

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARY SCHEDULED MEETING
MONDAY, JUNE 26, 2017

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:00 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Lorraine Leslie, Township Engineer C. Robert Wynn, and Chief of Police Christopher Engelhart

1. ANNOUNCEMENTS: Chairman McIlhinney stated no executive sessions was held since the last meeting.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the May 22, 2017 BOS Meeting
 - b) Financial Report May 31, 2017
 - c) Bills List June 13, 2017
 - d) Bills List June 27, 2017

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

4. CONFIRMED APPOINTMENT: None.
5. LEGAL: Solicitor's Report:
 - a) Approval of the Shared Driveway Easement for the Engler Subdivision – Township Engineer, Mr. C. Robert Wynn, stated with respect to the Engler Subdivision, the Township Solicitor has prepared the Shared Driveway Easement Agreement and the Unilateral Declaration of Restrictions and Covenants for Board of Supervisor approval and execution/recording. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve and execute the Shared Driveway Easement Agreement and the Unilateral Declaration of Restrictions and Covenants for the Engler Subdivision. There was no public comment.

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6. PLANNING:

a) Med Express Preliminary Plan – Mr. Wynn stated the Planning Commission recommended preliminary approval of the Med Express Urgent Care Land Development conditional upon all outstanding items contained in the April 20, 2017 review letter with the exception that the waiver requested for parking lot tree coverage is not recommended for approval until final plan review. The recommendation also included a note that signage shown on the plan is subject to review and approval by the Zoning Officer via issuance of a sign permit. Mr. John Kornick, P.E., K2 Consulting Engineers, Inc. was in attendance to present the preliminary plan and architectural plan and also stating Zoning Hearing Board relief has been received. Supervisor Bennington questioned a deceleration lane put in to improve traffic flow. Mr. Wynn stated they would have to acquire land from the shopping center to have a deceleration lane. Mr. Kornick stated PennDOT approved the plan as is. Chairman McIlhinney questioned the waivers. Mr. Kornick stated the plan was transmitted to the Souderton Fire Company last week and they will comply with the shading component by bringing additional shading onto the parking lot as much as possible. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve the Med Express Preliminary Plan contingent upon the items contained in Mr. Wynn's review letter dated April 20, 2017. There was no public comment.

b) Bishop Estate Vineyard & Winery Planning Module – Mr. Wynn stated the Bishop Estate Vineyard and Winery planning module is for a holding tank for the retail sales and customers. The Bucks County Health Department, The Bucks County Planning Commission, and the Township Planning Commission have all signed off on the planning module. Mr. Wynn requested the Board of Supervisors approve and execute Resolution #2017-016 for submission of the Bishop Estate Vineyard & Winery Planning Module to DEP for their approval. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize Chairman McIlhinney to execute Resolution #2017-016 for the Bishop Estate Vineyard & Winery Planning Module. There was no public comment.

c) Swaminarayan CC Land Development Preliminary/Final Plan – Mr. Wynn stated the written Zoning Hearing Board decision for the Swaminarayan CC Land Development has not been received yet so the project will be on the July Board of Supervisor's agenda. Mr. Wynn added the project has an extension through August 5, 2017.

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7. ENGINEERING:

a) Fairhill Road Culvert Replacement Bids – Mr. Wynn stated thirteen bids were received for the Fairhill Road Culvert Replacement ranging from \$138,363.40 to \$323,000.00 and recommends the low bid of Blooming Glen Contractors for the base bid in the amount of \$120,997.40 and Alternate 1 for the guiderail in the amount of \$17,366.00 for a total bid of \$138,363.40 subject to receiving the performance payment bonds and other requirements of the contract. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to award the Fairhill Road Culvert Replacement to the low bidder, Blooming Glen Contractors, in the amount of \$120,997.40 for the base bid and Alternate 1 for the guiderail in the amount of \$17,366.00 for a total amount of \$138,363.40 subject to receiving the performance payment bonds and other requirements of the contract. There was no public comment.

b) Rickert Road Culvert Replacement Bids – Mr. Wynn stated four bids were opened today for the Rickert Road Culvert Replacement ranging from \$37,176.75 to \$98,330.00 and recommends the low bid of Blooming Glen Contractors in the amount of \$37,176.75 subject to receiving the performance payment bonds and other requirements of the contract. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to award the Rickert Road Culvert Replacement to the low bidder, Blooming Glen Contractors, in the amount of \$37,176.75 subject to receiving the performance payment bonds and other requirements of the contract. There was no public comment.

c) Hilltown Ridge Barn Removal – Mr. Wynn stated Hartland Restoration is scheduled to be doing the demolition of the Hilltown Ridge barn this week and does not know if it has been started today.

d) Blooming Glen High School Tank Removal – Mr. Wynn stated when the Township road crew was removing excess asphalt on the property, a tank was found which the Township did not know was there. Mr. Wynn continued to state two proposals were received for the tank removal. The low bid was from Professional Tank Environmental in the amount of \$2,861.00 (which does not require competitive bidding) and the Township Manager directed them to go ahead with the removal of the tank. The tank is scheduled to be removed on June 30, 2017. The company will do all of the testing and all of the DEP paperwork required for the project.

