

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, July 26, 2010  
7:00PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:09PM and opened with the Pledge of Allegiance.

Also present:            Barbara A. Salvadore, Vice-Chairperson  
                              James C. Groff, Supervisor  
                              Christopher S. Christman, Township Manager  
                              Christopher E. Engelhart, Chief of Police  
                              Francis X. Grabowski, Township Solicitor  
                              C. Robert Wynn, Township Engineer  
                              Lynda S. Seimes, Township Secretary

**A.    ANNOUNCEMENTS:**

1.        The Board met in Executive Session prior to this meeting in order to discuss personnel, legal and informational issues.

2.        A Public Hearing will be held at 7:30PM this evening to consider the adoption of an Ordinance amending Chapter 103 of the Code of Ordinances to include regulation of the use of motorized dirt bikes, mini bikes, all-terrain vehicles, go-carts, snowmobiles, and any other motorized vehicle modified, designed or used for recreational purposes.

**B.    PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.**

**C.    CONSENT CALENDAR:**

- Minutes of June 28, 2010 Supervisor's Meeting
- Bills List dated July 27, 2010
- Financial Report for June 2010
- Manager's Report.
- Solicitor's Report.
- Traynor Subdivision Plans for Signature post-meeting
- Notification of Sketch Plan Staff Meeting-Our Lady of Sacred Heart Church

**D.    SOLICITOR'S REPORT – Mr. Francis X. Grabowski, Township Solicitor –**

1.        Koszarek Land Development – Road Frontage Easement Resolution – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to adopt **Resolution #2010-19, Acceptance of Road Frontage Easement for the Koszarek Land Development.** There was no public comment.

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

1. RSA, Inc. Land Development Waiver Request: The Planning Commission unanimously recommended waiver of land development submission for the proposed construction of a single-family detached dwelling and residential accessory agricultural use, which includes a 9,600 sq. ft. barn with driveway access located on Forest Road. Mr. Wynn's review dated July 31, 2010 was discussed.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to grant waiver of land development submission to the RSA Inc. Land Development as noted above, and upon completion of any outstanding items as noted in Mr. Wynn's review dated July 31, 2010. There was no public comment.

2. Zoning and Subdivision Ordinance Amendments: The proposed Zoning Ordinance regarding buffer yards and the Subdivision Ordinance amending landscaping requirements were both unanimously recommended to be forwarded to the Bucks County Planning Commission for their review and comments. The Board unanimously agreed to direct Mr. Wynn to forward the above mentioned Zoning Ordinance and Subdivision Ordinance amendments regarding landscaping to the Bucks County Planning Commission for review and comments.

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

1. Johnson Subdivision – Extension for Completion of Improvements – This subdivision located on Schultz Road includes construction of stormwater management facilities, cartway widening, curb and sidewalk. Correspondence dated June 30, 2010 has been received from Toll Brothers requesting an extension in the timeframe for completion of improvements to July 26, 2011. The amount of financial security was increased on January 26, 2009.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to recommend acceptance of the proposed deadline for completion of the public improvements for the Johnson Subdivision until July 26, 2011. There was no public comment.

2. Galway Farms Subdivision – The deadline for completion of improvements at the Galway Farms Subdivision expired on May 21, 2010. Correspondence was received from the applicant, Joseph Horgan dated June 28, 2010 related to issues discussed regarding the possible extension. It was noted that an actual request for extension has not been received. Mr. Horgan has requested to pave Broad Street this year, such that paving will coincide with paving that is anticipated to be accomplished by the Public Works Department.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to grant an extension to the developer of Galway Farms until September 30, 2010, provided that Broad Street paving is completed this year in a timely manner. There was no public comment.

3. Groff Subdivision – The Groff Subdivision located on Orchard Road requires installation of cartway widening, curb and sidewalk. The current Letter of Credit expires on August 23, 2010. Correspondence dated Feb. 8, 2010, April 20, 2010, and June 30, 2010 requesting a schedule for construction have received no response.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to authorize the Township Solicitor to commence with notification of a demand on the Letter of Credit for the Groff Subdivision prior to August 23, 2010 to ensure that the work as noted above is completed to the satisfaction of the Township. There was no public comment.

