

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

May 16, 2013

The regularly scheduled meeting for April was held on Thursday, April 18, 2013 in the Township Building in Ferndale, PA. Chairman, Wm. C. Sadow, Jr. opened the meeting at 7:35 P.M. with a salute to the flag.

Other Members Present:

Carl Bahnck, Vice-Chair
Nancy Alessi
Shannon L. Doman
Member Absent:
Albert Santopietro

Others in attendance:

Attorney:
Jordan B. Yeager, Esq.
Secretary:
Arlene E. Eichlin
Treasurer:
Keith R. DeLuca

SCHEDULING:

-The schedule for the month was reviewed by Chairman, Wm. C. Sadow, Jr.
-The Board cancelled their Work Session for Thursday, May 23, 2013 due to lack of agenda items.

MINUTES OF MEETING:

-A motion was made by Carl Bahnck, seconded by Nancy Alessi, to approve the minutes of the April 18, 2013 Board of Supervisors meeting as presented. The motion carried 4-0-0.

-A motion was made by Carl Bahnck, seconded by Nancy Alessi, to approve the minutes of the Work Session of March 28, 2013 Board of Supervisors meeting as presented. The motion carried 4-0-0.

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

-**Elsie McHale** commented that Quakertown is considering building a park next to the Michener Library on a Superfund site. She wanted to know if the Township would consider building a library on the Revere Superfund site. Nancy Alessi commented that there are restrictions (EPA Environmental Covenant) in place which indicate how the land can be used. It was noted that not all brownfield sites are developable. The discussion continued regarding other properties owned by the Township and their lack of accessibility.

-BNT GWMC member, **Steven Donovan** discussed the upcoming meeting on Wednesday, May 29, 2013 and wanted to be sure that our committees as well as surrounding Township's Board members, Planning Commissions, EAC and Open Space Committees are notified. Nancy Alessi requested that a memo be sent to Arlene for distribution.

REQUEST TO BE ON AGENDA:

a. **B.C. Commission Robert Loughery** - Commissioner Robert Loughery was in attendance and updated the Board and residents on various County projects; including, but not limited to: the reduction of buildings currently owned or leased, Open Space and Agricultural Preservation acquisitions, 2015 Radio upgrade, Economic Development issues and assistance for same and the maintenance of 114 bridges. Nancy Alessi commented that the County employees have been a pleasure to work with especially Kris Kern the Open Space Coordinator of the B.C. Planning Commission and Scott Forrester of B.C. Emergency Management. Commissioner Loughery fielded questions regarding Hidden Valley and commented that he would research and address the EAC's concerns. It was suggested that the EAC draft a letter to send to the Commissioners. The Board thanked Commissioner Loughery for being on site during the Hurricane Sandy event.

PUBLIC HEARING:

Amend Chapter 168 - Proposed Sewage Maintenance Ordinance - The Solicitor opened the hearing at 8:10 P.M. - The Solicitor opened the public hearing at 8:10 P.M. It

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

May 16, 2013

was advertised in the Intelligencer on May 8, 201, posted at the Township Building May 1, 2013 and made available for public review. The Planning Commission recommended approval at their May 7, 2013 meeting. It is now before the Board for consideration. **A motion was made by Nancy Alessi, seconded by Shannon Doman, to close the hearing at 8:11 P.M. The motion carried 4-0-0.**

-A motion was made by Nancy Alessi, seconded by Shannon Doman, to approve Ordinance #147 to Amend Chapter 168 for the proposed sewage maintenance. The motion carried 4-0-0.

STAFF REPORTS:

a. Public Works Report, April 2013 - A motion was made by Wm. C. Sadow, Jr., seconded by Carl Bahnck, to approve the April 2013 Public Works Report as presented. The motion carried 4-0-0.

-Keith advised the Board that George Housworth noted the padding on top of the fence surrounding the baseball fields is deteriorating. George asked that the Board consider purchasing new padding. Wm. Sadow, Jr. commented that three bids should be obtained. Keith will locate companies on Co-Stars.

-Wm. Sadow, Jr. commented that the Rock Ridge Bridge repairs are near completion.

- Detour Plan - Emergency Repairs to B.C. Bridge No. 224 - Kintner Rd. over Gallows Run-concurrence for use of Township Roads.

- Detour Plan - Emergency Repairs to B.C. Bridge No. 221 - Traugers Crossing Road over Gallows Run-concurrence for use of Township Road.

There was a consensus of the Board to have the Secretary send a letter to Carroll Engineering Corp. approving the use of Township roads during emergency repairs to B.C. Bridge No. 224 and No. 221.

b. Treasurer's Report:

Keith DeLuca gave the report.

-Nockamixon Township's annual audit is scheduled for Thursday and Friday, May 23rd and 24th and will be performed by Hutchinson, Gillahan and Freeh. It was noted that a Work Session is scheduled for May 23rd, the Board cancelled.

-The FEMA project worksheets have been completed and signed. Nockamixon Township is requesting reimbursement in the amount of \$15,000.00 for clean-up following Hurricane Sandy.

