

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, July 22, 2013**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Barbara A. Salvadore at 7:05PM and opened with the Pledge of Allegiance.

Also present: John B. McIlhinney, Vice-Chairman  
James C. Groff, Supervisor  
Richard C. Schnaedter, Township Manager  
Christopher E. Engelhart, Chief of Police  
Francis X. Grabowski, Township Solicitor  
C. Robert Wynn, Township Engineer

A. ANNOUNCEMENTS:

1) The Board will meet in Executive Session following this meeting to discuss legal and real estate issues.

2) An advertised Public Hearing will be held at 7:15PM this evening to consider the Wally Rosenthal Rezoning Request for a portion of his property located on Swartley Road (TMP #15-032-003), which is currently zoned as RR to PC-1.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY:

1) Mr. Peter King, a representative of Dosch King, who is the apparent low bidder of two paving bids up for approval this evening, was in attendance to answer any questions the Board may have.

C. CONSENT AGENDA:

- Minutes of the June 24, 2013 Supervisor's Meeting.
- Bills List dated June 25, 2013 and July 23, 2013.
- Financial Report for month of June 30, 2013.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to approve and accept the Consent Agenda as noted above. There was no public comment.

D. LEGAL – Mr. Francis X. Grabowski, Township Solicitor-

1) Pearl S. Buck Stormwater Facilities Maintenance and Monitoring Agreement – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to accept and approve the Pearl S. Bucks Stormwater Facilities and Maintenance and Monitoring Agreement. There was no public comment.

E. PLANNING – Mr. C. Robert Wynn, Township Engineer –

1) Vulcan Springs Manufacturing Land Development Waiver – Mr. Cliff Stout, the applicant's engineer, was in attendance to present the plan. Mr. Wynn's review dated July 2, 2013 was discussed. The applicant seeks waiver of land development plan submission requirements for construction of 27,467 sq. ft. building expansion and associated parking on the 8.88 acre site located within the Light Industrial Zoning District. Existing and proposed use is H1 manufacturing with incidental uses G7 warehousing and D3 office. The site is served by public water and sewer facilities provided by Telford Borough Authority.

The applicant requested the following waivers:

- SALDO Section 140-20.C(1)(c), requiring a Traffic Impact Study be done for land developments involving buildings of 25,000 sq. ft. or more of gross area.
- SALDO Section 140-36, requiring sidewalks be installed along both sides of all existing streets.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to grant approval to the Vulcan Springs Land Development Waiver request, pending satisfactory completion of all outstanding items as found in the July 2, 2013 engineering review, including the two waivers as requested. There was no public comment.

F. ENGINEERING – Mr. C. Robert Wynn, Township Engineer –

1) Popiwny Tract Subdivision – Request for Extension – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to grant a 24 month extension until August 17, 2015 to the Popiwny Tract for completion of improvements at this minor subdivision located on Orchard Road. There was no public comment.

**\*7:15PM – ADVERTISED PUBLIC HEARING** - Chairperson Salvadore recessed the regularly scheduled meeting of the Board of Supervisors at 7:15PM to enter into an advertised Public Hearing to consider the adoption of an Ordinance rezoning a portion of a property (TMP #15-32-3) owned by Wally Rosenthal and located on Swartley Road east of its intersection with Rt. 309, from Rural Residential Zoning to Planned Commercial Zoning District.

Solicitor Grabowski explained that the Public Hearing was properly advertised in the Intelligencer and the property was posted by Mr. Taylor, Zoning Officer. There is a small portion of the property in question zoned Rural Residential, while the majority of the parcel is currently zoned PC-1. The applicant is requesting that RR portion of the parcel be rezoned to PC-1 which would provide for uniformity of the entire parcel. The Bucks Co. Planning Commission reviews dated May 1, 2013 and July 3, 2013, and the Hilltown Planning Commission meeting

minutes of May 20, 2013 recommending approval of the rezoning request, were discussed.

Public Comment: None.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to **adopt Ordinance #2013-3, approving the Wally Rosenthal Rezoning Request to change the zoning classification of a portion of Tax Map Parcel #15-032-003, currently zoned "RR-Rural Residential" to "PC-1-Planned Commercial" district.** There was no public comment.

**\*\*7:19PM – Chairperson Salvadore adjourned the advertised Public Hearing and reconvened the regularly scheduled meeting of the Hilltown Township Board of Supervisors.**

2) Mill Road Bridge – Mr. Wynn referred to an email from Mr. Sidney New of PennDot, which summarizes the bid results received for the Mill Road Bridge. Blooming Glen Contractors, Inc. was the low bid at \$609,000.00. Since the low bid was significantly less than the estimated cost of \$688,106.84, PennDot must determine whether “bid justification” is required before they begin the award process. Construction is expected to commence in the fall of 2013. In addition, since PennDot funds are utilized for construction of the bridge, Mr. Wynn explained that Hilltown Township must register with PennDot Engineering and Construction Management Systems (ECMS). The agreement to authorize electronic access to PennDot systems was provided for the Board’s review. PennDot requires that the Board of Supervisors authorize by Resolution the individual who has signature authority.