4. Ashland Meadows/Coventry Meadows – DeLuca Homes, developer for both of these subdivisions, was notified of the completion deadline of July 28, 2010 and was requested to provide a schedule for completion and seek an extension in the time frame for completion. Since that time, correspondence was received from Rouse Chamberlin, LTD, the receiver of both projects, offering an extension for the Coventry Meadows Subdivision until January 30, 2011, and offering an extension for the Ashland Meadows Subdivision until January 28, 2011.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to accept the extension in the timeframe for the completion of improvements to the Coventry Meadows Subdivision Plan and Agreement until January 30, 2011, and to accept an extension in the timeframe to complete improvements required by the Ashland Meadows Subdivision Plan and Agreement until January 28, 2011. There was no public comment.

5. Malin Subdivision – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to accept completion of the Malin Subdivision and to reduce the escrow funds and to commence the 18-month maintenance period. There was no public comment.

6. Forest Road Park – Authorization to Bid for Access/Parking Lot Paving Project – The Supervisors unanimously agreed to authorize Mr. Wynn to process and advertise bids for the access and parking lot at the Forest Road Park.

Supervisor Salvadore asked when the walking trail would be installed. Mr. Wert replied that the walking trail has been marked. There is a topsoil stockpile that must be removed and relocated, after which time the Public Works Department will begin construction as time permits.

G. UNFINISHED BUSINESS:

1. Discussion of Draft Development Sign Ordinance – Mr. Taylor’s memo dated July 22, 2010, offering comments and recommendations was discussed. The Board felt that Mr. Taylor’s comments should be incorporated into the draft Ordinance, and then reviewed once again at the August 9, 2010 meeting.

2. ISO Update – Mr. Christman’s memo dated July 22, 2010 was discussed. It was noted that the fire chiefs and Mr. Christman met with representatives from ISO to discuss the new survey, and ISO was allotted 75 days to complete the survey for Hilltown. Once complete, it could take approximately 4 months until results are published to insurance companies. Mr. Christman advised that Supervisor Groff would be responsible for the water component of the survey. Supervisor Groff explained that a large quantity of water will have to flow through the fire hydrants in order to get proper flow rates, however now is not the best time to do that due to the increased demands on the public water systems for all companies involved. The water companies in the area have Hydro-modeling results from local water companies will be compared to actual hydro-testing that has been accomplished, and if consistent, ISO will move forward using that information. Discussion occurred.

3. Update on EMS Funding – Since the adoption of Resolution #2010-16 on April 26, 2010, three of the four EMS squads have received funding from the Township because they met the specific requirements as outlined in the Resolution. On July 16<sup>th</sup>, Mr. Cook of Grandview Hospital contacted Mr. Christman to advise that GVH did not wish to release a copy of the entire audit, since ambulance services were not specifically broken out in the audit. He noted that this audit contains information about both the hospital and the foundation, and asked that Hilltown Township submit, in writing, specific audit questions with respect to ambulance services, which they would be attempt to supply.

Chairman McIlhinney was disappointed that GVH was reluctant to release the audit information as required by Resolution #2010-16, particularly since everything possible was done to include them with the other 3 squads for financial reimbursement from the Township.

While Supervisor Salvadore understands the confidentiality involved with the entire audit, she believes the Township should make a request for specific audit information from the ambulance portion of GVH.

Supervisor Groff is also frustrated with GVH, but does understand that there is confidential information involved with the hospital audit. He requested that Mr. Christman attempt to attain what additional information GVH is willing to provide, so the Supervisors can review it and hopefully release the designated funding. Mr. Christman will report his findings to the Board at the August 9<sup>th</sup> meeting.

**\*\*\*7:30PM – PUBLIC HEARING – Chairman McIlhinney recessed the regular meeting and convened the advertised Public Hearing to consider the adoption of an Ordinance amending Chapter 103 of the Code of Ordinances to include regulation of the use of motorized dirt bikes, mini-bikes, all-terrain vehicles, go-carts, snowmobiles, and any other motorized vehicle modified, designed or used for recreational purposes.**

Solicitor Grabowski advised that the Ordinance was appropriately advertised in the Doylestown Intelligencer on July 12, 2010, and a Proof of Publication is available for public inspection.