-Language was added to the Nockamixon Township's "Declaration of Disaster Emergency" at the request of FEMA and PEMA to include "and designate the Nockamixon Township Building as an Emergency Operations Center", as per Section 7501 of the Pennsylvania Emergency Management Services Code (35 PA C.S., Section 7501) for future emergencies when the Township building becomes the central EOC for the neighboring communities.

-Keith scheduled vacation for the week of June 17th, which coincides with the June BOS meeting and consequently unable to attend. Therefore all reports and checks will be prepared beforehand and made available for the meeting. Keith commented that since it is Arlene's last meeting and he enjoyed working with her and will miss her. Arlene commented that she enjoyed working with him and the challenges of the Township.

-Bills being presented to the Board tonight are; from the General Fund, \$18,288.47; Fire & EMS Tax Distributions, \$83,189.55; State Fund, \$2,083.37; Recreation Fund \$75.00 and from the Escrow Fund, \$1,017.08.

-Transfers being presented tonight; Recreation Fund to General Fund, \$75.00 and from the General Fund to the High Yield Fund, \$100,000.00

-A motion was made by Wm. C. Sadow, Jr., seconded by Nancy Alessi, to approve the May 2013 Treasurer's Report as presented. The motion carried 4-0-0.

-A motion was made by Wm. C. Sadow, Jr., seconded by Shannon Doman, to transfer \$75.00 from the Recreation Fund to the General Fund, and from the General Fund to High Yield Fund, \$100,000.00. The motion carried 4-0-0.

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

May 16, 2013

-A motion was made by Wm. C. Sadow, Jr., seconded by Nancy Alessi, to approve the April 2013 Bill List as presented. The motion carried 4-0-0.

COMMITTEE ACTION ITEMS: (as needed)

-**N.T. Emergency Management Agency** - requested a check for \$75.00 to cover the cost of recent CPR Classes, and paid to the order of Ottsville Volunteer Fire Company (OVFC). A motion was made by Nancy Alessi, seconded by Wm. C. Sadow, Jr., to issue a check in the amount of \$75.00 to OVFC to cover the cost of CPR classes for N.T. Emergency Management Agency. The motion carried 4-0-0.

-**OSC - Ellen Chapman, Co-Chair**, requested updated financial information from Keith DeLuca. The Board will meet with the OSC at their July 25, 2013 Work Session.

SOLICITOR'S REPORT:

a. Consideration - Request from PMRS to Amend Pension Plan - Authorize Advertisement of Ordinance. Correspondence was received recently and is before the Board for consideration to advertise. A motion was made by Nancy Alessi, seconded by Shannon Doman, to authorize the solicitor to advertise the proposed ordinance to adopt the amended pension plan with PMRS. The motion carried 4-0-0.

b. Temporary Community Events draft ordinance revisions - Discussion - The Board previously authorized a public hearing for the June 20, 2013 meeting. Upon receipt of reviews from the Bucks County and Nockamixon Township Planning Commissions including, but not limited to the following recommendations: adding definitions, ease requirements contemplated by permitting events in all Zoning Districts by right; the number of attendees required by the ordinance for private (non-profit) and commercial (for-profit) events. - The Solicitor commented that the revised draft ordinance is before the Board and do you want to authorize the advertisement of the revised draft in place of the previously approved draft, or does the Board want to make revisions to the revised draft. Revisions he heard include increasing the hours 11:00 P.M. to 12:00 A.M. and change the non-profit to large non-profit events. Wm. C. Sadow, Jr. entertained that as his motion, seconded by Shannon Doman. The motion carried 4-0-0.

SUBDIVISION:

a. Manwaring, Kelley, Piscatore-Lot Line Adjustment - TMP# 30-13-15; -16 and -17 - Preliminary-Final Approval - Dennis Litzenberger, Surveyor and the applicant, Christopher Manwaring were in attendance. The plan was reviewed at the Nockamixon Township Planning Commission at their May 7, 2013 meeting and recommended for approval. A letter has been received from B.C. Planning Commission, also. The applicant will be purchasing 0.7/acre of land from his neighbor in order to be in compliance with his driveway. Existing buildings will be removed. Dennis Litzenberger and the Board reviewed the Wynn Letter of May 10, 2013:

Item #1: Completed - Clarify location of the proposed 26'x40' building.

Item #2: Waivers for Subdivision Ordinances requirements were received from the Planning Commission. No fee in-lieu of needed; no additional building lots.

Item #3: Completed - certification of property monuments installation.

Item #4: Satisfactory - Ultimate r-o-w (Manwaring & Kelley) is offered for dedication to the Township.

Item #5: Completed - Deed of Consolidation

The applicant is seeking preliminary/final approval from the Board of Supervisors. A motion was made by Carl Bahnck, seconded by Nancy Alessi, to approve the lot line adjustment for the Manwaring/Kelley/Piscator for preliminary/final approval for TMP# 30-13-15, -16 and -17 and subject to conditions of the Wynn Associates letter of May 10, 2013. The motion carried 4-0-0.

