

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARY SCHEDULED MEETING
MONDAY, FEBRUARY 26, 2018**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:03 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Lorraine Leslie, Township Solicitor Stephen Harris, and Chief of Police Christopher Engelhart.

1. ANNOUNCEMENTS: Chairman McIlhinney stated there was an executive session prior to the meeting for general discussion and informational items.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the January 22, 2018 BOS Meeting
 - b) Financial Report – January 31, 2018
 - c) Bills List - February 13, 2018
 - d) Bills List – February 27, 2018

Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to accept and approve items a) thru d) on the Consent Agenda. There was no public comment.

4. CONFIRMED APPOINTMENT: None.
5. LEGAL: Solicitor's Report:
 - a) Approval of Snow & Ice Agreement for Bethel Tract – Solicitor Harris stated the Snow & Ice Agreement for the Bethel Tract, which is located in both Hilltown Township and Perkasio Borough, spells out the responsibilities for the cul-de-sac in regards to snow and ice removal. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve and execute the Snow & Ice Agreement for the Bethel Tract. There was no public comment.
 - b) Approval of Pileggi Settlement Agreement – Solicitor Harris stated the Pileggi Settlement Agreement has been executed by Mr. Pileggi and requests Board approval. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve and execute the Pileggi Settlement Agreement. There was no public comment.

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c) Use of the Meeting Room Resolution 2018-012 – Solicitor Harris stated Resolution 2018-012 regulates the use of the meeting room for civic associations, such as homeowners associations, provided that adequate notice is given to the Township of the date on which the meeting will be held and the room is not being used. The resolution also states political parties shall not be permitted to use the Township building for their meetings. Chairman McIlhinney asked Solicitor Harris if Mr. Otter presented the documentation that was referenced at the last board meeting. Solicitor Harris stated he did not receive anything from Mr. Otter. Motion was made by Supervisor Groff and seconded by Chairman McIlhinney to approve Resolution #2018-012 for the use of the meeting room.

Public Comment:

1. Jim Hoffman, 217 Chandler Way, in summary stated political parties are civic minded and are interested in town business, he is not pleased with the resolution, the board owes it the people of Hilltown to be able to use the room, some people have been excluded that were already approved to use the room, and political parties are civic organizations and should be allowed to use the room.
2. Mickey DiPasquo – 615 Telegraph Road, in summary stated they are residents, they have a right to have a civic meeting with speakers to help the community, they pay taxes, they had approval for a year to have the meetings in the room and then were told they weren't allowed, they campaigned hard against Jack, the republicans were angry and did this in spite, and to expect a law suit.
3. Carolyn Marinko, 206 S. Perkasio Road, in summary stated there is a lot of decisiveness right now, she loves the Township and the community, people should show respect for one another, and the Board should re-consider the issue.
4. Anthony DiPasquo, 615 Telegraph Road, in summary stated it is strange that the opposite party does not want the room used, it is very decisive, and why is this kind of thing going on.
5. James Gunden, 326 Shultz Road, in summary stated he would like clarification on the right to restrict the building, HOA groups can bring in political people, there should be governance as to their discussions, and look at their agenda.
6. Solicitor Harris stated HOA groups have annual meetings to elect officers, discuss budgets, and, if they had political campaigns, the Township would have to take action.
7. Supervisor Bennington stated he has been a supervisor for 21 years, it should be all or nothing, and cannot support the resolution.
8. Supervisor Groff stated this is a difficult decision, there is no right or wrong way, the building should be politically neutral, there should be no political functions but HOA can use the room, or possibly nobody should be able to use the room. Supervisor Groff stated the resolution should be tabled for one month.

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9. Bill Stahl, 1511 Hilltown Pike, in summary stated he is on the Historical Society, they never have political speakers at their meetings, they have already advertised for a March 28, 2018 meeting even though they did not get permission from the Township, and they are the most civic association in the Township.
10. Katja Beh-Forrest, 412 Brookside Drive, in summary asked why elections are held in the building.
11. Chairman McIlhinney stated elections are run by the Board of Elections and they set their own rules.
12. Solicitor Harris stated since there is not a resolution in place, anybody can schedule a meeting, and the resolution should be placed on the March 12, 2018 work session meeting.
13. Ms. Leslie stated Ms. MaCaulay did not fill out the form for 2018. She gave Ms. MaCaulay available dates for January and was told they had already secured a church for their meeting. After discussion, it was agreed to table the proposed meeting room resolution and place it on the March 12, 2018 work session agenda.

d) Yard Waste Ordinance No. 2018-001 – Solicitor Harris stated the ordinance that regulates what can be dropped off at the Fairhill Road drop area consisting of trees, tree limbs, branches that have a diameter of 4” or less, and leaves if they are bagged, has been advertised for adoption. Grass clippings and plant materials may not be dropped off. The Fairhill Road drop off area can be used only by residents of Hilltown Township. The ordinance provides penalties in the amount of a \$300.00 fine for those who violate the ordinance. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to adopt the Yard Waste Ordinance No. 2018-001. There was no public comment.

