

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

June 20, 2013

The regularly scheduled meeting for June was held on Thursday, June 20, 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.

<b>Other Members Present:</b>	<b>Others in attendance:</b>
Carl Bahnck, Vice-Chair	<u>Attorney:</u>
Nancy Alessi	Jordan B. Yeager, Esq.
Shannon L. Doman	<u>Secretary:</u>
Member Absent:	Arlene E. Eichlin
Albert Santopietro	<u>Secretary-in-Training</u>
<u>Absent:</u>	Heather DiSario
Keith DeLuca, Treasurer	

**SCHEDULING:**

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

**MINUTES OF MEETING:**

-A motion was made by Nancy Alessi, seconded by Wm. C. Sadow, Jr., to approve the minutes of the May 16, 2013 Board of Supervisors meeting as presented. The motion carried 4-0-1, with Albert Santopietro abstaining. He did not attend the meeting.

-A motion was made by Nancy Alessi, seconded by Carl Bahnck, to approve the minutes of the Work Session of April 25, 2013 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 minutes of the June 6, 2013 Board of Supervisors Special Meeting as presented. The motion carried 5-0-0.

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

In-lieu of public comment, the Board surprised the outgoing Secretary, Arlene Eichlin, with a celebration of her retirement. Wm. C. Sadow, Jr., commented that she would be missed by the Board and was a great asset to the Township. He introduced the new Secretary, Heather DiSario, to the audience. The Board presented Arlene with a 'Certificate of Appreciation', flowers and a cake. They wished her the best in her retirement. She also received a Citation from Rep. Marguerite Quinn which was read by Nancy Alessi. After a round of applause, everyone shared the cake.

**REQUEST TO BE ON AGENDA:**

a. Sean Hutchinson & Jennifer McChesney - Street water following property - Byers Road. The residents were not in attendance.

**PUBLIC HEARING:**

a. **Proposed Ordinance - Temporary Community Events** - The Solicitor opened the public hearing at 8:06 P.M. for the Temporary Community Events. The ordinance was approved for advertisement in April for consideration at this meeting. The Bucks County and Township Planning Commissions made several recommendations and the proposed ordinance was revised. The Board considered these revisions at their May 2013 meeting and voted to advertise same, and they were sent to the Bucks County and Township Planning Commissions once again. The following definitions were revised: Temporary Community Event, Large Temporary Community Event (200+), Commercial Temporary Community Event (money collected), Large Non-Commercial Temporary Community Event and Local Non-Profit Entity. Local Non-Profit and events under 200 people are exempt from the permitting requirements. It was advertised in the Intelligencer on June 12, 2013, posted at the Township Building May 27, 2013 and made available for public review. The Township received an approval letter from Bucks County Planning Commission dated June 5, 2013. In response to questions

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from Nancy Alessi and Todd Stone, a graduation party of 50 and wedding party of 200 persons, would not require a permit. The public hearing was closed at 8:12 P.M. The Solicitor commented that this ordinance being duly advertised, public notice given pursuant to the Municipalities Planning Code and reviewed by the Planning Commissions is now before the Board for consideration. If the Board is so inclined it may entertain a motion to approve the proposed ordinance as advertised with one change in the definition section. Temporary Community Event would be defined to read: 'a temporary activity with greater than fifty (50) attendees that is not otherwise permitted as part of the principal use of the property where the event would be located'.