The Solicitor commented that the Board could entertain a motion to approve the requested waivers based on the recommendation of the Planning Commission. Nancy

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

May 16, 2013

Alessi entertained that as her motion, seconded by Wm. C. Sadow, Jr. The motion carried 4-0-0.

At 9:00 P.M., Wm. C. Sadow, Jr. commented that the Board would hold an Executive Session to discuss Real Estate and Personnel. At 9:55 P.M., the Board returned from Executive Session after discussing Real Estate and Personnel.

-A motion was made by Wm. C. Sadow, Jr., seconded by Nancy Alessi, to authorize the Solicitor to enter into an agreement to renegotiate the terms of the easement of the Gorham property and to make it consistent with the current standard format. The motion carried 4-0-0.

LAND DEVELOPMENT:

a. Harrow Station, LLC - LOC#976376999 - First Savings Bank - will expire 06/17/2013. The Solicitor commented that the Board previously authorized the Solicitor to draw on the LOC for the Harrow Station carwash at a previous meeting, if needed. The Engineer, Steve Baluh, has been in contact with Glenn Neebe and requested that he contact the bank for an extension. As of this date there has been no response. He recommended that the Township wait until the first week of June and then proceed with their previous direction. The Solicitor left the meeting at 10:05 P.M.

OLD BUSINESS:

a. Hidden Valley - Update - There has been no response from Bucks County.
b. Cabot Revere Site - Update - No additional information received from Cabot.
c. Appointment - Liaison to Lower Delaware Wild & Scenic (River Task Force) - Discussion - Maureen Purcell, PC Member. Wm. C. Sadow, Jr. commented that Ms. Purcell volunteered to become the liaison for the River Task Force. A motion was made by Nancy Alessi, seconded by Shannon Doman, to appoint Planning Commission member Maureen Purcell liaison to the Lower Delaware Wild & Scenic (River Task Force). The motion carried 4-0-0.

NEW BUSINESS:

a. Central Bucks Bicycle Club Covered Bridge Ride - Sunday, October 20, 2013 - Acknowledgement of Board - There was a consensus of the Board for the Secretary, Arlene Eichlin, to send a letter to the Central Bucks Bicycle Club acknowledging their presence in the Township on October 20, 2013.
b. Nock. Bucks Industrial & Commercial Dev. - Appointment of Successor to Austin W. Race. Discussion to advertise. There was a consensus of the Board to advertise for appointment to this vacancy at the 2014 Organization meeting in January.
c. Clean-Up Day-Update - Request to send out thank you letters for donations. There was a consensus of the Board to have the Secretary send out thank you letters for those companies and/or residents who made a donation for Clean-Up Day.

Addendum:

d. Replacement for Secretary - A motion was made by Carl Bahnck, seconded by Wm. C. Sadow, Jr., to hire Heather DiSario at a rate of \$16.70/hour. The other applicants will be contacted by Keith DeLuca.
e. Committee appointment for Met-Ed - A motion was made by Nancy Alessi, seconded by Wm. C. Sadow, Jr., to appoint Tom Macfarlan as Nockamixon Township's representative to the Met-Ed Community Relations Group with Supervisors Nancy Alessi and Wm. C. Sadow, Jr. as alternates. The motion carried 4-0-0.
-A motion was made by Nancy Alessi, seconded by Carl Bahnck, that any unused vacation days available for Arlene Eichlin until her last day of work, shall be paid. The motion carried 4-0-0.

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

May 16, 2013

-A motion was made by Wm. C. Sadow, Jr., seconded by Nancy Alessi, to release Voucher #2 for \$5,700.00, payable to Eastern Oak Tree Service.

The motion carried 4-0-0.

-Berkheimer's request was tabled until the June Board meeting.

COMMITTEE REPORTS:

a. Zoning Report - The Zoning Officer was not in attendance. A motion was made by Wm. C. Sadow, Jr., seconded by Nancy Alessi, to approve the May Zoning Report as presented. Under discussion, the Board requested that property addresses be included in the report. Nancy Alessi or Carl Bahnck will contact the Zoning Officer. Nancy Alessi commented that, currently, the Township has open-ended business licenses and asked that the Board address this issue. The Board requested the C. Clayton review current ordinances and advise Board of findings. **The motion carried 4-0-0.**

b. Emergency Management - Discussed earlier in meeting.

b. Environmental Advisory Committee - No Report - they held no May meeting.

d. BNT Ground Water Committee - Member Steven Donovan was in attendance.

e. Open Space Committee - Executive Session - Real Estate.

f. Park & Recreation Board - Discussed earlier in meeting.

g. Nockamixon Historic Commission - No report - no members in attendance.

ADJOURNMENT: A motion was made by Nancy Alessi, seconded by Carl Bahnck, to adjourn the Board of Supervisors meeting at 10:22 P.M. The motion carried 4-0-0.

Respectfully submitted,

Arlene E. Eichlin
Recording Secretary