

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARY SCHEDULED MEETING  
MONDAY, AUGUST 24, 2015**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:05 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Richard Schnaedter, Chief of Police Christopher Engelhart, Township Solicitor Steve Harris, and Township Engineer C. Robert Wynn.

1. ANNOUNCEMENTS: Chairman McIlhinney stated there has not been an executive session since the last meeting.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
  - a) Minutes of the July 27, 2015 Board of Supervisor's Meeting
  - b) Financial Report for July 2015
  - c) Bills List July 28, 2015 – August 7, 2015
  - d) Bills List August 12, 2015 – August 21, 2015
  - e) Notification for 2016 Minimum Municipal Obligation (MMO)

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

4. CONFIRMED APPOINTMENTS: None.
5. LEGAL: Solicitor's Report –
  - a) Resolution 2015-012 accepting the petition of Hallmark Homes – Hilltown, LLC Request to establish a street light assessment to be signed by the BOS: Solicitor Harris presented Resolution 2015-012 accepting the petition of Hallmark Homes, Hilltown, LLC and accepting petitioner's request to establish a street light assessment upon present and future property owners of the Reserve at Hilltown II Subdivision. Supervisor Bennington questioned if the developer has followed up and worked with the residents of the development. Mr. Wynn stated he has not received any communication to any problems and the site looks good. Supervisor Groff also stated the development looks good. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to approve Resolution 2015-012 accepting the

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petition of Hallmark Homes, Hilltown, LLC to establish a street light assessment of the Reserve at Hilltown II Subdivision. There was no public comment.

6. PLANNING: None.

7. ENGINEERING:

a) Rickert Road Culvert: Mr. Wynn stated the design plans were prepared in 2013 for the replacement of the Rickert Road Culvert located between Green Street and Route 152. A State general permit has been received along with E&S approval from the County. The intention at the time was that the road department was going to do the work but Tom Buzby has requested the Rickert Road Culvert project be advertised for bid. Mr. Wynn requested the authorization to advertise Rickert Road Culvert on PennBid. Supervisor Bennington clarified PennBid is where the bid is electronically put out to all of the contractors. Mr. Wynn stated the bid will still be advertised in the newspaper. Supervisor Groff clarified Mr. Wynn's office, along with Mr. Buzby, will do the inspections. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to authorize the advertisement for the bids for the replacement of the Rickert Road Culvert to be placed on PennBid. There was no public comment. Mr. Wynn stated new Bucks County Conservation District approval has to be obtained since the permit was only for two years and it is relatively pimple. He continued to state DEP approval is good for five years.

b) Tree Branch Recycling Facility: - Mr. Wynn stated he contacted six firms requesting proposals for the tree branch recycling facility and four bids were received from: Peak Excavating, Inc. - \$36,436.00, Blooming Glen Contractors - \$30,902.00, Bachman Paving & Excavating - \$19,298.00, and Beer Excavating - \$15,568.58. Mr. Wynn requested the Board of Supervisors approve the low bid to Beer Excavating in the amount of \$15,568.58 for the tree branch recycling facility. Supervisor Bennington confirmed the bid did not include the fence, paving, and jersey barriers. Mr. Wynn stated he had a proposal for the jersey barriers directly from the manufacturer from last September for \$2,900.00 to be delivered to the Township and it has to be renewed. The fence to go around the perimeter would be from a fencing contractor down the road, and the road department will do the paving. Supervisor Bennington asked if Deep Run and Tim Browning were informed. Mr. Wynn stated he was not aware Deep Run was contacted. Township Manager stated he contacted Deep Run in regards to the tree branch recycling facility and they had no problems with it and he will contact Tim Browning to inform him

of the facility. There will be discussion down the road if the facility will be monitored by the police department. Supervisor Groff confirmed the E&S Permit was good for two years. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to accept the bid from Beer Excavating in the amount of \$15,568.58 for the tree branch recycling facility. There was no public comment.

c) Growing Greener Grant: - Mr. Wynn stated the Growing Greener Watershed Protection Grant was received in the amount of \$64,300.00. Mr. Wynn stated the grant application is for improvements to the Neshaminy Creek tributary riparian corridor through agricultural lands of the Hilltown Ridge open space and requests authorization to proceed with the wetland delineation after the corn crop is removed. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to authorize Mr. Wynn to proceed with the wetland delineation after the corn is removed. There was no public comment.