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e) Blooming Glen High School Subdivision – Mr. Wynn stated the Blooming Glen High School subdivision plan was submitted to the Township and the Bucks County Planning Commission on June 20, 2017. After clarification on the tax parcels, the Bucks County Planning Commission do not have any comments on the subdivision.

f) Ashland Meadows Subdivision – Mr. Wynn stated the maintenance period for the Ashland Meadows subdivision expired on 6/14/2017. Per his punch list, the work has been completed including replacing 32 trees two days before the end of the maintenance period. Mr. Wynn stated some of the trees are wilting and recommends the Board of Supervisors accept the completion of the maintenance period subject to posting cash financial security in the amount of \$5,000.00 to guarantee that the 32 trees recently replaced survive one growing season. The Board of Supervisors agreed to increase the cash financial security to \$10,000.00. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to accept the 12 month maintenance period for Ashland Meadows Subdivision starting June 26, 2017 subject to the posting of the cash financial security in the amount of \$10,000.00 to guarantee that the 32 trees recently replaced survive one growing season. There was no public comment.

8. UNFINISHED BUSINESS:

a) David Christ – Draft Comprehensive Plan for review – Mr. David Christ, Chairman of the Planning Commission, presented the final draft of the Comprehensive Plan to the Board of Supervisors for their review. Chairman McIlhinney thanked Mr. Christ and stated the Board will take it under review.

9. NEW BUSINESS:

a) Scott Drumbore – H&K – Requesting for extension of hours for July 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 July 1, 2017 and July 31, 2017, excluding holidays, for the PennDOT projects per their letter dated June 19, 2017. Public Comment: Jim Hoffman, 217 Chandler Way, stated Scott Drumbore from H&K Quarry has done a good job, has answered all of the questions that was asked of him, and has begun feeding in the actuals so there is a tracking mechanism to show the operating hours. Mr. Hoffman

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asked Township Manager, Lorraine Leslie, to provide the last three months of history before the vote is taken for the extension of hours for July at the Skunkhollow Quarry. Chairman McIlhinney stated the letter for the extension of hours stands on its own based on the commitment the Township has with the quarry. Supervisor Bennington stated that his objection every month is the same; for over three years, the Township is giving approval on a temporary basis and it is no longer temporary. Chairman McIlhinney stated the agreement states H&K is entitled to the extension of hours and the Township is going to follow the agreement. Chairman McIlhinney also stated the Township did not write the agreement.

Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of hours for the month of July for the Concrete and Asphalt Plant at the Skunkhollow Quarry per their letter dated June 19, 2017 with the exception of striking the part in the letter in regards to "and/or private customers."

Public Comment: Jim Hoffman, 217 Chandler Way, stated the Township has information that is available by a very good supplier and by letting the opaque nature of the way the decision is done every month doesn't seem like the Township is concerned with the citizens who have an interest with the extension of hours with regards to water.

Chairman McIlhinney stated usage of water does not have anything to do with the right of H&K to run at odd hours to satisfy the requirements of the State. Chairman McIlhinney continued to state anybody in the Township can request the information that is provided by H&K.

Mr. Hoffman stated if the information could be provided before the vote is taken then there would be some tracking information.

Chairman McIlhinney stated the items are not related.

The motion passed 2-1 with Supervisor Bennington having the opposing vote. There was no public comment.

10. SUPERVISOR'S COMMENTS: Supervisor Bennington stated he read the Yearly Financial Audit, it was excellent, and thanked Lorraine Leslie.

11. PUBLIC COMMENT: Shawn Barnes, 300 Quarry Road, questioned if there has been any response from Scott Drumbore in regards to his recent email to Lorraine Leslie and his matter involving the Blooming Glen Contractors at the Blooming Glen Quarry Site. Supervisor Groff stated it has been a while since the issues were discussed and it would be in their best interest to take a look at what actually was the outcome of possible remedies including the back-up devices, etc. Mr. Barnes reviewed Mr. Drumbore's letter dated August 22, 2014 and stated he has been cautiously waiting for the remedy of the back-up alarm noise at night time. Chairman McIlhinney

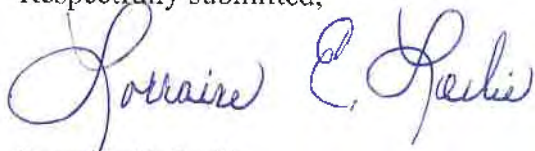
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stated the Township Solicitor entered into the discussions at the time and had comments in regards to contractual liabilities required in regards to the suggested remedies. Chairman McIlhinney continued to state the solicitor will have to get back involved in the matter.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, the June 26, 2017 Hilltown Township Board of Supervisors meeting was adjourned at 7:43 PM.

Respectfully submitted,



Lorraine E. Leslie
Township Manager

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