Supervisor McIlhinney expressed concern with the lack of oversight involved with entering into a “business partnership” with PennDot, and the ability of an appointed individual to enter into contracts with PennDot on the Township’s behalf. After lengthy discussion, the Board unanimously directed Solicitor Grabowski to review the proposed Agreement and Resolution.

3) The Preserves Subdivision – Mr. Wynn explained that there is a portion of sidewalk that extends from the access road into the subdivision on Rickert Road to the east and terminates at the end of the site frontage just before a drainage channel. This sidewalk extends to nowhere and is unlikely to be extended further east on Rickert. Toll Bros. indicated they would provide the Township with a contribution in-lieu-of installation of sidewalk in the amount included in the escrow estimate (\$12.00/lineal ft. for a total of approx. \$3,100.00).

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to authorize a plan revision to the Preserves Subdivision and to accept a capital contribution fee in-lieu-of sidewalk along Rickert Road to the east, as noted above. There was no public comment.

4) Hilltown Ridge Subdivision – Mr. Wynn provided the following status report. On July 16, 2013, a portion of Berry Brow Drive was paved. Blooming Glen Contractors has advised that they have not been authorized to proceed with any additional paving at this time. Although requested, Mr. Wynn has not received a firm schedule for completion of improvements at the site. All dwellings were completed in the fall of 2012, and the wearing course paving completed this week represents approximately 23% of the internal roadways. Of concern is the lack of completion of the development with all dwellings occupied, as well as the deteriorating condition of the roadways. Mr. Wynn prepared a punchlist in May of 2012 in anticipation of the development being completed by the end of that year. In addition to the overlay paving, a number of items contained in the original May punchlist have not been completed (such as submission of detention basin as-builts to verify final construction, cleanout and repair of inlets within the development, Belgian block curb repair, etc.). If the Township has to secure funds from the bonding company to complete these improvements, that activity must commence soon, prior to the end of paving season in October.

G. UNFINISHED BUSINESS:

1) Road Bid Awards: Bid results are as follows:

Bid #2013-3 – Installation of Bituminous Seal Coat:

Dosch King, Whippany, NJ	\$ 50,024.00
Asphalt Maintenance Solutions, Center Valley, PA	\$ 53,583.40
Asphalt Industries	\$ 57,479.50

Motion was made by Supervisor McIlbinney, seconded by Supervisor Groff, and carried unanimously to award Bid #2013-3 – Installation of Bituminous Seal Coat to Dosch King in the amount of \$50,024.00. There was no public comment.

Bid #2013-4 – Installation of Ultra-Thin Friction Course, Gradation B:

Dosch King, Whippany, NJ	\$117,159.70
Asphalt Maintenance Solutions, Center Valley, PA	\$125,263.98

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to award Bid #2013-4 – Installation of Ultra-Thin Friction Course, Gradation B to Dosch King in the amount of \$117,159.70. There was no public comment.

Bid #2013-5 – Installation of Superpave Asphalt Mixture – Broad Street:

Blooming Glen Contr., Blooming Glen, PA	\$ 52,190.50
GoreCon, Inc., Doylestown, PA	\$ 61,746.00
Associated Paving, Warminster, PA	\$ 65,706.00
Glen G. Hale, Inc., Easton, PA	\$ 76,639.10
Horgan Brothers, Harleysville, PA	\$ 91,536.50

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to award Bid #2013-5 – Installation of Superpave Asphalt Mixture – Broad Street to Blooming Glen Contractors in the amount of \$52,190.50. There was no public comment.

Chairperson Salvadore requested that the roads targeted for paving be identified.

H. NEW BUSINESS:

1) H&K Quarry – Request for Extension of Hours of Operation – August 2013 – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to approve the request for extension of hours of operation for H&K Quarry for the month of August, 2013. There was no public comment.

I. Adoption of Resolution appointing liaison between Hilltown Township and Berkheimer Associates for sharing of confidential tax information – Motion was made by Supervisor Groff, seconded by Supervisor McIlhinney, and carried unanimously to **adopt Resolution #2013-21, authorizing the Township Treasurer to be a liaison between Hilltown Township and Berkheimer Associates for the collection of local taxes for Montgomery County and the North Penn School District as it relates to those certain Line Lexington properties in Hilltown Township.** There was no public comment.

J. Authorization for Township Engineer to serve on Dispute Committee for Homeowner's water grievance with H&K Inc. – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to authorize Mr. Wynn, Township Engineer, to proceed with the H & K Dispute Committee with respect to the grievance filed by Mr. Picciotti. There was no public comment.

K. SUPERVISOR'S COMMENTS: None.

L. PUBLIC COMMENT: None.

M. PRESS CONFERENCE: There were no questions asked by those reporters present.

N. ADJOURNMENT: Upon motion by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously, the July 22, 2013 Hilltown Township Board of Supervisors was adjourned at 7:50PM.

Respectfully submitted,  
Lynda Seimes *Lynda Seimes*  
Township Secretary

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