

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

October 16, 2012

The regularly scheduled meeting for October was held on October 16, 2012 in the Township Building in Ferndale, PA. Chairman Wm. Sadow, Jr. opened the meeting at 7:35 P.M. with a salute to the flag.

Other Members Present:	Others in attendance:
Carl Bahnck, Vice-Chairman	<u>Attorney:</u>
Albert Santopietro	Krista Harper, Esq.
Nancy Alessi	<u>Secretary:</u>
Shannon Doman	Arlene E. Eichlin
<u>Township Engineer:</u>	<u>Treasurer:</u>
Steven Baluh	Keith R. DeLuca

SCHEDULING:

-The schedule for the month was reviewed by Chairman, Wm. Sadow, Jr.

MINUTES OF MEETING:

-A motion was made by Albert Santopietro, seconded by Wm. Sadow, Jr., to approve the minutes of the September 18, 2012 Board of Supervisors meeting as presented. The motion carried 5-0-0.

-A motion was made by Nancy Alessi, seconded by Carl Bahnck, to approve the Board of Supervisors Budget Work Session Minutes of September 13, September 20, and October 4, 2012 as presented. The motion carried 4-0-1 with Shannon Doman abstaining.

PUBLIC COMMENT: There was no public comment.

REQUEST TO BE ON AGENDA:

a. Sgt. Joseph F. Sokolofski, Station Commander, Dublin Barracks. Sgt. Sokolofski introduced himself to the Board and commented that if anyone has any concerns to please contact him at the Dublin Barracks.

STAFF REPORTS:

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

-Drainage ditch on Laurie Hill Road - TMP# 30-11-195-3 - Steve Baluh, Township Engineer, commented that correspondence has been sent to and received from the resident who noted that he would comply by installing a pipe in his driveway to ease the water runoff from his property onto neighboring properties by October 15, 2012. No repairs have been completed at this time. The board directed Steve to contact the resident and advise that an upgrade needs to be completed.

b. Treasurer's Report:

Keith DeLuca gave the report.

-The 2013 CDBG grant application was delivered to the county on September 28, 2012. The application has met some resistance and is in jeopardy of not being approved. The 2012 CDBG grant application that was approved, but not as yet signed by the County Commissioners, is also being re-examined.

-The 2013 Minimum Municipal Obligation for the Township Pension Plan was completed and mailed out on October 5, 2012.

-All State and Federal third quarter financial reports have been completed.

-Year to date the Building Inspector/Zoning Officer has billed the Township \$46,351.00 and collected \$33,183.00 in fees.

-Included in this month's bill list is \$14,034.98, 2012 State Pension Grant proceeds to the PA Municipal Retirement System and \$38,565.37 for the Volunteer Fire Relief Association.

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-Bills being presented tonight; from the General Fund, \$44,931.55; Fire & EMS Tax Distribution, \$379.71; State Fund, \$4,341.79; Volunteer Fire Relief Association, \$38,565.37; Open Space, \$299.00 and from the Escrow Fund, \$3,026.89.

-Transfers requested tonight: \$299.00 from Open Space to the General Fund.

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

-A motion was made by Albert Santopietro, seconded by Nancy Alessi, to approve the October 2012 Bill List as presented. The motion carried 5-0-0.

-A motion was made by Wm. Sadow, Jr., seconded by Nancy Alessi, to transfer \$299.00 from Open Space to the General Fund. The motion carried 5-0-0.

COMMITTEE ACTION ITEMS: (as needed)

-OSC - Ellen Chapman, Co-Chair, commented that the Bucks County Annual inspection of the Gorham property is now due. With regard to the August memo, there was no comment from the Board at this time.

SOLICITOR'S REPORT:

a. Quarry Extraction Permit Renewal - Review - Hanson Aggregates, BMC. John VanLuvanee, Esq., attorney for applicant as well as Mark Kendrick, V.P. & General Manager for Eastern PA & NJ and Tim Poppenberg, Area Operations Manager representing Hanson were in attendance. At the October 2, 2012 Planning Commission meeting, a recommendation was made to have the Board approve the 2012 permit application. Mr. VanLuvanee commented that they have provided the information as requested. The annual fee has been paid and he asked that the permit be approved. Krista Harper, Esq. commented that one of the Township concerns are the fees that are due from 2009 thru 2011. Mr. VanLuvanee commented that the requirements for fees/permits from that time may have been waived or the Township opted not to pursue. Krista Harper commented that the Board could take action to collect previous fees, or approve the current permit.

Steve Baluh, Township Engineer, suggested that the Board address other Planning Commission recommendations conditions including: 1) a modification to the site map to clarify that the mining permit line was the PADEP mining line, not the Township's; 2) at the request of the Township, the Quarry made an offer to install additional evergreen plantings on the berm parallel to SR611 in areas where trees have died, Spring 2013 is the timeframe to complete; 3) as vegetation dies off in the front field they have offered to re-grade and/or remove the silt fence. The Quarry will comply with these requests. Wm. Sadow, Jr. wanted to know what impact accepting the current fee would have on the Township's right to collect prior fees. Mr. VanLuvanee agreed that it would not constitute a waiver of the Township's rights to collect prior fees. The Board clarified that the permit runs from January 1 thru December 31, 2012. It was noted by Mr. VanLuvanee that the 2013 application would be submitted by or before April 1. **A motion was made by Wm. Sadow, Jr., seconded by Carl Bahnck, to approve the permit application, grant the permit, accepting the fee for 2012 and holding our right to go back for the past fees for 2011, 2010 and 2009. On the condition that the applicant would, by April 1, 2013 submit their application for the following year and each permit fee due would be for the given calendar year. The motion carried 4-1-0 with Albert Santopietro voting nay.**

b. Proposed Ordinance of Codification of Ordinances - Draft - Authorize Solicitor to Advertise Revised Draft. **A motion was made by Nancy Alessi, seconded by Shannon Doman to authorize the Solicitor to advertise a public hearing for the revised draft of the proposed Ordinance of Codification of Ordinances and the Fair Housing Act. The motion carried 5-0-0.**

c. Nockamixon Historic Commission - Ordinance #141 and Resolution (Name change) - it was noted by the Board that the Solicitor, Jordan Yeager, recommended that a