e) ZHB Appeal No. 2018-001 – Tom & Jen Howell – Solicitor Harris reviewed the Zoning Hearing Board appeal at 401 Elizabeth Way in regards to impervious surface to construct an in-ground swimming pool, concrete patio, and retaining wall. The Board of Supervisors elected for Solicitor Harris to not attend the Zoning Hearing meeting.

f) ZHB Appeal No. 2018-002 – HRES Hilltown Corner, LLC – Solicitor Harris reviewed the Zoning Hearing Board appeal for the Wawa project at Route 113 and Route 313. After discussion, the Board of Supervisors elected for Solicitor Harris to attend the Zoning Hearing meeting with their concerns over traffic circulation, parking, and gas pump leakage.

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g) ZHB Appeal No. 2018-Raymond McCormick – Solicitor Harris reviewed the Zoning Hearing Board appeal at 1327 Hilltown Pike in regards to setbacks for a two story accessory building. The Board of Supervisors elected for Solicitor Harris to attend the Zoning Hearing meeting.

h) ZHB Appeal No. 2018-Tim & Linda Howard – Solicitor Harris reviewed the Zoning Hearing Board appeal at 106 Nicholas Drive in regards to impervious surface to construct an in-ground swimming pool and concrete patio. The Board of Supervisors elected for Solicitor Harris to not attend the Zoning Hearing meeting.

6. PLANNING:

a) The Arbors Subdivision - Mr. Richard Carroll, Hallmark Building Group, along with Mr. Rob Cunningham, Holmes Cunningham, were in attendance to present the revised preliminary plan for the 15 lot subdivision located on Orchard Road. Mr. Carroll stated the Planning Commission recommended conditional preliminary plan approval, including granting the requested waivers in items 8 A thru G, and did not address the proposed fee-in-lieu of street frontage improvements. Mr. Carroll discussed Mr. Wynn's review letter dated February 9, 2018 noting a revised waiver letter dated February 22, 2018 was submitted including the 50% capital contribution of the estimated cost to complete the waived improvements, installation of patterned asphalt crosswalk at the intersection of Tall Oaks Drive and Orchard Road and design details for the reconstruction of existing pedestrian ramps at the intersection of Tall Oaks Drive and Orchard Road to comply with current ADA requirements. Mr. Wynn noted, if approved by the Township, the cost to complete reconstruction of existing pedestrian access ramps may be credited against the amount of capital contribution in lieu of waived improvements. Chairman McIlhinney asked about the location of the street trees. Mr. Carroll stated an email was received from the new Public Works Director where four out of the six items listed were in direct conflict of the ordinance. He continued to state the items of concern are the 15' easement behind the sidewalk, and no planting under existing power lines. Mr. Carroll stated the guidance he received from the Planning Commission was to stick to the ordinance. Chairman McIlhinney stated they are changing an item in the ordinance on planting trees between the curb and sidewalk to prevent the tree roots from coming through the concrete and saving Township and taxpayer sidewalk replacement costs and suggested ornamental trees be planted outside of the PPL right-of-way. Mr. Carroll reviewed the revised waiver letter, and after discussion, Mr. Carroll stated the waiver letter will be revised again to eliminate #5 on the February 22, 2018 waiver letter in regards to replacement trees, add a waiver

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from providing street trees and propose putting the exact number of street trees in the landscape package as ornamental trees to be planted in front of the homes, and providing 100% fee-in-lieu of the required estimated cost to complete waived improvements and noting the non-property improvements will be credited. Chairman McIlhinney stated discussions with PPL will be in the works. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to grant preliminary approval for the Arbors Subdivision contingent upon the items contained in Mr. Wynn's review letter dated February 9, 2018, revise the landscaping plan to eliminate the street trees, include the same amount of trees as ornamental plantings in the landscaping package, revise the waiver request letter to eliminate #5 from the February 22, 2018 waiver letter, add the waiver for street trees, and providing the 100% fee-in-lieu of waived improvements but noting the applicant will still receive credit for the non-property improvements for the two curb ramps and crosswalk. There was no public comment.

7. ENGINEERING:

a) Mill Road Culvert Replacement – Mr. Wynn gave an update on the Mill Road Culvert replacement stating he is preparing to submit the General Permit Plan to DEP. The project is proposed to be done in the summer between school closing and opening. Mr. Wynn noted he will be speaking to the property owners on either side to obtain easements. No action was needed.

b) Pedestrian Path Extension – Mr. Wynn stated the Hilltown Township Water & Sewer Authority is working on the first leg of the pedestrian path which will bring it up to Fairhill Road. Mr. Wynn stated he has prepared a plan to create a bridge to go over the stream on the Walter property and will be submitting it to DEP for a General Permit. The plan for this year, on the other end of Rickert Road, is to construct the proposed access drive, a few parking spaces in stone, and use that access to clear the pathway through the Township owned land, and also use that access to construct the bridge on the Walter Property. He continued to state they will need an easement from the property owner and he will be making contact.

c) Omnibus Subdivision Ordinance Amendment – Mr. Wynn stated he has prepared a proposed subdivision ordinance amendment which has come from consolidating various amendments since approximately 2007. Mr. Wynn stated he will make changes in accordance with the discussion tonight and bring it back to the Board of Supervisors for their review before it goes to the Planning Commission.

