

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

December 18, 2012

The regularly scheduled meeting for December was held on December 18, 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 Chair	<u>Attorney:</u>
Nancy Alessi	Krista Harper, Esq.
Shannon Doman,	<u>Secretary:</u>
Arrived 7:45 P.M.	Arlene E. Eichlin
<u>Members Absent</u>	<u>Treasurer:</u>
Albert Santopietro	Keith R. DeLuca

SCHEDULING:

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

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

-Todd Stone, President, Gallows Run Watershed Assoc. (GRWA), presented a signed copy of the artist's booklet to Nancy Alessi, the hostess of the annual 'Art for Conservation Show', held at her residence. An artist's booklet was also presented to Nockamixon Township. The 'Future Artist of the Gallows Run' contest was won by Morgan Ramsby, a student at Palisades High School. The watershed honored Jordan B. Yeager, Esq. for his leadership in protecting PA's watershed and for his efforts behind the Township's Act 13 challenge in association with the courageous decision made by the Nockamixon Township Board of Supervisors. He thanked the Board on behalf of the township residents.

-Elsie McHale noted the incorrect day shown on the agenda.

Shannon Doman arrived at 7:45 P.M. during public comment.

MINUTES OF MEETING:

-A motion was made by Nancy Alessi, seconded by Carl Bahnck, to approve the minutes of the November 20, 2012 Board of Supervisors meeting as amended. - remove October 16, 2012 in opening remarks to read November 20, 2012. The motion carried 3-0-1, with Wm. Sadow, Jr., abstaining - he was not in attendance.

REQUEST TO BE ON AGENDA:

a. **James Hayes - Forgiveness of Property Tax Late Fees and Penalties** - Mr. Hayes commented that he would like the Board to consider relieving him of the late fees and penalties incurred on his tax bill. He presented a narrative which included information regarding the Philadelphia tax code and requested that the Board take this under consideration. Krista Harper, Esq. commented that the Township is guided under the "Local Tax Collection Law", a PA statute. Under this statute the Board has no authority to change, alter or waive these charges including interest or penalties. Philadelphia is governed under the law for Cities of the First Class, which we are not.

PUBLIC HEARING:

a. **Adoption - Year 2013 Budget** - Krista Harper, Esq. opened the public hearing at 7:52 P.M. The hearing was advertised in the Intelligencer on November 26, 2012 and posted at the Township Building. There was no public comment. The Budget was available for review. The hearing was closed at 7:54 P.M. - **A motion was made by Nancy Alessi, seconded by Shannon Doman, to approve the 2013 Nockamixon Township Budget. The motion carried 4-0-0.**

STAFF REPORTS:

a. **Public Works Report - November 2012** - A motion was made by Wm. Sadow, Jr., seconded by Nancy Alessi, to approve the November 2012 Public Works Report as presented. The motion carried 4-0-0.

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

December 18, 2012

-Advertise bid for Petroleum Products (Diesel) in the Intelligencer. Under discussion, Keith DeLuca commented that if fuel companies are located on Co-Stars, the Township can accept their prices. He noted that our current supplier has provided the Township with a 1,000 gallon tank to hold diesel fuel, at no charge. If the Township continues with the same supplier, we do not have to advertise. **There was a consensus of the Board to do the bid process through Co-Stars.**

b. Treasurer's Report:

Keith DeLuca gave the report.

-On December 3, 2012 the Treasurer presented the 2013 CDBG grant application to the CDBG Advisory Board. The CDBG Advisory Board's decision is expected in the early part of 2013.

-The treasurer met with representatives of PennDOT in regards to the ARLE grant, which Nockamixon Township received to update the traffic lights LED's. While they agreed with allocating the remaining funds to redo intersection and road line striping on township roads, they requested that crosswalks be applied to the Rt. 611/412 intersection. They also suggested that Nockamixon Township look into the possibility of entering into a winter road agreement with the state.

Under discussion with the Board, it was noted that crosswalks, push buttons and hand/man signals to cross SR611 for the island are on the original plans. However, they would not be needed until the Korman property was developed. The cost to comply would be \$40,000.00. In order to obtain the monies remaining in the ARLE Grant, the township will install the crosswalks. There was a consensus of the Board to have Steve Baluh review the plan.

-ExMark 24 HP KAW Lazer E-Series Comm. Mower w/52" Ultra-Cut Deck -Discussion -
A motion was made by Nancy Alessi, seconded by Wm. Sadow, Jr., to purchase the ExMark 24 HP Lazer E- Series Mower w/52" Ultra-Cut Deck. The motion carried 5-0-0.

