

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

November 20, 2012

The regularly scheduled meeting for November was held on November 20, 2012 in the Township Building in Ferndale, PA. Vice-Chairman, Carl Bahnck opened the meeting at 7:35 P.M. with a salute to the flag.

<b>Other Members Present:</b>	<b>Others in attendance:</b>
Albert Santopietro	<u>Attorney:</u>
Nancy Alessi	Krista Harper, Esq.
Shannon Doman,	<u>Secretary:</u>
Arrived 7:48 P.M.	Arlene E. Eichlin
<u>Members Absent</u>	<u>Treasurer:</u>
Wm. Sadow, Jr., Chairman	Keith R. DeLuca

**SCHEDULING:**

-The schedule for the month was reviewed by Vice-Chairman, Carl Bahnck.

**MINUTES OF MEETING:**

-A motion was made by Nancy Alessi, seconded by Albert Santopietro, to approve the minutes of the October 16, 2012 Board of Supervisors meeting as amended. - Page 2 under Committee Action Items should read OSC, not EAC. The motion carried 3-0-0.

**PUBLIC COMMENT:**

-Sanci Tenney thanked all in the Community who volunteered their services during the Hurricane Sandy event the week of October 29, 2012, especially Emergency Management Agency and the Board of Supervisors.

-Elsie McHale questioned if the Township has an ordinance addressing 'invasive plants'. Several properties in her neighborhood have been overrun with bamboo and ivy. The Board was not aware of any ordinance.

-Nancy Alessi commented that the Board worked with Met Ed and our Pennsylvania and Federal Legislators to encourage Met Ed to restore power to Nockamixon Township residents in a timely manner during the recent Hurricane Sandy event. It was noted that we are at the 'end of the distribution line' and Met Ed is making an effort to make corrections in order to restore power in a timely manner. She also referred to a list of names comprised by the Township to either send thank you letters or acknowledge their assistance during the storm. **A motion was made by Nancy Alessi, seconded by Shannon Doman, to ratify decisions made by the Board of Supervisors during the emergency event of Hurricane Sandy. The motion carried 4-0-0. -- There was a consensus of the Board to have the Secretary work with Mary Shafer of Emergency Management to send out joint thank you letters.**

-Neil Jesiolowski commented that the power companies have downsized the number of crews who assist in restoring utilities.

Krista Harper, Esq. arrived at 7:40 P.M.

Shannon Doman arrived at 7:48 P.M. during public comment.

**PUBLIC HEARING:**

**a. Proposed Fair Housing Ordinance** - Krista Harper, Esq. opened the public hearing for the Fair Housing Amendment at 7:58 P.M. The purpose of the proposed ordinance is to respond to comments from the Bucks County Planning Commission (BCPC) regarding the current Fair Housing Ordinance. The Attorney reviewed the BCPC recommendations in their letter dated October 3, 2012 to address compliance with the Federal Fair Housing Act to protect against housing discrimination. Adopting the amendment will decrease the Township's potential exposure to discrimination suits and will assist the Township in acquiring Community Development Block Grants. The hearing was advertised in the Intelligencer on November 5 and 11, 2012. The amendment has been reviewed by both the Nockamixon Township and Bucks County Planning Commissions. The Hearing was open to public comment. There were no public comments. The hearing was closed at 8:00 P.M. The ordinance was placed

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before the Board for consideration. A motion was made by Nancy Alessi, seconded by Albert Santopietro, to adopt the Fair Housing Ordinance #145 to avoid claims of discrimination. The motion carried 4-0-0.

b. Proposed Ordinance Clarifying Codification of Certain Zoning Regulations Previously Enacted. A motion was Nancy Alessi, seconded by Albert Santopietro, to adopt the Ordinance Clarifying Codification of Certain Zoning Regulations Previously Enacted, Ordinance #146. The motion carried 4-0-0.\*

-The Board of Supervisors thanked Thomas Macfarlan for the great job he did as Emergency Management Coordinator during the Hurricane Sandy Event. When writing thank you letters, Tom suggested that, in addition to Mary Shafer, Jerry Orbino and Linda Frey also be contacted for information.

**STAFF REPORTS:**

a. Public Works Report - October 2012 - A motion was made by Albert Santopietro, seconded by Nancy Alessi, to approve the October 2012 Public Works Report as presented. The motion carried 4-0-0.