8. UNFINISHED BUSINESS: None.

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9. NEW BUSINESS:

a) Scott Drumbore – H&K – Requesting for extension of hours for March of the Concrete and Asphalt Plant at the Skunkhollow Quarry – Chairman McIlhinney stated H&K has requested to operate the concrete batch plant, asphalt batch plant, and the crushing plant between the hours of 6:30 pm to 6:30 am, Monday through Saturday, between March 1, 2018 and March 31, 2018, excluding holidays, for the PennDOT projects per their letter dated February 16, 2018. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of hours for the month of March for the Concrete and Asphalt Plant at the Skunkhollow Quarry per their letter dated February 16, 2018 with the exception of striking the part in the letter in regards to "and/or private customers." The motion passed 2-1 with Supervisor Bennington having the opposing vote. There was no public comment.

b) Authorization to prepare advertisement to bid on the Blooming Glen High School Building – Ms. Leslie requested authorization for Bob Wynn and Steve Harris prepare a bid for the sale of the Blooming Glen High School, also known as the old Township Building. Authorization was given by the Board of Supervisors.

c) Request a staff meeting from CalAtlantic Homes – regarding Bethel Tract – Ms. Leslie stated she received a request for a staff meeting from CalAtlantic Homes regarding the Bethel Tract and they have already submitted the Professional Services Agreement and the escrow. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve the staff meeting with CalAtlantic Homes in regards to the Bethel Tract. There was no public comment.

d) PPL – Unmetered Service Contract for camera at recycle center – Ms. Leslie stated PPL has provided the Township with the service contract for the camera at the recycling center. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to ratify the Township Manager's execution of the PPL agreement for the camera at the recycling center. There was no public comment.

e) Authorize Bob Wynn to prepare for paving projects – Ms. Leslie asked for authorization for Bob Wynn to prepare the bids for the paving projects. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize Bob Wynn to prepare the bids for the paving projects. There was no public comment.

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f) Penridge Community Day – Ms. Leslie stated the Penridge Community Day Committee is seeking a donation to their annual event. Typically the Township has donated \$100.00. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to donate \$100.00 for the Penridge Community Day. There was no public comment.

g) Easter Egg Hunt – Ms. Leslie announced the Easter Egg Hunt is at the Civic Park on March 24, 2018 at 10:00 A.M.

h) Bucks County Household Hazardous Waste – Ms. Leslie announced the Bucks County Household Hazardous Waste schedule is available on the Township website and posted in the lobby of the Township building.

10. SUPERVISOR'S COMMENTS: Supervisor Bennington questioned Chief Engelhart on the need to follow the posted flashing MPH speed in a school zone if it is known that the school is not in session. Chief Engelhart confirmed, if it is known that the school is not in session, the posted flashing MPH speed in the school zone is not enforceable. Supervisor Bennington asked the status of Mountain Mulch. Ms. Leslie stated the latest rumor she has heard is that they are bankrupt. Jerry Guretse stated they have not received any calls since the meeting last month and the locks were locked by the Sheriff.

11. PUBLIC COMMENT:

1. Jim Hoffman, Chandler Way, stated, in regards to the Wawa Zoning Board Appeal, most of the community are positive towards the project and want to see it done well. He also heard the same comments in regards to traffic flow and the specifications and the processes the contractors are required to use should be top notch for seepage controls. Mr. Harris stated the leak prevention would be the easiest to deal with.

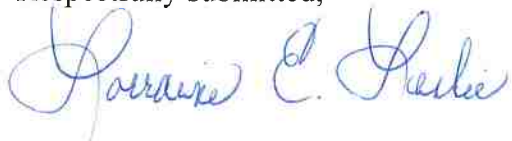
2. Anthony DiPasquo, 615 Telegraph Road, asked how the use of the room came up after all of these years. Supervisor Groff stated ever since he has been a supervisor, and it doesn't matter what political party, he has been concerned about political type things being done inside the Township building. Chairman McIlhinney stated they have no official policy on the meeting room use.

12. PRESS CONFERENCE: None.

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13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, the February 26, 2018 Hilltown Township Board of Supervisors meeting was adjourned at 8:26 PM.

Respectfully submitted,



Lorraine E. Leslie
Township Manager

(*NOTE: These minutes were transcribed from notes and should not be considered official until approved by the Board of Supervisors at a public meeting).