-Harris Radios - Keith is awaiting a response from the manufacturer for pricing. He is requesting an out-of-meeting check prior to the end of the year. **A motion was made by Wm. Sadow, Jr., seconded by Nancy Alessi, to purchase two Harris Radios at a cost not to exceed \$8,500.00. The motion carried 4-0-0.**

-Winter Road Agreement - snow removal. Wm. Sadow, Jr. commented that he did not see a problem with receiving payment for winter plowing. However, he is not comfortable taking over road maintenance. There was a consensus of the Board to have the Treasurer review the information. Krista Harper, Esq. commented that if the Township decided to take over snow plowing, liability would be an issue.

-Veteran's Park Dugout Damage - The insurance company paid for damages incurred during Hurricane Sandy. He will contact Tom Keebler regarding the repair.

-Year to date the Building Inspector/Zoning Officer has billed the Township \$56,128.00 and collected \$36,160.00 in fees.

-Bills being presented tonight; from the General Fund, \$31,080.03; Fire & EMS Tax Distribution, \$3,586.07; State Fund, \$3,125.00; Open Space, \$689.00 and from the Escrow Fund, \$226.13.

-Transfers requested tonight: \$689.00 from Open Space to the General Fund

-A motion was made by Wm. Sadow, Jr., seconded by Nancy Alessi, to approve the December 2012 Treasurer's Report as presented. The motion carried 4-0-0.

-A motion was made by Wm. Sadow, Jr., seconded by Carl Bahnck, to approve the December 2012 Bill List as presented. The motion carried 4-0-0.

-A motion was made by Wm. Sadow, Jr., seconded by Carl Bahnck, to approve the transfer of \$689.00 from Open Space to the General Fund. The motion carried 4-0-0.

COMMITTEE ACTION ITEMS: (as needed)

-OSC - Ellen Chapman was in attendance. She commented that the Township closed on the Thomas Property Conservation Easement in November. She gave a Thank You to the Board of Supervisors, Jordan B. Yeager, Esq., Heritage Conservancy, Bucks County,

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

December 18, 2012

the Open Space Committee and the Thomas'. She endorsed the Committee Members who are up for re-appointment.

-EAC - No one in attendance - The EAC has been copied on the Penn E&R Reports. Other action items will be addressed under Old Business.

Nockamixon Historic Commission - The January meeting will be a training session.

SOLICITOR'S REPORT:

a. Gorham property - Update - Krista Harper, Esq. commented that the Township is awaiting a response from Bucks County.

-Wm. Sadow, Jr., requested a consensus of the Board to have the Township Solicitor and Engineer move forward with a report to address the space needs of the Township's liquid and salt storage and the office. He commented that they would revisit Sibre and Shively as well as other alternative properties that meet our requirements. After a lengthy discussion, Nancy Alessi suggested the formation of an ad-hoc committee. Wm. Sadow, Jr. commented that the process should begin with the office and public works staff. There was a consensus of the Board to define Steven Baluh's roll for the process of the needs assessment for the Public Works and Office Staff and then expand to include the Park & Recreation Board and Community needs. Wm. Sadow, Jr. will contact Steve Baluh for further discussion at the January meeting.

-At 8:55 P.M. the Chair, Wm. Sadow, Jr. commented that the Board would meet in Executive Session to discuss Real Estate. The Board returned at 9:10 P.M. after discussing Real Estate. - **A motion was made by Shannon Doman, seconded by Wm. Sadow, Jr., pursuant to a request made by a landowner, known as Project #15, that the Board move forward to the next step in the Open Space Plan to obtain an appraisal for the property for the Board to assess, and possibly move forward with acquiring this property. The motion carried 4-0-0.**

-The Attorney, Krista Harper, left the meeting at 9:10 P.M.

LAND DEVELOPMENT:

a. The Wehrung Group L.P. Land Dev. - Release of LOC #975800303 - Authorization Voucher #1 - \$16,355.00 - payable to Wehrung Group. Wm. Sadow, Jr. commented that cash has been received from the applicant to offset bills incurred during the land development. **A motion was made by Nancy Alessi, seconded by Wm. Sadow, Jr., to release LOC #975800303, Authorization Voucher #1 in the amount of \$16,335.00 payable to Wehrung Group L.P. The motion carried 4-0-0.**

OLD BUSINESS:

a. Hidden Valley - Update - Arlene commented that the Engineer, Steve Baluh confirmed that there has been no response from Bucks County.

b. Revere Chemical Site - Update - Wynn letter of 11/30/2012 - Storm damage has been addressed.

c. OSC - Grant Letter of Support - Heritage Conservancy - No update

d. Bucks County Bicycle Plan - Discussion - Shannon Doman reviewed the B. C. Bicycle Plan and noted that it focuses mainly on Central and Lower Bucks County. There is no impact on Nockamixon Township due to the type of roads in this area.

e. Quarry - Storm Inspection Response - Hanson - Correspondence has been received from Hanson advising of their plans to repair damage caused by Hurricane Sandy.

