

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARY SCHEDULED MEETING
MONDAY, AUGUST 27, 2018**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:07 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, Township Solicitor Stephen Harris, and Chief of Police Christopher Engelhart.

1. ANNOUNCEMENTS: Chairman McIlhinney stated there was an executive session prior to the meeting to discuss legal matters.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the July 9, 2018 BOS Meeting
 - b) Financial Report – July 31, 2018
 - c) Bills List – July 24, 2018
 - d) Bills List – August 14, 2018
 - e) Bills List – August 28, 2018
 - f) MMO 2019 – Non-Uniform & Uniform Pension Plans

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

4. CONFIRMED APPOINTMENT: None.
5. LEGAL:
 - a) David Wurster & DWW Properties Agreements for BOS Approval & Signature – Solicitor Harris stated all of the agreements have been received for approval and signature for the Dublin Agway project. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to accept, execute, and record the agreements for David Wurster & DWW Properties (Dublin Agway). There was no public comment.

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b) Regency at Hilltown – consideration of accepting land across Minsi Trail – Solicitor Harris stated Toll Brothers contacted him in regards to the land across Minsi Trail and offering it for dedication to the Township. The Board of Supervisors stated they do not have an interest in the land at this time.

c) Authorization to attend the Bishop Winery ZHB Hearing – Solicitor Harris stated the Bishop Winery Zoning Hearing Board is on Thursday, September 6, 2018. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously for Solicitor Harris to attend the Bishop Winery ZHB Hearing. There was no public comment.

d) Authorization to attend the Borelli ZHB Hearing – Solicitor Harris stated the Zoning Hearing Board application for Tina Borelli, 135 Brinkley Drive, is a request for a variance to locate a residential accessory structure less than 250 square foot in the front yard since the property is located on a corner lot. The Board of Supervisors instructed Solicitor Harris not to attend the hearing.

e) Authorization to attend the Glen ZHB Hearing – Solicitor Harris stated the Zoning Hearing Board application for Peter & Jennifer Glenn, 427 Broad Street, is a request for a variance from limits on tree clearing to construct a single family detached dwelling. The Board of Supervisors instructed Solicitor Harris not to attend the hearing.

f) Approval of Resolution 2018-013 waiving restriction on the use of the former Blooming Glen High School property – Solicitor Harris stated Resolution 2018-013 is to waive the restriction limiting the use of the former Blooming Glen High School property for recreation, playground, and civic uses. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to adopt and execute Resolution 2018-013 waiving the restriction on the use of the former Blooming Glen High School property. There was no public comment. Solicitor Harris stated settlement for the Blooming Glen High School property is scheduled for Wednesday afternoon and a resolution is needed to authorize Chairman McIlhinney to sign the deed and Township Manager, Lorraine Leslie, to attest to his signature, and, therefore, Solicitor Harris requested adoption of Resolution 2018-014 for this purpose. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize Chairman McIlhinney to execute the deed and related documents for the Blooming Glen High School property and for Lorraine Leslie to attest to his signature. There was no public comment.

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g) Approval and Execution of Development agreements and plans – Hilltown Meadows, Phase III – Solicitor Harris stated plans were not delivered to the Township Engineer so the project is tabled.

h) Approval and Execution of Development Agreements and plans – The Arbors at Hilltown – Solicitor Harris stated the development agreements and plans were received for the Arbors at Hilltown. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve and execute the development agreements and plans for The Arbors at Hilltown. There was no public comment.

6. PLANNING:

a) Braccia Minor Subdivision – Mr. Wynn stated the Braccia Minor Subdivision received final conditional recommendation by the Planning Commission based upon Mr. Wynn's review letter dated August 7, 2018. Mr. Robert Showalter, Showalter & Associates, was in attendance on behalf of the applicant and stated the applicant will comply with all items contained in Mr. Wynn's review letter dated August 7, 2018. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to accept and approve final plan approval, including all waivers, for the Braccia Minor Subdivision contingent upon Mr. Wynn's review letter dated August 7, 2018. There was no public comment.

b) Gigunitas (Home Depot) Land Development Waiver – Mr. Wynn stated the proposed Gigunitas Food Truck/small building at the Home Depot received recommendation for a Land Development waiver by the Planning Commission based upon Mr. Wynn's review letter dated August 6, 2018. Mr. Michael Kracht, Esq., Weber, Kracht & Chellew, was in attendance representing the applicant stating Home Depot has 350 food trucks nationally but did not obtain local approval before the lease was executed. The applicant has applied for a zoning permit and has received Bucks County Board of Health approval. Mr. Kracht continued to state the applicant will comply with all items contained in Mr. Wynn's review letter dated August 6, 2018. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to grant a land development waiver for the Gigunitas Food Truck located at the Home Depot contingent upon Mr. Wynn's review letter dated August 6, 2018. There was no public comment.

