

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, February 22, 2010  
7:00PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:00PM and opened with the Pledge of Allegiance.

Also present were: Barbara A. Salvadore, Vice-Chairperson  
James C. Groff, Supervisor  
Christopher S. Christman, Township Manager  
William E. Wert, Asst.Mgr./Dir. of Parks, Recreation & Open Space  
Christopher E. Engelhart, Chief of Police  
Francis X. Grabowski, Township Solicitor  
C. Robert Wynn, Township Engineer

A. ANNOUNCEMENTS:

- 1) The Board met in Executive Session prior to this meeting to discuss legal matters.
- 2) Two advertised Public Hearing will be held at 7:30PM this evening:
  - To consider the adoption of an Ordinance amending Chapter 160, Section 160-23.A, Agricultural and Horticultural Uses of the Hilltown Township Zoning Ordinance.
  - To consider an addition, via Resolution, to the Hilltown Township Agricultural Security Area.
- 3) A vacancy remains on the Board of Auditors. Interested residents are encouraged to apply for the position.
- 4) The Tax Collector has advised that County and Township Tax Bills will be mailed on March 1, 2010. Office hours for public collection of taxes have been changed to Tuesdays and Thursdays from 10:30AM to 3:00PM, with daily hours (10AM – 3PM) during the last two weeks of the discount period at the end of April.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT CALENDAR:

- Minutes of January 25, 2010 Supervisor's Meeting.
- Bills List dated February 23, 2010.
- Financial Report for month of January 2010.
- Manager's Report.
- Solicitor's Report.
- Notification of Sketch Plan Staff Meeting – Guttman Tract (aka: Hilltown Walk).

Motion was made by Supervisor Salvadore and seconded by Supervisor Groff to accept all items on the Consent Calendar, for discussion purposes. Prior to a vote, discussion occurred.

Supervisor Salvadore questioned the last item – “Notification of Sketch Plan Staff Meeting for the Guttman Tract.” Chairman McIlhinney, who attended the last staff meeting for this project, noted that the applicant was directed to revise the plan to more appropriately align with the Township’s TND Ordinance, and then to resubmit for a second sketch plan meeting. Supervisor Salvadore is not in favor of a second sketch plan meeting, and stated that the Planning Commission previously identified the fact that the plan does not meet the intent of the TND Ordinance. Further, Supervisor Salvadore noted that the applicant is also seeking re-zoning of the property. Supervisor Groff asked the normal protocol for holding sketch plan staff meetings. Mr. Wynn replied that most times, sketch plan staff meetings are held prior to submission to the Township, though meetings have occurred during the submission process as well. Supervisor Groff asked if staff meetings are normally held for rezoning requests as well. Mr. Wynn explained that in the past, there have been staff meetings for re-zoning requests prior to submission, such as with the McGrath Homes proposal.

Chairman McIlhinney, who attended the first staff meeting, commented the reason Guttman was asked to come back for a second staff meeting was because the first sketch plan proposal was not in compliance with the TND Ordinance. He further noted that applicants who request staff meetings must provide an escrow to compensate for the professional staff’s attendance. Personally, Supervisor Groff does not believe that any of the Supervisors should attend and participate in staff meetings, particularly with this parcel, which requires rezoning prior to consideration of a TND. Supervisor Groff commented that this proposal should follow the normal process, which is to appear before the Planning Commission before meeting with the Board of Supervisors. Supervisor Salvadore agreed. Lengthy discussion occurred.

Supervisors Groff and Salvadore were opposed to granting a second request for a staff meeting with representatives of the Guttman Tract, while Chairman McIlhinney was in favor. Mr. Wynn explained that the applicant had requested that a formal engineering review not be done of the revised sketch plan due to the cost. Since the applicant is now technically past the submission deadline to be on the next Planning Commission meeting agenda, the Board of Supervisors authorized Mr. Wynn to place the Guttman Tract revised sketch plan, when submitted, on the March 15, 2010 Planning Commission agenda.

