The motion carried 4-0-0. Albert Santopietro was not in the meeting room.

Respectfully submitted,

Arlene E. Eichlin  
Recording Secretary