-Drainage ditch, Laurie Hill Road - Wynn Letter of 11/13/2012 - the Board reviewed the Wynn letter and directed the Public Works Dept. to monitor the area, particularly during heavy rainfalls. - Due to Public Works Dept. vacations the week of November 26, 2012, the office will contact Scott Weaver and/or Albert Santopietro with any problems/concerns.

**b. Treasurer's Report:**

Keith DeLuca gave the report.

-With the 2013 CDBG grant application in the approval stage, Bucks County is requesting that the grant applicants present their projects to the CDBG Advisory Board. Nockamixon Township is scheduled to present its grant application for the Eastern Upper Bucks Senior Center on December 3 at 4:15.

-Nockamixon Township donated its remaining two pallets of water to the Hurricane Sandy recovery efforts.

-It is the recommendation of the Township Engineer and the Public Works Director that the balance of the ARLE grant, that Nockamixon Township received to update the traffic lights to LED's be used to redo intersection and road line striping on township roads.

-Year to date the Building Inspector/Zoning Officer has billed the Township \$52,384.99 and collected \$34,989.00 in fees.

-Bills being presented tonight; from the General Fund, \$33,237.05; Fire & EMS Tax Distribution, \$2,158.27; State Fund, \$3,125.00; Open Space, \$56,913.89; Recreation Fund, \$542.00 and from the Escrow Fund, \$2,055.63.

-Transfers requested tonight: \$56,913.89 from Open Space to the General Fund and \$542.00 for the Recreation Fund to the General Fund.

-A motion was made by Nancy Alessi, seconded by Albert Santopietro, to approve the November 2012 Treasurer's Report as presented. The motion carried 4-0-0.

-A motion was made by Carl Bahnck, seconded by Nancy Alessi, to approve the transfer of \$56,913.89.00 from Open Space to the General Fund and \$542.00 from Recreation Fund to the General Fund. The motion carried 4-0-0.

-A motion was made by Nancy Alessi, seconded by Shannon Doman, to approve the November 2012 Bill List as presented. The motion carried 4-0-0.

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

Committee reports were addressed later in the meeting.

\*At 8:20 P.M. Krista Harper, Esq. opened the public hearing for the Proposed Ordinance Clarifying Codification of Certain Zoning Regulations Previously Enacted. The proposed action amends the Nockamixon Township Ordinance to address

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issues related to section lettering and numbering of accessory uses caused by previous amendments. The proposed ordinance was advertised on November 5 and 11, 2012 in the Intelligencer. It has been reviewed by both the Nockamixon Township and Bucks County Planning Commissions. The Hearing was open to public comment. There were no comments. The hearing was closed at 8:22 P.M. The Board was asked to ratify their previous vote with respect to that ordinance. **The motion was made by Nancy Alessi, seconded by Shannon Doman, to ratify the prior vote. The motion carried 4-0-0.**

**SOLICITOR'S REPORT:**

**a. Scheetz Application to Amend Agricultural Security Area.** Krista Harper, Esq. commented that the application was sent to the Township Solicitor's office rather than the Board of Supervisors. The Scheetz's requested that their property be added to the Agricultural Security Area (ASA). The Board acknowledged receipt of the ASA application. It was noted that this property meets the requirements for inclusion in the ASA as discussed by the Attorney and the Board. **A motion was made by Albert Santopietro, seconded by Shannon Doman, to have the Solicitor's office advertise the application for Scheetz to amend the Agricultural Security Area. The motion carried 4-0-0.**

**SUBDIVISIONS:**

**a. A.M. Morton - 3-Lot Sub - TMP# 30-13-5 - Grants extension to January 31, 2013 - A motion was made by Nancy Alessi, seconded by Albert Santopietro, to grant an extension to the A. M. Morton 3-Lot Sub, TMP# 30-13-5, until January 31, 2013. The motion carried 4-0-0.**

**LAND DEVELOPMENT:**

**a. The Wehrung Group L.P. - TMP# 30-10-35 - Grants extension to February 28, 2013 - A motion was made by Nancy Alessi, seconded by Albert Santopietro, to grant an extension to the Wehrung Group L.P., TMP# 30-10-35, until February 28, 2013. The motion carried 4-0-0.**

**b. Nockamixon Cross. (Korman) TMP# 30-11-77 & -77-2 - awaiting extension request.** The Board reviewed and acknowledged receipt of the November 20, 2012 letter from Benner & Wild regarding Nockamixon Crossing Land Development's withdrawal of their pending application requesting preliminary land development approval for TMP# 30-11-77 & -77-2. As such, Nockamixon Township is fully and unconditionally relieved from taking action upon that application.