d) Waste Management Permit Modification: - Mr. Wynn stated Indian Valley Transfer Station is requesting a modification to DEP of their permit to increase the number of vehicles entering and exiting the facility from 175 to 260 trucks per day. There was no expansion to the amount of tonnage permitted which will remain at 1250 tons. Chairman McIlhinney asked if anyone checked into the odors, smelly trash, and trash blowing around. Mr. Wynn stated a letter was sent to DEP during the process of the permit renewal and advised them of these concerns and he has not heard back from DEP. Mr. Wynn stated he did go down to the site and it is better than it was one year ago but there is still trash around. Chairman McIlhinney stated adding additional trucks will exasperate the problem that has been there all along. Mr. Wynn will send the comment to DEP that the problem has improved slightly but the Township still has concerns. Supervisor Bennington clarified they are not allowed to increase the tonnage but they are asking for the increase in the number of vehicles. Then why aren't they responsible for keeping the same number of vehicles but increasing the tonnage on the vehicles to keep within the number of vehicles and the tonnage. Mr. Wynn stated the vehicles are not all theirs.

e) Popiwny Subdivision: - Mr. Wynn stated Carl and Ann Popiwny requests a 24 month extension to complete the improvements at the minor subdivision located on Orchard Road per the letter dated August 13, 2015. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to approve the extension for the Popiwny Subdivision to August 17, 2017 per the letter dated August 13, 2015. There was no public comment.

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f) Estates at Hilltown Subdivision: - Mr. Wynn stated correspondence dated May 20, 2015 was received requesting a one year extension to extend the development agreement for completion of the improvements for the Estates at Hilltown Subdivision until June 8, 2016. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to approve the extension to extend the development agreement for completion of the improvements for the Estates at Hilltown Subdivision until June 8, 2016 per the letter dated May 20, 2015. There was no public comment.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) Chief Engelhart – Consider Police Officer Appointment: Before Chief Engelhart spoke about the police officer appoint, he had a comment concerning Waste Management in that the increase in trucks at Bethlehem Pike and Keystone Drive is a concern without a traffic signal. Mr. Wynn stated a traffic study was provided but the majority of the trucks, as they do now, use West Rockhill out if they are taking a left but taking a right is a concern. Chairman McIlhinney stated to Mr. Wynn to include that concern in his letter to DEP. Chief Engelhart stated Adam Garrett Brannon was selected to fill the vacancy created by the retirement of Officer Jerry Fish and requests the Board of Supervisors authorize the hiring of Adam Garrett Brannon effective August 24, 2015 with a start date of September 7, 2015. Chairman McIlhinney verified Officer Brannon is starting at entry level. Supervisor Bennington stated, as he was running as Supervisor for the first time in 1989, the Board of Supervisors appointed Officer Fish at only 19 years old, and after twenty six years, he appreciates Officer Fish's service to Hilltown Township. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to authorize the hiring of Adam Garrett Brannon as a Hilltown Township Police Officer as of August 24, 2015 with an official start date effective September 7, 2015. There was no public comment.

b) Chief Engelhart – Youth Aid Panel: Chief Engelhart stated he is considering joining a regional youth aid panel. All other police departments in the Pennridge School District are members of this regional Youth Aid Panel which will be run by Juvenile Probation from Bucks County. The current members of the Hilltown Panel would be invited to join that Youth Aid Panel so they could still participate if they wish to. In addition, the Hilltown Police Liaison

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to the Youth Aid Panel will be changing from Officer Kerry Karte to Officer James Browne. Chairman McIlhinney questioned if there is a financial impact on the Township. Chief Engelhart stated there is not and the community work will be incorporated into the local fire departments. Supervisor Bennington asked if the current members of the Youth Aid Panel were informed. Chief Engelhart stated they have not but he will reach out to the members to get their views but wanted to check with the Supervisors first. At some time, the Board of Supervisors will be asked to sign an agreement to participate in the regional Youth Aid Panel.

c) Scott Drumbore – H&K – Requesting for extension of hours for September of the Concrete & 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 September 1, 2015 and September 30, 2015, excluding holidays per their letter dated August 11, 2015. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of operating hours of 6:30 pm to 6:30 am at the Skunkhollow Quarry from September 1, 2015 and September 30, 2015, excluding holidays per their letter dated August 11, 2015. Supervisor Bennington questioned if anyone heard from Mr. Barnes. It was confirmed that no one has heard from Mr. Barnes. Mr. Bennington questioned when the new the agreement with H&K was approved didn't they request additional hours permanently because the twenty months he has served his new term, they have asked for these additional hours every month. Chairman McIlhinney stated they did not have the state contract for Route 309/Turnpike. The motion passed 2-1 with Supervisor Bennington having the opposing vote. There was no public comment.