Motion was made by Supervisor Groff, seconded by Supervisor Salvadore, and carried unanimously to accept and approve items (a) thru (e) on the Consent Calendar. There was no public comment.

D. PLANNING – Mr. C. Robert Wynn, Township Engineer:

1. Giant Convenience Store Land Development (Final) – The Planning Commission recommended conditional final plan approval of the Giant Convenience Store Land Development, pending completion of all outstanding items as noted in the January 19, 2010 engineering review. Mr. Bill Benner, the applicant's legal counsel, was in attendance to present the plan.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to grant conditional final plan approval to the Giant Convenience Store/Fuel Station Land Development, pending completion of all outstanding items as noted in the January 19, 2010 engineering review. There was no public comment.

E. ENGINEERING – Mr. C. Robert Wynn, Township Engineer:

1. Harleysville Savings Bank – Extension Request for Completion of Improvements – The timeframe for completion of improvements at the Harleysville Savings Bank located on County Line Road is March 9, 2010. The applicant has requested an extension until June 1, 2010 to complete the required improvements.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to approve the extension in the timeframe for completion of improvements for the Harleysville Savings Bank Land Development until June 1, 2010, as noted above. There was no public comment.

2. Holly Farms Subdivision – Extension Request for Completion of Improvements – The timeframe for completion of improvements at the Holly Farms Subdivision located on Schoolhouse Road is April 2, 2010. The developer has requested a one-year extension to complete improvements.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to grant a one-year extension until April 2, 2011 to the Holly Farms Subdivision for completion of improvements as noted above. There was no public comment.

3. Upper Church Road Culvert – Authorization to Bid – Mr. Wynn was asked to obtain permits necessary for the replacement of the poured in-place concrete box culvert located between Broad Street and Stump Road on Upper Church Road. The existing culvert is failing beneath the cartway. To meet DEP requirements, a 4 ft. high X 4.5 ft. wide, 27 ft. long box culvert is proposed. The estimated cost of the box culvert material set in place is \$13,000.00. Accordingly, the culvert material must be advertised for bid. The balance of the work to replace the culvert is proposed to be completed by the Public Works Department.

The Board unanimously agreed to authorize the advertisement of the Upper Church Road box culvert for bid letting, as noted above.

F. UNFINISHED BUSINESS:

1. Review of Proposed Landscape Ordinance Revisions – At the last meeting, Mr. Wynn provided a memo dated January 19, 2010, which included a draft revision to Section 140-37, “Landscaping and Street Trees,” and Section 140-26, “Community Facilities and Open Space” of the Subdivision Ordinance. In addition, landscaping of the parking area has been significantly revised to provide for a minimal shading of parking areas (50%) consistent with Leadership in Energy and Environmental Design (LEED) guidelines. Also submitted for the Board’s consideration is a proposed revision to Section 160-33, “Buffer Yards” of the Zoning Ordinance.

The Board unanimously directed Mr. Wynn to provide the proposed Landscape Ordinance revisions as noted above to the Planning Commission for review.

2. Consider Resolution adopting Open Space Plan: This item was deferred for consideration at the next Board of Supervisor’s meeting.

While not necessary, Mr. Wert asked if the Open Space Plan could be added to the Township website for public review, since it was previously approved by the Supervisors and by the Bucks County Open Space Review Board. He noted that the Open Space Plan is not required to be reviewed by the Hilltown Planning Commission or the Bucks County Planning Commission. If any revisions are made to the Open Space Plan following discussion by the Board of Supervisors, those revisions would have to be resubmitted to the Bucks County Open Space Review Board for further consideration, which could take approximately 6 to 8 weeks. Mr. Wert explained that Hilltown Township has until the end of 2010 to adopt the Open Space Plan in order to be eligible to receive the County’s grant funding. Discussion took place. The Board agreed to wait to add the Open Space Plan to the Township website until after review at the next meeting.