**OLD BUSINESS:**

**a. Cabot Revere Site-Update, 9/14/2012 Meeting Minutes - Discussion - Nancy Alessi** commented that the Township is awaiting additional information from Cabot Corp.

**b. Hidden Valley - Quarterly Report Received - No response from Bucks County.**

**c. Revere Chemical Site - Storm Inspection Report, Wynn letter of 11/13/12 - The Board reviewed the Wynn Letter. It noted that the site is in good condition. Sanci Tenney (EAC) commented that the Quarry also has pine trees and fencing that has been damaged by the recent storm. The Board will ask Steve Baluh to address.**

**NEW BUSINESS:**

**a. Permission for Secretary to advertise the 2013 Budget Public Hearing for the December Board meeting. - A motion was made by Nancy Alessi, seconded by Albert Santopietro, to grant permission for the Secretary to advertise the 2013 Budget Public Hearing for the December Board Meeting. The motion carried 4-0-0.**

**b. BCATO - Information Meeting (Tentative) - November 29, 2012 - Attendees - The Board reviewed the request from BCATO and there was a consensus of the Board to have Thomas Macfarlan, the Emergency Ops Coordinator, attend the meeting. The Secretary will advise BCATO of their decision.**

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**c. Bucks County Bicycle Plan - Discussion** - Albert Santopietro commented that he was not in favor of bicycle paths in certain areas of the Township. It was noted by Arlene that several years ago the County had contacted the Township about the proposed bike paths. At that time they had been advised we had no roads that would support the plan. After further discussion, Shannon Doman commented that he will review the Bicycle Master Plan on the Bucks County Planning Commission website for a future meeting. The Board tabled until a later date.

**COMMITTEE REPORTS:**

**a. Zoning Report** - A motion was made by Nancy Alessi, seconded by Carl Bahnck, to approve the November Zoning Report. The motion carried 4-0-0. The Zoning Officer, Kip Clayton, suggested that the Board consider enacting graduated fees, based on the cost of construction, as an addition to the 2013 Fee Schedule. Currently all repairs are covered under one fee of \$50.00, no matter the cost of the repairs. Carl Bahnck will contact the Zoning Officer.

**b. Emergency Management** - Generator, Radio and Thank you letters - Thomas Macfarlan, EOC, was in attendance. He requested that the Township move forward with the purchase of two Harris radios.- Tom noted that Rep. Marguerite Quinn donated the 55" LCD/TV Monitor to the Township prior to Hurricane Sandy.- Regarding the current Township generator, he is aware that, due to its capacity, provides no heat in the building during power outages. The Board is moving forward with an upgrade and noted that three estimates have been received. - There is no December EMA meeting.

**c. Environmental Advisory Committee** -Sanci Tenney, Member, was in attendance. The EAC is considering changing their meetings to less frequent intervals. They will discuss at their December meeting and report their decision to the Board.

**d. BNT Ground Water Committee** - No one in attendance. Carl Bahnck gave a short synopsis of their November 15, 2012 meeting concerning water recharge in the Township and their request to present the data to the Planning Commission and EAC.

**e. Open Space Committee** - Sanci Tenney, Co-Chair was in attendance. She requested an Executive Session to discuss Real Estate for the December Board meeting. - The November art show was a success and is currently at Palisades High School. - She handed out a narrative addressing the Grant Letter of Support requested by the Heritage Conservancy in September which included an "historic districts" reference. It was also mentioned during a meeting of the Lower Delaware Wild & Scenic. The Board once again expressed their concerns regarding the "historic districts" reference and the possibility of being locked into this district. Sanci noted that Wild & Scenic references these districts in the goals on their website and it includes the River Management Plan. It was noted that the Nat'l Park Service is the ultimate decision maker of this Program. The Board tabled until the December meeting.

**d. Park & Recreation Board** - No one in attendance. No report.

**e. Nockamixon Historic Commission-Resignation of Mary Shafer.** Neil Jesiolowski, Chairman, was in attendance. Mary will remain involved, and volunteer when her schedule allows. He will seek members from his volunteer list. **A motion was made by Nancy Alessi, seconded by Albert Santopietro, to accept the resignation of Mary Shafer from the Nockamixon Historic Commission and to send a thank you letter from the Board. The motion carried 4-0-0.**

**ADJOURNMENT:** A motion was made by Albert Santopietro, seconded by Nancy Alessi, to adjourn the Board of Supervisors meeting at 9:50 P.M. The motion carried 4-0-0.

Respectfully submitted,

Arlene E. Eichlin  
Recording Secretary