

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, May 10, 2010
7:00PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:12PM and opened with the Pledge of Allegiance.

Also present were: Barbara A. Salvatore, Vice-Chairperson
James C. Groff, Supervisor
Christopher S. Christman, Township Manager
William E. Wert, Asst.Mgr./Dir. of Parks, Recreation and Open Space
Christopher E. Engelhart, Chief of Police

A. ANNOUNCEMENTS:

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

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT CALENDAR: Minutes of April 26, 2010 Board of Supervisors Meeting.

Motion was made by Supervisor Salvatore, seconded by Supervisor Groff, and carried unanimously to approve the minutes of the April 26, 2010 Supervisor's meeting as written. There was no public comment.

D. UNFINISHED BUSINESS:

1. Discussion of ATV Ordinance – Discussion took place concerning Mr. Christman's memo dated May 4, 2010, which includes Exhibit A – Current draft ATV Ordinance, Exhibit B – Revised draft ATV Ordinance (as per 4/12/10 meeting), Exhibit C – Draft Nuisance Ordinance (as per 4/12/10 meeting), and Exhibit D – Solicitor Grabowski's letter of recommendations.

Supervisor Salvatore felt that Solicitor Grabowski's recommendation caught the essence of the Board's wishes, which simplifies the regulations, and becomes part of the Township's Nuisance Ordinance.

Supervisor Groff is an advocate for and an enthusiast of ATV's, snowmobiles, and dirt bikes, and believes that the greatest issue involves noise complaints. He feels that common sense and courtesy play a large role while riding ATVs and that consideration for your neighbors should be foremost in everyone's mind. That being the case, he recently borrowed a noise meter from the engineer to test the sound levels on various vehicles and types of equipment, including a stock

dirt bike, a lawnmower, a chainsaw, a car, and even a large farm tractor, where he discovered that the chainsaw had the highest decibel reading.

Supervisor Groff believes that the industry as a whole has done an excellent job of controlling noise levels by instituting requirements for spark arrestors, which was originally required by the Bureau of Forestry to deter the possibility of forest fires. The benefit of the spark arrestor is that it acts as a baffle to keep the sound level down. He feels that common sense and courtesy play a large role while riding ATVs and that consideration for your neighbors should be foremost in everyone's minds. Supervisor Groff is uninterested in considering specific setback regulations, which he believes can be satisfactorily addressed through noise level regulations.

Chairman McIlhinney agreed that utilization of a decibel meter to measure sound would be the most appropriate way to address the ATV complaints, but wondered if it was possible for the Township to establish a decibel requirement that is lower than a national standard. Discussion took place regarding any possible decibel meter certification or calibration that may be required through the State.

Motion was made by Supervisor Groff, and seconded by Supervisor Salvadore, to authorize the Township Solicitor to prepare a draft Ordinance amendment to the existing Nuisance Ordinance including recommendations as found in Solicitor Grabowski's correspondence dated May 3, 2010, and recommendations as made by Chief Engelhart for the Board's consideration at the next meeting. Prior to a vote, Public Comment was heard.

Public Comment:

1. Mr. Ron Theis of Florence Circle suggested that more stringent requirements be considered for the CR-1 and CR-2 Zoning Districts due to the small lot sizes.

Original motion carried unanimously. There was no further public comment.

2. Discussion of Development Sign Ordinance – Chairman McIlhinney believed that discussion of this issue had ended since his fellow Board members did not support his suggestion at a previous meeting that the PC once again review the Sign Ordinance. He was surprised to see this item on tonight's agenda, and is satisfied with the Ordinance requirement as it stands.

Supervisor Groff had requested and received additional information about a specific development sign at the Cutler development. It was noted that the applicant applied for a permanent development sign, which was denied by the Zoning Officer due to violation of Zoning Ordinance requirements. Supervisor Groff is not opposed to development signs in general, and actually likes the sign at the Cutler development.

Chairman McIlhinney referred to the lower end of Bucks County, where every development has its own sign, littering the landscape, and in his opinion, creating a divisive community. He believes the current sign regulation serves the Township quite well.

Supervisor Salvadore cited the August 24, 2009 meeting minutes where Mr. Wynn explained that some of the existing signs were actually legally erected since the previous Ordinance permitted those permanent development signs. She wondered when the sign regulations were changed. Discussion took place.

Mr. Joe Marino, member of the Planning Commission, provided a brief history of the most recent requests from members of the Cutler development and others over the past few years.

Supervisor Salvadore also is not opposed to individual development signs. She once lived in Levittown, and did not feel that each development having its own identity within a municipality was a detriment. As long as the builder's name is not on a development sign, if very specific standards are imposed, and if the issue of future maintenance is addressed, Supervisor Salvadore would not be opposed to revising the Sign Ordinance to permit permanent development signs.

Public Comment:

1. Mr. Hans Sumpf of 9 Beverly Road expressed concern with residents identifying where they live by development name. He is aware that Hilltown Township is served by many different post offices, which already causes difficulties when seeking directions through GPS.

There was no further public comment.

Discussion occurred and the Board agreed to authorize Mr. Wynn to prepare an amended Sign Ordinance for consideration at a future meeting, addressing the comments made this evening with respect to permanent development signs.

3. Review of Scout Cabin Structural Report – Mr. Wert presented a memo dated May 5, 2010 and the Structural Assessment prepared by Ludwig Engineering dated April 29, 2010. Chairman McIlhinney suggested that this matter be tabled until the May 24th meeting when Mr. Wynn is present to discuss it further. Supervisors Salvadore and Groff agreed.