**\*\*7:30PM - PUBLIC HEARINGS:** Chairman McIlhinney recessed the regularly scheduled Hilltown Township Board of Supervisors meeting at 7:30PM in order to enter into the following advertised Public Hearings - (1) To consider the adoption of an Ordinance amending Chapter 160, Section 160-23.A, Agricultural and Horticultural Uses of the Hilltown Township Zoning Ordinance; and (2) To consider accepting an addition to the Hilltown Township Agricultural Security Area.

(1) Proposed Ordinance amending Chapter 160, Section 160-23.A, Agricultural and Horticultural Uses of the Zoning Ordinance – Solicitor Grabowski advised the proposed amendment was properly advertised in the Doylestown Intelligencer on February 5, 2010 and

February 12, 2010. The proposed Ordinance amendment provides for the following: Definition of a "Roadside Stand," definition of Agricultural and Horticultural Uses, provides for the addition of various provisions including specification of products grown/sold, size of structure from which sales may occur, lot area specifications, maximum impervious surface ratio permitted, yard/setback requirements for structures, and the requirements for a water impact study; as well as a revision to the Table of Use Regulations.

Public Comment: None.

Chairman McIlhinney asked if the adoption of this Ordinance would in any way affect the agricultural operations of farmers in the Township. Solicitor Grabowski replied that it does not.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to **adopt Ordinance #2010-1, an Ordinance amending provisions of the Code of Ordinances, Chapter 160, Section 160-23.A, Agricultural and Horticultural Uses, as noted above.** There was no public comment.

(2) Consider an Addition to the Hilltown Township Agricultural Security Area – Mr. Wert explained that Hilltown Township created its first Agricultural Security Area (via Resolution) in 1986. Since that time, a total of five Resolutions were passed representing additions to the ASA. The Hilltown Township Agricultural Security Area currently contains approximately 222 parcels representing approximately 3,855.30 acres of farmland. The application before the Board this evening consists of 70.07 acres located in neighboring East Rockhill Township, is owned by Jerry and Rebecca Harris, (TMP #12-14-59), and is located on the southeastern side of Branch Road near its intersection of Cedarview Lane. Recommendations for approval have been received from both the Hilltown Township and Bucks County Planning Commissions, as well as from the Hilltown Township Agricultural Security Area Committee.

Public Comment: None.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to **adopt Resolution #2010-10, accepting the Harris Property (TMP #12-14-59) as specified into the Hilltown Township Agricultural Security Area, as noted above.** There was no public comment.

**\*\*\*7:40PM – Chairman McIlhinney adjourned the advertised Public Hearings, and reconvened the regularly scheduled meeting of the Hilltown Township Board of Supervisors of February 22, 2010 at approximately 7:40PM.**

G. NEW BUSINESS:

1. Consider Silverdale Fire Company Request for Monetary Donation: Motion was made by Supervisor Salvadore and seconded by Supervisor Groff to consider the request by Silverdale Fire Company for a monetary donation to assist with the replacement of a fire truck (Engine 59-1). Prior to a vote, discussion occurred.

Supervisor Salvadore withdrew her original motion. This item was deferred for consideration at the next Board of Supervisor's meeting, and Mr. Christman was directed to provide the Board with a history of donations to the various fire companies over the past several years.