**-A motion was made by Nancy Alessi, seconded by Albert Santopietro, to approve the amended ordinance revising the regulation of Temporary Community Events (Ordinance #148). The motion carried 5-0-0.**

**b. Proposed Ordinance to Adopt Amended Pension Plan for PMRS** - The Solicitor opened the public hearing at 8:15 P.M. to adopt the Amended Pension Plan for PMRS. This is the State sponsored entity that administers municipal pensions including Nockamixon Township's. When changes are made to the plan by PMRS, the state requires municipalities to sign a new agreement and pass ordinances to comply. The Solicitor has reviewed the revisions to the contract and could find no significant changes, just clarification of the plan. The proposed ordinance has been advertised and notice has been given as required by the Second Class Township Code. He opened the floor to public comment. Hearing none, the hearing was closed at 8:17 P.M. The Solicitor commented that the ordinance is before the Board for consideration and if you are so included could entertain a motion to adopt the proposed ordinance to amend the pension plan administered by PMRS. **A motion was made by Nancy Alessi, seconded by Carl Bahnck, to amend the pension plan administered by PMRS. (Ordinance #149). The motion carried 5-0-0.**

**STAFF REPORTS:**

**a. Public Works Report, April 2013** - A motion was made by Albert Santopietro, seconded by Wm. C. Sadow, Jr., to approve the May 2013 Public Works Report as presented. The motion carried 5-0-0.

**-Permission for Treasurer to obtain bids for aggregates and bituminous materials through Co-Stars** - A motion was made by Carl Bahnck, seconded by Albert Santopietro, to grant permission to the Treasurer to obtain bids for aggregates and bituminous materials through Co-Stars. The motion carried 5-0-0.

**b. Treasurer's Report**

William C. Sadow, Jr. read the Treasurer's Report

-Nockamixon Township's annual audit was completed on Friday, May 24, 2013. This year's audit was completed in just one and half days.

-Nockamixon Township received Hanson's quarry permit check in the amount of \$9,982.50.

-Request for reimbursement for the LED's and road striping have been submitted to the State through the ARLE Grant. Amount to be reimbursed is \$9,532.20

-Bills being presented to the Board tonight are: from the General Fund, \$25,401.07; Fire & EMS Tax Distributions, \$2,147.22; State Fund, \$2,083.37; Recreation Fund \$92.00 and from the Escrow Fund, \$1,270.80.

-Transfers being presented tonight; Recreation Fund to General Fund, \$92.00

**-A motion was made by Wm. C. Sadow, Jr., seconded by Nancy Alessi, to approve the June 2013 Treasurer's Report as presented. The motion carried 5-0-0.**

**-A motion was made by Wm. C. Sadow, Jr., seconded by Nancy Alessi, to transfer from the Recreation Fund to the General Fund, \$92.00. The motion carried 5-0-0.**

**-A motion was made by Wm. C. Sadow, Jr., seconded by Nancy Alessi, to approve the June 2013 Bill List as presented. The motion carried 5-0-0.**

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

**EAC - Jeff Petersen, Chair, was in attendance.** Cabot Corp. Covenant concerns that have not been addressed by Cabot were discussed with the Board. It was decided that a draft letter would be sent to the Solicitor for review and upon approval forward to Cabot. Jeff commented that the EAC would miss Arlene.

**OSC - Sancu Tenney, Co-Chair.** The Board will meet with the OSC in July. Sancu commented that the OSC extends their immense gratitude and thanks to Arlene for her assistance.

**SOLICITOR'S REPORT:**

**a. Harrow Station Letter of Credit (LOC) -** The Solicitor commented that the Board had previously granted authorization to draw on the Letter Of Credit for Harrow Station. He noted that there has been no extension granted by the applicant or the bank and the Township has done a draw-down. The money will be placed into escrow to be used for the completion of improvements.

**SUBDIVISION:**

**a. Manwaring, Kelley, Piscatore - TMP# 30-13-15; -16 and -17 - Requesting Waiver** - the applicant, Chris Manwaring was in attendance. He commented that he is requesting a waiver from Section 196-506 of the Nockamixon Township SALDO in regard to the Ultimate Right-of-Way area along Marienstein Road being accepted as an easement area by Nockamixon Township. It was noted that this is a lot-line change, not a subdivision. He is acquiring the land in order to bring his lot into compliance. The Board commented that Steve Baluh, Township Engineer had no problem with granting the waiver. **The Solicitor suggested that the Board grant the waiver subject to the Township Engineer identifying the proper notation on the plans to protect the Township's interest.** Nancy Alessi entertained that as her motion, seconded by Albert Santopietro. The motion carried 5-0-0.