E. NEW BUSINESS:

1. Consider appointments to Park, Recreation and Open Space Citizen's Advisory Committee – There are two vacancies on the PROS Committee, one with a term expiration of 12/31/12, and one with a term expiration of 12/31/11. Five applicants have expressed interest in filling those vacancies. The Board agreed to schedule interviews for all five candidates at 6:30PM prior to the May 24, 2010 meeting.

2. Consider appointment as the Pennridge Wastewater Treatment Authority Representative – Supervisor Groff, who currently serves as Hilltown Township's representative to the PWTA, will be resigning that position due to conflict with meeting nights. He explained that Township resident Joseph Olenick has expressed interest in being appointed to this position. Discussion took place.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to appoint Mr. Joseph Olenick to a five-year term as Hilltown Township's representative to the PWTA, as noted above. There was no public comment.

3. Consider appointment to position of Zoning Officer/Building Inspector – Earlier this year the Board wished to explore whether or not it was cost effective to retain the current third-party agency services (Pennoni Associates) for the positions of Zoning Officer and Building Inspector, or to hire a full-time employee to fill that position. At the present time, Pennoni Associates provides the Township with Zoning Officer and Building Inspector services two days per week. The full-time position of Zoning Officer/Building Inspector was then advertised, and the Board conducted interviewed two finalist candidates on April 13, 2010. As a result of those interviews, Mr. David W. Taylor was offered, and has accepted the position of Zoning Officer and Building Code Official for Hilltown Township.

Chairman McIlhinney thought that the purpose of considering a full-time employee versus a third-party consultant was to insure that the Township does not exceed the costs we are currently incurring. Pennoni Associates has performed their duties over the last year at a cost of \$106,000.00, and has returned \$112,000.00 of revenue, which has been very profitable for the Township. Further, Chairman McIlhinney noted that the initial reason for contracting with a third-party agency was due to the incompetence of a previous Zoning/Building Department. The Township's reputation under that previous Zoning/Building Department implied unequal Zoning enforcement. He believes it is unconscionable and inappropriate to regress to a full-time employee for this position, when the overall cost would be an increase to the taxpayers due to salary and benefits. Chairman McIlhinney feels it is easier to control costs and manage workload using a consultant versus a permanent employee. He also noted that many of the applicants for this position were individuals who had served in that capacity in neighboring municipalities, and whose positions were eliminated in order to use contracted services as a cost saving measure. Chairman McIlhinney was disheartened to realize that the cost saving effort of using a consultant was successful, but will now be abandoned in favor of hiring a full-time employee.

Motion was made by Supervisor Salvadore and seconded by Supervisor Groff to appoint Mr. David W. Taylor as Zoning Officer/Building Inspector for Hilltown Township effective June 9, 2010. Chairman McIlhinney was opposed. Motion carried 2:1.

Public Comment:

1. Mr. Dave Taylor thanked the Supervisors for the appointment and hopes that moving forward he will be able to gain the confidence of the entire Board.

4. Consider Mill Road Bridge Supplemental Agreement for Final Design – Mr. Christman’s memo dated May 3, 2010 was discussed. The supplemental engineering agreement from McCormick-Taylor for final design of the Mill Road Bridge Project has been received. The maximum amount of the agreement shall be increased from \$301,936.70 to an amount not to exceed \$577,983.30 for an increase of \$276,046.93.

Motion was made by Supervisor Salvadore, and seconded by Supervisor Groff to authorize the Chairman of the Board of Supervisors and the Township Manager to execute the PennDot Supplemental Agreement for final design engineering services for the Mill Road Bridge Replacement Project. Prior to a vote, Public Comment was heard.

Public Comment:

1. Mr. Hans Sunpf of Beverly Road asked if the Township will be solely responsible for the financial burden of this project. Chairman McIlhinney replied that the Township is responsible for 5%.

Motion carried. There was no further public comment.

5. Authorization to proceed with Traffic Impact Study of Chalfont Road – Chief Engelhart has requested that a traffic study be conducted on Chalfont Road, between Hilltown Pike and (south) Township Line Road. Currently, the unposted speed of Chalfont Road is 55 mph. This requested study would be conducted to determine if the unposted speed is appropriate.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to authorize the Hilltown Township Police Department to conduct a traffic study of Chalfont Road as noted above. There was no public comment.

6. Authorization to proceed with ordering a pre-cast box culvert for Upper Church Road Box Culvert – The box culvert located on Upper Church Road is in dire need of replacement. Mr. Wynn contacted five vendors for the purchase of a 4 ft. wide X 4.5 ft. high X 28 ft. long pre-cast concrete box culvert, as follows:

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| - Rahn’s Construction (H&K Group) | \$ 9,250.00 (delivered) |
| - OldCastle Precast (Rotundo) | \$ 9,990.00 |

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| - Modern Precast | \$17,000.00 |
| - Commonwealth Precast | Does not manufacture box culverts. |
| - Continental Concrete | No proposal received. |

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to accept the Rahn's Construction proposal of \$9,250.00 for a 4 ft. wide X 4.5 ft. high X 48 ft. long pre-cast concrete box culvert for Upper Church Road, as noted above. There was no public comment.

F. ZONING HEARING BOARD ADVISORIES: None.

G. SUPERVISOR'S COMMENTS: None.

H. PUBLIC COMMENT:

1. Mr. Ron Theis of Florence Circle asked the time-line for a possible draft ATV Ordinance. Chairman McIlhinney would guess that it could take up to a month for the preparation of a draft Ordinance amendment for the Board's consideration. Mr. Theis hopes that the Board will consider his previous recommendation for more stringent regulations for the CR-1 and CR-2 Zoning Districts.

I. PRESS CONFERENCE: A conference was held to answer questions of those reporters present.

J. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously, the regularly scheduled meeting of the Hilltown Township Board of Supervisors of May 10, 2010 was adjourned at 8:04PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

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