-Lonely Cottage Bridge over Beaver Creek - BMS#09-7217-0467-0002 - Bridgeton Township Response. The Board discussed correspondence dated December 14, 2012 from Bridgeton which included concerns about billing and possible duplicate charges. It was noted that this bridge is currently on a replacement list or it will be closed by PennDOT. Keith DeLuca commented that he believes there is a breakdown of communication between the Townships and requested permission from the Board to attend their next regular Board meeting. The Board approved. Nancy Alessi and Carl

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

December 18, 2012

Bahnck commented that they would also attend. Arlene will make copies of paperwork previously sent to Bridgeton and confirm meeting date.

NEW BUSINESS:

a. **Permission for Secretary to advertise the 2013 Reorganization meetings: Board of Supervisors, Monday, January 7, 2013 @ 7:30 P.M.; Planning Commission, Tuesday, January 8, 2013 @ 7:30 P.M.; Elected Township Auditors, Tuesday, January 8, 2013 @ 6:30 P.M.; Zoning Hearing Board, Wednesday, January 9, 2012 @ 7:00 P.M. and to attend the Auditors and ZHB meetings - A motion was made by Nancy Alessi, seconded by Carl Bahnck, to grant permission for the Secretary to advertise the 2013 Reorganization meetings as noted above and to attend the Auditors and ZHB meetings. The motion carried 4-0-0.**

b. **Permission for Secretary to advertise Board/PC and Committee Meetings for 2013 - A motion was made by Nancy Alessi, seconded by Carl Bahnck, to grant permission for the Secretary to advertise Board/PC and Committee Meetings for 2013. The motion carried 4-0-0.**

c. **PSATS Conference - April 21-24, 2013 - Attendees.** Wm. Sadow, Jr. commented that he would attend the Conference. If he is unable to attend, Nancy Alessi or Shannon Doman commented that they would attend. **A motion was made by Wm. Sadow, Jr., seconded by Nancy Alessi, to approve a check in an amount not to exceed \$500.00 for registration for the PSATS Convention. The motion carried 4-0-0.**

Addendum:

-BCATO - Annual Convention - Saturday, February 2, 2013 - Attendees - no attendees

-PA Farm Show Public Officials Day - Thursday, January 10, 2013 - Attendees

No Attendees.

COMMITTEE REPORTS:

a. **Zoning Report -2013 Fee Schedule - Zoning Officer Recommendations - Review.** Information was received from the Zoning Officer, Kip Clayton, requesting that the Board consider enacting fees that would create levels for the value of the job and set a fee for each. The Board commented that they would revisit in January and, in the meantime, talk with the Zoning Officer. - Carl Bahnck will provide a call list of four electrical inspectors. - A resident on Buck Drive constructed an open shed without a permit. The Board gave the Zoning Officer permission to move forward with a 'cease and desist' letter to the resident. **A motion was made by Wm. Sadow, Jr., seconded by Shannon Doman, to accept the December Zoning Report as presented, with the exception of the fee schedule additions. It will be discussed at the January Board meeting, they will not accept at this time. Board permission was given to move forward with the Parciak enforcement. The motion carried 4-0-0.**

b. **Emergency Management - Thank you letters - acknowledge Rep. Quinn (TV/Monitor) - uniforms - Thomas Macfarlan, EOC, was in attendance. - Tom discussed the thank you letter that will be sent to all those who participated during the Hurricane Sandy event. The Board approved the letter as presented. He requested that the Township send an announcement/letter, acknowledging Rep. Marguerite Quinn's donation to both Penny Power and B.C. Herald. The Board approved. Tom noted that EMA was activated for 13 days; it included 13 members who worked a total of 700 man hours. His report was followed by a round of applause. Wm. Sadow, Jr. commented that Arlene and Keith as well as the Public Works Department assisted EMA with additional communications and road issues. He noted the response went smoothly considering the magnitude of the event.**

c. **Environmental Advisory Committee - change of meeting dates - No members in attendance.**

d. **BNT Ground Water Committee - Todd Stone was in attendance. He noted that after the annual meeting with the Board of Supervisors held in November, there was a consensus of the participants to hold another. They would like to invite Board**

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

December 18, 2012

members who were unable to attend as well as EAC's and Planning Commissions. He requested a consensus of the Board to hold the meeting at the Nockamixon Municipal Building. There was a consensus of the Board to hold the meeting, tentatively scheduled for Spring 2013.

e. Open Space Committee - Discussed earlier.

d. Park & Recreation Board - No members in attendance.

e. Nockamixon Historic Commission - Discussed earlier in the meeting.

ADJOURNMENT: A motion was made by Nancy Alessi, seconded by Wm. Sadow, Jr., to adjourn the Board of Supervisors meeting at 10:23 P.M. The motion carried 4-0-0.

Respectfully submitted,

Arlene E. Eichlin
Recording Secretary