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7. ENGINEERING:

a) MS4/Pollution Reduction Plan – Mr. Wynn stated late last summer the Pollution Reduction Plan was submitted to DEP which was found to be not comprehensive enough to meet the EPA requirements. An Administrative and Technical Deficiencies letter dated April 11, 2018 was received which prompted a meeting with DEP regarding the requirements for the Pollution Reduction Plan. DEP will grant an extension for preparation and adoption of a compliant MS4 map and PRP/TMDL submission. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize Mr. Wynn to submit an extension and continue with the Pollution Reduction Plan. There was no public comment.

b) Riparian Reforestation Bids: Mr. Wynn stated four bids were received for the reforestation project. The low bid would have been a Quakertown firm who specializes in nursery and landscaping business in natural vegetation and wet land plants but a mistake was made on an entry on a line item so their bid for \$32,200.00 became \$131,700. The other bids were from Harrisburg, Pittsburg, and Warrington, ranging from \$103,200.00 to \$156,900.00. Mr. Wynn spoke to Growing Greener regarding an extension to allow this project to be re-bid in the winter for spring planting. DEP will grant a one year extension automatically if requested. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to reject all of the bids for the Riparian Reforestation project. There was no public comment. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize Mr. Wynn to request an extension for one year and to re-bid the Riparian Reforestation project in January of 2019. There was no public comment.

c) Subdivision Ordinance Amendment – Miscellaneous – Mr. Wynn stated the subdivision ordinance was reviewed by the Planning Commission and he would like the Board of Supervisors approval to send it to the Bucks County Planning Commission for review. Chairman McIlhinney comments in regards to: Article IX D and the difference between the turnaround radiuses of permanent/temporary cul-de-sacs. Mr. Wynn stated the 40 feet is the actual paving of the cul-de-sac, the 60 feet is the right-of-way, and the 50 feet is the radius around the bulb. Article X and the clear sight triangle of 75 feet and if it is already in the ordinance. Mr. Wynn stated the clear sight triangles are meant for streets and not for every driveway. Article XIX Appendix A-1 and the 10 foot utility easement extending beyond the right-of-way line. Mr. Wynn stated trees are being put between the road and the right-of way line only on non-curbed roads. Chairman McIlhinney stated he thought a tree easement 10 feet along the front of properties was so that they

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would be out from underneath the utilities. Mr. Wynn stated it would conflict with PPL. After discussion it was determined Mr. Wynn will take the utility easement and the underground line off of the Article XIX Appendix A, A-1 and A-4 drawings. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize Mr. Wynn to send the Subdivision Ordinance Amendments to the Bucks County Planning Commission for review after the revisions are made. There was no public comment.

d) Mill Road Culvert – Replacement Status – Mr. Wynn stated the Mill Road Culvert is getting close to completion, however, it will not be done by the start of school. At the most, it will be open two weeks into the school year. Chairman McIlhinney stated on the out flow side of the culvert, there seems to be a high spot creating a two foot deep pond area, and he wondering why that was not cleaned up. Mr. Wynn stated he will check if it can be removed.

e) Welcome House Road Culvert – Replacement Status – Mr. Wynn stated he contacted the two property owners in regards to the easements for the Welcome House Road culvert. Both property owners seem to be amenable to the idea but the easements still have to be written. Mr. Wynn suggested a road closed/bridge out sign along with the road being blocked instead of the massive detour plan. The Board of Supervisors agreed and Mr. Wynn stated he will change the plan. Toll Brothers will do the culvert work in the summer of 2019. Mr. Wynn also noted there is not an update on Rickert Road.