Motion was made by Supervisor Salvadore, and seconded by Supervisor Groff, to **adopt Ordinance #2010-3, amending Chapter 103 of the Code of Ordinances to include regulation of the use of motorized dirt bikes, mini-bikes, all-terrain vehicles, go-carts, snowmobiles and any other motorized vehicle modified, designed or used for recreational purposes.** Prior to a vote, Public Comment was heard.

Public Comment:

1. Mr. Brooke Rush of 732 E. Creamery Road feels this Ordinance amendment is very restrictive, and asked if a minimum lot size has been designated. Chairman McIlhinney replied that the minimum lot size requirement was removed, and the Ordinance itself strictly refers to the issue of noise. Mr. Rush wondered how the new Ordinance restrictions compared with the decibel levels that are permitted in the current Noise Ordinance. Chairman McIlhinney commented that 99 decibels is apparently a Federal standard, which is used in the proposed Ordinance relating to recreational vehicles. Supervisor Groff, who is also an ATV enthusiast, assured Mr. Rush that as long as the pipes on the vehicle are not modified in any way, there will be no problem meeting the requirements of this proposed Ordinance. He further noted that regulating common sense is very difficult. Mr. Rush agreed, however he is greatly concerned with the adoption of this proposed Ordinance, and asked the Board to reconsider adoption of this Ordinance, which he feels should be done very cautiously and judiciously.

There was no further public comment.

The original motion carried unanimously. There was no public comment.

**\*7:39PM – Chairman McIlhinney adjourned the advertised Public Hearing and reconvened the regularly scheduled July 26, 2010 Hilltown Township Board of Supervisors meeting.**

H. NEW BUSINESS:

1. Discussion of Replacement of Township Boom Mower – Mr. Tom Buzby, Director of Public Works, explained that the Township's boom mower is completely non-

functional at this time. This piece of equipment is essential to Township operations as it is utilized to mow rights-of-way and clear sight triangles at intersections to provide visibility for motorists. This piece of equipment was slated for replacement in the FY2011 budget, however Mr. Buzby felt it made very little sense to spend that money repairing a 13 year old piece of equipment, when it can be purchased for approximately \$25,000.00 using Road Equipment Funds of which there is \$120,000.00 remaining. It was noted that Road Equipment Funds can only be spent on replacement road equipment. This purchase would be made through the COSTARS Program, which would provide for significant savings as has occurred with the purchase of a dump truck, paver and backhoe in the last two years.

The Board unanimously agreed that Mr. Buzby should purchase the boom mower through COSTARS utilizing Road Equipment Funds as noted above as soon as possible.

I. ZONING HEARING BOARD ADVISORIES:

1. Golden Investments/McDonalds – 727 Rt. 113- The applicant is requesting three variances to enable them to remove the existing “McDonalds” sign and replaced with a new non-conforming sign. Discussion took place.

**\*\*At 7:46PM, Chairman McIlhinney recessed the regular meeting and called an Executive Session to discuss legal matters.**

**\*\*At 7:52PM, Chairman McIlhinney reconvened the regularly scheduled Hilltown Township Board of Supervisors meeting of July 26, 2010.**

After discussion with the Township Solicitor, the Board unanimously agreed that they would not oppose the Zoning Hearing Board requested by Golden Investments/McDonalds.

J. SUPERVISOR’S COMMENTS: None.


K. PUBLIC COMMENT:

1. Mr. Hans Sumpf, president of Deep Run, proudly announced that another Connie Mack baseball team, the A-Team, may be going to the State Championship this year. The semi-final is scheduled for Tuesday, with finals scheduled for Thursday in Coplay.

L. PRESS CONFERENCE: There were no questions from those members of the press in attendance.

M. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously, the July 26, 2010 Hilltown Township Board of Supervisors meeting was adjourned at 7:55PM.

Respectfully submitted,



Lynda Seimes  
Township Secretary

(\*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).