

MINUTES OF NOCKAMIXON TOWNSHIP BOARD OF SUPERVISORS

March 17, 2016

The regularly scheduled meeting for March was held on Thursday, March 17, 2016 in the Township Building in Ferndale, PA. Chairman, William C. Sadow, Jr. opened the meeting at 7:30 P.M. with a salute to the flag.

Members Present:

William C. Sadow, Jr., Chair
Carl Bahnck, Vice-Chair
Nancy Alessi
Frank Ganiszewski
Shannon Doman

Others in attendance:

Attorney:
Jordan B. Yeager, Esq.

Treasurer:
Keith DeLuca
Secretary:
Heather DiSario

SCHEDULING:

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

MINUTES OF MEETING:

A motion was made by F. Ganiszewski, seconded by N. Alessi, to approve the minutes of the February 18, 2016 Board of Supervisors meeting as presented. The motion carried 5-0-0.

PUBLIC COMMENT:

Bill Shick, Ottsville Fire Company Chief stated that the fire station has opened. A new ladder truck has been ordered to replace the current one, which is not equipped with a pump or water. Engine 94 Class A pumper and the Special Service utility truck will be housed at the new station.

PUBLIC HEARING:

a. Turkey Hill Conditional Use Hearing - The hearing opened at 7:37 p.m. George Dager, attorney and Paul Dietz, project engineer, appeared for the applicant. The property was posted and advertised, and was recommended for approval by the Township Planning Commission. No individuals participated in a party status for the hearing.

Mr. Daeger explained that the proposal calls for installation of four new tanks at 9,300 gallons each, and two additional pump stations with a canopy extension. No other changes are being proposed. The applicant will be providing the adequate foam or dry chemical for extinguishing fires. There are alarms if there is any leaking of fuel from the inner tank or water leaking from the outside in. Mr. Dietz noted he received a copy of the signed and stamped geologic letter verifying the existing geological information is correct on the plan, as part of a condition of approval recommended by the Township Planning Commission. Mr. Dietz explained that the old tanks will be closed in accordance with DEP regulations. The hearing closed at 7:56 pm.

A motion was made by N. Alessi, seconded by C. Bahnck, to grant approval of the Turkey Hill Conditional Use Application on the condition that the project is carried out and the use conducted in a manner consistent with the application, testimony, evidence and the representations of the applicant and it's representative at tonight's hearing; on the condition of the receipt of all permits and approvals from any agencies having jurisdiction; that the applicant pays all Township expenses related to the application, and the applicant comply with the rules and regulations and ordinances of the Township, Commonwealth, the United States, and particularly the Township Zoning Ordinance, SALDO,

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unless otherwise waived. The applicant agrees to these conditions. The motion carried 5-0-0.

b. Project #26-1 Comly - The hearing opened at 8:00 p.m. The property, located at 8831 Easton Road in Revere TMP# 30-11-202-006, owner Joan H. Comly, 11 acres, is up for consideration for purchase by the Township at \$337,000.00 for open space and park and recreation purposes. This hearing has been advertised and posted as required. The Township would use EIT funds to purchase the property consistent with state law. It was explained the property will not be used for residential purposes and only used in a manner consistent with the Township's Open Space and Park & Recreation plans. **A motion was made by F. Ganiszewski, seconded by N. Alessi, to approve the Resolution #3-17-2016-1. The motion carried 5-0-0.**

c. Resolution for condemnation - The hearing opened at 8:27 p.m. J. Yeager explained that a deed in-lieu-of condemnation is a way of transferring the deed to avoid transfer tax. The ordinance has been advertised and posted as required. The hearing closed at 8:30 pm. **A motion was made by S. Doman, seconded by N. Alessi, to enact Ordinance #158. The motion carried 5-0-0.**

d. Project #26-2 - Shively - The hearing opened at 8:33 pm. The property is located at 8708 Easton Road TMP# 30-11-143, owner Estate of Mary Shivley. The proposal was advertised and posted as required. This acquisition does not require the use of township funds in the acquisition itself. The entire parcel is 19.05 acres. The proposal is that Liberty Propane will be purchasing the property, and as part of the subdivision, Lot 2 consisting of 13.19 acres would be owned by Liberty Propane and Lot 1, consisting of 5.078 acres would be donated to the Township. A portion would be utilized for open space recreation purposes and the 5 acre parcel would be utilized for general township purposes such as road salt storage and other non\open space municipal uses. The hearing closed at 8:40 p.m. **A motion was made by N. Alessi, seconded by C. Bahnck, to adopt Resolution #3-17-2016-2, entering into a contingent agreement of sale for the acquisition of certain lands owned by the Estate of Mary Shively for general Township purposes. The motion carried 5-0-0.**

STAFF REPORTS:

a. Public Works Report - February 2016

A motion was made by B. Sadow, seconded by F. Ganiszewski, to accept the road report as represented. The motion carried 4-0-1, C. Bahnck absent for the vote.

b. Treasurer's Report:

Keith DeLuca gave the report.