d) Tree Vitalize Grant: On behalf of Bill Riemenschneider, Park and Recreation Committee, and who was not present, Township Manager Richard Schnaedter summarized the fall 2015 Bare Root Tree Offer application for a program to purchase bare root trees for the cost of \$25 each with a maximum of 30 trees. Tree pickup is Thursday, November 12, 2015 at the Philadelphia Navy Yard. The application is due by September 14, 2015. Chairman McIlhinney stated when the bare root tree offer was originally proposed, he remembers the trees could be purchased by residents of the Township but he found out the trees are not for the residents and only for municipalities. Mr. Schnaedter stated the application talks about the organization, primary group leader, and committee members where two must be registered by the the PHS

Tree Tenders. Chairman McIlhinney stated, in order to approve this tonight, there has to be a committee of people all in place and there is nobody here tonight. Supervisor Bennington asked where the trees would be planted in the Township. Mr. Schnaedter stated in the past, Forrest Road Park was mentioned as a possibility. Chairman McIlhinney stated there is not a committee and he was under the impression it was going to be for the benefit of the residents of the Township and they could participate. Solicitor Harris stated the trees must be planted as public amenities such as within parks or other public properties within ten feet of the sidewalk. It was determined that though the program is good, it is too late to meet the 5:00 P.M. deadline of September 14, 2015, and the Township will pass.

e) Fireworks Agreement: Mr. Schnaedter stated Solicitor Harris has reviewed and revised the Fireworks Agreement with Pyrotecnico reflecting the increased cost of \$3,500.00 and requests the Board of Supervisors execute the Fireworks Agreement. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to execute the revised Fireworks Agreement in the amount of \$3,500.00. There was no public comment.

10. SUPERVISOR'S COMMENTS: Supervisor Bennington questioned if the TD Bank near where the Blockbuster used to be has moved forward. Mr. Schnaedter stated, to the best of his knowledge, there has been no movement on that project for at least eight months but he will check on it. Mr. Wynn stated, on more than one occasion, he has written letters asking for the status and never received any responses. There is a large letter of credit for public improvements that is evergreen and the project seems to be in limbo. Supervisor Bennington asked when the zoning hearing board was for the Ford dealership. Solicitor Harris stated it was for Peruzzi and it has taken place already. Mr. Schnaedter will look into it. Supervisor Bennington asked, even though it is in Silverdale, whatever happened to the Duncan Donuts that was planned for the corner of Route 113 and Route 152. Mr. Wynn stated, to his understanding, the project is going back to the Silverdale Planning Commission next month. Supervisor Bennington questioned if Bev Slifer ever contacted the Township and Mr. Schnaedter stated that she has not.

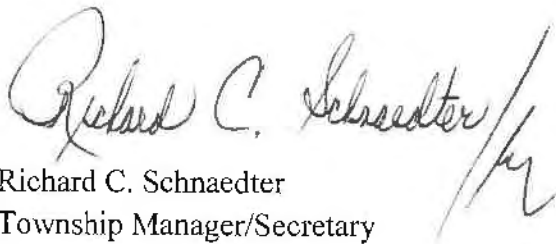
11. PUBLIC COMMENT: John Wietecha, Agricultural Security Board, questioned if the seven year plan was ever approved. Solicitor Harris stated it is not a plan but the Agricultural Security Board should get together every seven years to review that is part of the Agricultural Security Area. Chairman McIlhinney asked Mr. Wietecha to notify Bob Wendig as to when he would like to schedule a meeting so it can be reviewed. Mr. Wietecha asked why dog waste has to be picked up but horse droppings are left on the street. There is no ordinance that states that it

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has to be cleaned up. Chief Engelhart confirmed the ordinance covers animal feces disposal and does not have anything to do with picking it up off of the roadway. He went on to state there is nothing in the vehicle code other than scattering rubbish and it may or may not qualify for that. It is in the dog law that people are required to pick up dog droppings. Mr. Wietcha asked if the Board of Supervisors would consider an ordinance that if people are going to ride their horses on the road they should pick up horse droppings when it is put in front of a house. Mr. Harris said the Township can regulate anything till someone decides you have regulated too much. Mr. Schnaedter stated he will reach out to the various managers in Bucks County that have the similar residency area and see if they have anything on their books. It was also stated that something will be put on the website and newsletter advising residents to please pick up the horse droppings and the Supervisors will talk about it again at the September meeting.

12. PRESS CONFERENCE: No members of the press were present.
13. ADJOURNMENT: Upon motion by Supervisor Groff, seconded by Supervisor Bemington, and carried unanimously, the August 24, 2015 Hilltown Township Board of Supervisors Meeting was adjourned at 7:52 PM.

Respectfully submitted,



Richard C. Schnaedter  
Township Manager/Secretary

(\*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).