UNFINISHED BUSINESS:

a) Police Vehicle Fleet Proposal – Chief Engelhart reviewed the proposal of moving a Caprice, with approximately 75,000 miles, out of the primary fleet and moving it to the reserve fleet to be used for court, school, etc. The equipment would be removed and be used as a secondary vehicle and replaced with a Tahoe. The other part of the proposal would be to retro-fit a Tahoe, with approximately 100,000 miles, that is in the reserve fleet and make it a motor carrier unit. Chairman McIlhinney reiterated their policy for the vehicles to have 120,000 to 130,000 miles before replacement. Chairman McIlhinney questioned why keep the Caprice vehicles if they are not liked. Chief Engelhart stated as secondary vehicles with the cages out of them and the officers not being in uniform, there is a lot more room. Supervisor Groff stated he is hard pressed to put both Caprices into the reserve fleet with only having approximately 75,000 miles on them. Chief Engelhart clarified one of the Caprice vehicles is already in the reserve fleet. Supervisor Groff stated they should get cruisers, as was originally discussed, and the following year, talk about

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getting a Tahoe. He continued to state he cannot see retro fitting a vehicle with 99,000 miles. Chief Engelhart stated the vehicle has most of the equipment in it and would only need racks, AED, etc. Supervisor Bennington questioned why idle hours were never considered before. Chief Engelhart stated they have recently started to keep track of idle hours. Chairman McIlhinney stated to trade the two Caprices in and then get a new Tahoe. Chief Engelhart stated he can explore what the Caprices would be worth in the market. Supervisor Groff stated he would like the Caprices to be used. Chief Engelhart stated next year, there would be three vehicles up in the 120,000 to 130,000 miles range. The Board of Supervisor agreed to see what the two Caprices would bring in as trade-ins, buy the Tahoe with the money from the trade-ins of the Caprices, and next year look at the purchase of two cruisers. Chief Engelhart stated he will look into selling outright/trading the Caprices.

9. NEW BUSINESS:

a) Scott Drumbore – H&K – Requesting for extension of hours for September for the Concrete and Asphalt Plant at the Skunkhollow Quarry – Township Manager, Lorraine Leslie, 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 September 1, 2018 and September 30, 2018, excluding holidays, for the PennDOT projects per their letter dated August 17, 2018. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of hours for the month of September for the Concrete and Asphalt Plant at the Skunkhollow Quarry per their letter dated August 17, 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) Community Event Request – Jessica Jackson – Edgewood Drive – Jessica Jackson, Edgewood Drive, stated she requests the road to be used for a block party on September 8, 2018 between 12:00 PM and 8:00 PM and also requested the barricade be moved in closer with the possibility of using additional barricades. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to grant approval for the block party on Edgewood Drive on September 8, 2018 between 12:00 PM and 8:00 PM. There was no public comment.

10. SUPERVISOR'S COMMENTS: Supervisor Bennington stated, as a veteran, rest in peace, John McCain, you are a true American hero. Supervisor Groff asked Chief Engelhart the status of the body cameras that were purchased. Chief Engelhart stated they are working out the final bugs on the policy in regards to the operation of the body cameras.

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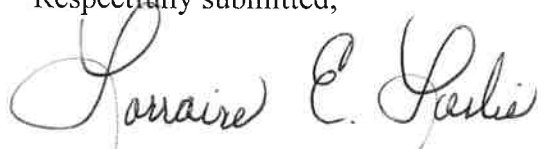
11. PUBLIC COMMENT: Chairman McIlhinney stated the Board of Supervisors will not be commenting on Zoning Hearing Board meetings.

- Caleb Torrice – 1104 Upper Stump Road, spoke in support of Tabora Farm and Orchard.
- Charles Brous – 699 Callowhill Road, spoke in support of Tabora Farm and Orchard.
- Stephen Wargo – 1220 Upper Stump Road, spoke in support of Tabora Farm and Orchard.
- Jake Wildemore – 977 Upper Stump Road, spoke in support of Tabora Farm and Orchard.
- Joe Whalen – 507 Upper Church Road, spoke in support of Tabora Farm and Orchard.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Groff, seconded by Supervisor Bennington and carried unanimously, the August 27, 2018 Hilltown Township Board of Supervisors meeting was adjourned at 8:10 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).