The CoStars salt contract for 2016-2017 has been submitted. This year the Township is requesting a one-time load of 250 tons.

The Township received notice that the liquid fuel payment was deposited into the State Fund in the amount of \$174,676.41. In light of this year's payment and the fact that the Township has three payments left on the dump truck, it was decided to pay off the truck in this month's installment. The final payment is \$6,033.87.

The County has approved the 2015 CDBG Grant for the Eastern Upper Bucks Senior Center. The 2016 CDBG grant application is now open and due March 24.

The fee schedule will be discussed at the upcoming work session on March 24.

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Bills being presented tonight: from the General Fund, \$34,135.06; State Fund, \$12,196.82; Escrow Fund, \$1,384.51.

Transfers requested tonight: \$2,300.00 from Open Space to the General Fund and \$437.11 from the Road Improvement Fund to the Developers Escrow Fund.

A motion was made by B. Sadow, seconded by C. Bahnck, to approve the March 2016 Treasurer's Report as presented. The motion carried 5-0-0.

A motion was made by B. Sadow, seconded by N. Alessi, to transfer \$2300.00 from Open Space Fund to the General Fund. The motion carried 5-0-0.

A motion was made by B. Sadow, seconded by N. Alessi, to transfer \$437.11 from the Road Improvement Fund to the Developers Escrow Fund. The motion carried 5-0-0.

A motion was made by B. Sadow, seconded N. Alessi, to approve the Bill List as presented. The motion carried 5-0-0.

c. Zoning Report-

A motion was made by C. Bahnck, seconded by F. Ganiszewski, to approve the March 2016 Zoning Report as presented. The motion carried 5-0-0.

COMMITTEE ACTION ITEMS: **EAC - Clean-Up Day** - C. Bahnck volunteered to handle the money for the tire collection. Dumpsters from 611 Metals will be at the Township Building and they will send a list of acceptable items and loading procedures through email. No TVs are being collected, only appliances.

The status of the Cabot thank-you letter will be looked into.

SOLICITOR'S REPORT: J. Yeager gave an update on the Act 13 litigation. Mr. Yeager suggested the Board review the draft ordinance creating the position of Township Manager and then authorize advertisement at the next meeting.

SUBDIVISIONS: Morton Subdivision - extension received through 9/30/2016

A motion was made by S. Doman, seconded by N. Alessi, to accept the extension. The motion carried 5-0-0.

LAND DEVELOPMENT: none

ONGOING BUSINESS:

a. Hidden Valley - correspondence 2/18/2016

NEW BUSINESS:

a. Nockamixon Planning Commission 2015 Annual Report of Activity - Approval

A motion was made by B. Sadow, seconded by N. Alessi, to approve the Nockamixon Township Planning Commission 2015 Annual Report of Activity. The motion carried 5-0-0.

b. CDBG Grant - application and contact person approval

A motion was made by F. Ganiszewski, seconded by N. Alessi, to authorize the application and designate the Treasurer as the contact. The motion carried 5-0-0.

c. Bucks County Health Department - West Nile Virus Treatment -

A motion was made by C. Bahnck, seconded by N. Alessi to authorize the treatment. The motion carried 5-0-0.

COMMITTEE REPORTS:

a. **Emergency Management** - Tom MacFarland explained that the EMA is in discussions with the Palisades School District for a backup Emergency Operations Center in the event the

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Township Building is inaccessible or inoperable. The EMA is in discussions with the State Police to hold safety seminars for the public with the Palisades District hosting these seminars. There was a discussion on purchasing radios for the road crew so they can stay in contact with neighboring municipalities.

b. Environmental Advisory Committee - previously discussed.

c. BNT Ground Water Committee - previously discussed.

d. Open Space Committee - previously discussed.

e. Park & Recreation Board - B. Naska noted that on April 22 with a rain date of April 23, a Lunar Full Moon Party will be held at Rapp's Creek. April 30th will be a movie night at Veterans Park 7:30 or 8:00 start. Another movie night is planned for September 17. The quarry canyon walk is being held the morning of May 7 starting at Brownstone Road. The benches have been purchased and will be brought to the park by Troop 27. The American Legion reimbursed the Township for four of the benches. In mid-April the non-grass areas, where the baseball field and dirt areas are, will need to be sprayed. The plan for the ADA access to the pavilion was discussed. The plan is to make a grass ramp up to the pavilion instead of building a ramp. B. Naska will receive a key to open up the bulletin board at the park. Looking into the back portion of the park to create a flower and butterfly area. Troop 81 cleared out dead cedar trees and brush, and a large fallen tree most likely cut by a utility company on the marked walking path beyond the park. It was also proposed to put plaques and birdhouses along the path.

f. Nockamixon Historic Commission - no report.

ADJOURNMENT:

A motion was made by F. Ganiszewski, seconded by N. Alessi, to adjourn the Board of Supervisors meeting at 9:34 p.m. The motion carried 5-0-0.

Respectfully submitted,

Heather DiSario
Recording Secretary