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resolution would be the best way to resolve. A motion was made by Nancy Alessi, seconded by Albert Santopietro, to approve Resolution #10-16-2012 which includes the name 'Nockamixon Historic Commission'. The motion carried 5-0-0.

SUBDIVISIONS:

a. Bahnck Subdivision, TMP# 30-11-137 - Accept as Complete - Release of Escrow after final bills are paid. Steve Baluh commented on the status of the subdivision. He conducted an inspection and sent a review letter dated September 28, 2012 with his recommendations. A motion was made by Nancy Alessi, seconded by Wm. Sadow, Jr., to accept the Bahnck Subdivision, TMP# 30-11-137 as complete and to approve the release escrow after final bills are paid. The motion carried 4-0-1, with Carl Bahnck abstaining.

OLD BUSINESS:

- a. EUB Senior Center - Request for Donation - Discussion - Table until after budget review.
- b. Quarry Inspection - Follow Up - discussed earlier in meeting.
- c. Hidden Valley - Update - Steve Baluh commented that no information has been received from the County.
- d. Revere Chemical Site - Well Test Update - Correspondence has been received from the US EPA indicating that they are deferring our request until after the next round of groundwater testing scheduled fall 2013 and then follow-up with a timeframe for a well test cycle of either every 2 (two) years or every 5 (five) years.
- e. Cabot Site Inspection - Follow-Up - Griff Miller of the US EPA will be sending a CD with all the background reports referred to at the recent meeting.

NEW BUSINESS:

- a. Permission to send notification letter via e-mail (or regular mail) for Committee Positions whose terms are expiring and advertise for open positions. Final date for receipt of letters of interest - Friday, December 21, 2012. A motion was made by Nancy Alessi, seconded by Carl Bahnck, to have the Secretary send notification letters, either by e-mail or regular mail, to those Committee persons whose terms are expiring and to advertise for open positions. The motion carried 5-0-0.
- b. Holiday Party - Discussion - Friday, December 14, 2012 - 4-7 P.M. - A motion was made by Albert Santopietro, seconded by Wm. Sadow, Jr., to hold the Holiday Party on Friday, December 14, 2012. The motion carried 5-0-0.

COMMITTEE REPORTS:

- a. Zoning Report - The Zoning Officer requested a waiver of building fees for the current permit for The Lord's Pantry at St. John the Baptist Church and to consider future waivers for other church organizations. A motion was made by Wm. Sadow, Jr., seconded by Shannon Doman, to waive the current building fees for The Lord's Pantry and, in the future, to consider waivers for other church organizations in the Township. The motion carried 5-0-0.
-A motion was made by Wm. Sadow, Jr., seconded by Nancy Alessi, to accept the October 2012 zoning report as presented. The motion carried 5-0-0.
- b. Emergency Management - Generator and Radio Update - Request for 45"-50" LCD/TV Monitor - Discussion. Wm. Sadow, Jr. commented that First Energy Representative, David Berger, attended the meeting. After a short discussion regarding the donation received from First Energy, Mr. Berger requested that the Township send him the current generator quotes. They will be passed on to the main office with a request for additional funding. - Radios are on hold. - A request for a LCD/TV monitor to plug their laptops into during an emergency event. The

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Board discussed the possibility of seeking donations to offset the cost. - The computer router and splitter have been purchased and the Board needs to approve contacting Mr. Wargo to install. **A motion was made by Albert Santopietro, seconded by Nancy Alessi, to approve that Mr. Wargo (Affordable Computer Repair) hook up the router and splitter at a cost not to exceed \$200.00. The motion carried 5-0-0.**

c. Environmental Advisory Committee - Discussed earlier in the meeting.

d. BNT Ground Water Committee - No report. Their November 15, 2012 meeting will be held at the Nockamixon Township Building.

e. Open Space Committee - Discussed earlier in the meeting - November 10 & 11, 2012 - Art Show at Rising Sun Farm.

f. Park & Recreation Board - Thomas Keebler, Chairman was in attendance. No report

g. Nockamixon Historic commission - No report.

-Heritage Conservancy Grant Support Letter - Albert Santopietro commented that there is confusion regarding what projects would be considered for funding by the Heritage Conservancy for the Lower Delaware Wild & Scenic. The Board raised questions at the last meeting regarding Historic Districts and the opinion was they were not up for consideration. He asked Ellen Chapman to research the grant application and advise the Board.

ADJOURNMENT: A motion was made by Nancy Alessi, seconded by Albert Santopietro, to adjourn the Board of Supervisors meeting at 8:45 P.M. The motion carried 5-0-0.

Respectfully submitted,

Arlene E. Eichlin
Recording Secretary