At 8:40 P.M., Wm. C. Sadow, Jr. commented that the Board would meet in Executive Session to discuss Litigation. At 9:15 P.M., the Board returned from Executive Session after discussing Real Estate and Litigation.

-A motion was made by Nancy Alessi, seconded by Shannon Doman, that a joint Municipality Preservation Committee be formed with a mission that when appropriate undertake the feasibility of mutually beneficial preservation projects. The motion carried 3-1-1 with Albert Santopietro voting nay and Wm. C. Sadow, Jr. abstaining.

**LAND DEVELOPMENT:**

**a. Wehrung's Phase II L/D TMP# 30-10-35 - grants extension to 09/30/2013.** A motion was made by Nancy Alessi, seconded by Albert Santopietro, to grant an extension to Wehrung's Phase II L/D, TMP# 30-10-35 until 9/30/2013. The motion carried 5-0-0.

The Solicitor left the meeting at 9:15 P.M.

**OLD BUSINESS:**

**a. Cabot Revere Site - Update -** No additional information received from Cabot. Discussed earlier in the meeting.

**NEW BUSINESS:**

**a. Berkheimer Tax Administrator - Resolution to Retain as the Exclusive Tax Collector for Collection of Delinquent Taxes. -** A motion was made by Nancy Alessi, seconded by Wm. C. Sadow, Jr., to retain Berkheimer Tax Administrator as the Exclusive Tax Collector for Collection of Delinquent Taxes (Resolution #6-20-2013). The motion carried 4-1-0, with Albert Santopietro voting nay.

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b. Berkheimer Tax Administrator - Resolution to Impose and Retain Costs of Collection on Delinquent Taxes. - A motion was made by Nancy Alessi, seconded by Carl Bahnck, to approve Berkheimer Tax Administrator to Impose and Retain Costs of Collection of Delinquent Taxes. (Resolution #6-20-2013A).

The motion carried 4-1-0, with Albert Santopietro voting nay.

c. Berkheimer Tax Administrator - Resolution to Appoint a Liaison - A motion was made by Nancy Alessi, seconded by Carl Bahnck, to appoint the person as the liaison and alternate as designated in the Township Reorganization meeting of January 7, 2013. The Secretary will review the minutes. (Resolution #6-20-2013B) The motion carried 5-0-0. It was noted that Wm. C. Sadow, Jr. with Keith DeLuca as alternate are the designees.

d. Agreement between Berkheimer Tax Administrators and Nockamixon Township. - -A motion was made by Nancy Alessi, seconded by Carl Bahnck, to approve the agreement between Berkheimer Tax Administrators and Nockamixon Township.

The motion carried 5-0-0.

e. Postal Service - June 26, 2013 at 3:00 P.M. meeting to determine future of Ferndale P.O. - Permission to attend. There was a consensus of the Board to have the Secretary, Arlene Eichlin, attend the meeting.

COMMITTEE REPORTS:

a. Zoning Report - The Zoning Officer was not in attendance. A motion was made by Wm. C. Sadow, Jr., seconded by Albert Santopietro, to approve the June Zoning Report as presented. The motion carried 5-0-0.

b. Emergency Management - No one in attendance.

b. Environmental Advisory Committee - discussed earlier in meeting.

d. BNT Ground Water Committee - Todd Stone left the meeting, no report.

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

f. Park & Recreation Board - No one in attendance. No Report

g. Nockamixon Historic Commission - Nancy Alessi commented that historical information was given to the Commission by Helen Nast's family members.

ADJOURNMENT: A motion was made by Nancy Alessi, seconded by Shannon Doman, to adjourn the Board of Supervisors meeting at 9:30 P.M. The motion carried 5-0-0.

Respectfully submitted,

Arlene E. Eichlin  
Recording Secretary