2. Discussion of Hilltown Township Leaf and Yard Waste Recycling Program: Mr. Christman advised the PADEP through Act 101, mandates communities to provide Leaf and Yard Waste Recycling Services to its residents. In a recent audit of the Township's 2007 Section 904 Performance Grant Application, DEP advised that Hilltown was not in complete compliance with Act 101, specifically with respect to curbside pick-up of leaf and yard waste. A Resolution was prepared for a program designed to minimize direct overhead expenses to the Township by mandating that the trash haulers who service Hilltown provide curbside pick-up of leaf and yard waste materials three times per year (May, October, and November) as required by Act 101. The waste would then be disposed of at a DEP-approved composting facility, and the tonnage reported back to the Township for Section 904 Performance Grant purposes. Residents utilizing this program through their trash hauler are responsible for the purchase of biodegradable leaf and yard waste collection bags at a local hardware store. The program would allow for 10 bags per collection, and haulers may choose to reject leaf and yard waste that is not bagged property. It was noted that the Public Works Department will continue its leaf vacuum operations each Fall to clear the drainage ditch system, as well as providing a monthly drop-off area here at the Township building for residents to dispose of leave/yard waste material.

Chairman McIlhinney referred to recent newspaper articles criticizing Hilltown Township for not partnering with neighboring municipalities since withdrawing from participation in certain organizations. He advised that Hilltown Township as the lead municipality, in conjunction with East Rockhill Township and Dublin Borough, has successfully partnered to obtain the 2007 Section 904 Performance Grant from DEP, and is also presently partnered with both East and West Rockhill Townships and Dublin Borough for the 2008 Grant cycle. Discussion occurred.

Motion was made by Supervisor Salvadore, and seconded by Supervisor Groff to **adopt Resolution #2010-11, related to the proper disposal of leaves and other yard waste, as noted above.** Prior to a vote, Public Comment was heard.

Public Comment:

1. Mr. Hans Sumpf of 9 Beverly Road was concerned with the purchase of biodegradable bags, the cost of which is being passed on to the residents, and noted that currently, his trash hauler collects in normal garbage bags. Mr. Christman explained that residents are not required to participate in the yard waste collection program if they do not wish to. This Resolution is being adopted simply because the Township is required to put a program in place formalizing compliance with Act 101.

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

3. Resolution authorizing Manager to execute all required forms/documents amending terms of the Mill Road Bridge Federal Aid Bridge Project Agreement: Chairman McIlhinney noted that the preliminary design cost has increased from \$518,700.00 to \$564,300.00, and wondered if there is an estimate of the final design cost of the bridge. Mr. Christman replied the final design cost estimate is approximately \$538,000.00. Discussion occurred.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to **adopt Resolution #2010-12, authorizing Manager to execute all required forms/documents amending terms of the Mill Road Bridge Federal Aid Bridge Project Agreement.** There was no public comment.

4. Consider appointment to Planning Commission Vacancy – Supervisor Groff tendered his resignation from the Hilltown Township Planning Commission effective February 18, 2010.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to appoint Mr. Andrew Mele to complete the remainder of a term on the Hilltown Township Planning Commission, set to expire on December 31, 2011. There was no public comment.

5. Discussion of Parks, Recreation, and Open Space 2010 Objectives – Mr. Wert referred to his memo outlining a comprehensive listing of parks, recreation, and open space projects that have been identified since his hiring in 2008, including the following recommended Goals for 2010:

Blooming Glen Park:

Pave parking lot/driveway/ADA trail to playground and pavilion  
Seal coat/paint basketball court  
Replace basketball rims and backboards  
Fence repairs

Reconstruct softball infield  
Park signage  
Rain garden

Blooming Glen Schoolhouse:  
Replace doors

Scout Cabin:  
Kitchen renovations  
Replace windows and doors  
ADA accessible bathrooms

Civic Park:  
Water fountains  
Playground and safety surfacing  
Sealcoat/paint tennis courts

Forest Road Park:  
Engineering – Incorporate Beyer Farm into Park Master Plan.  
Pave parking lot and driveway  
Construct 1-mile pedestrian trail  
Plantings  
Site furnishings

Hilltown Trail System:  
Master Planning Services

Beyer Farm Adaptive Reuse Study (\*\*This project is not budgeted):  
Long-range funding source needs to be identified  
Multiple options and configurations to consider for house and barn

Open Space:  
Signage  
2009 Open Space Plan Update –

- 69% voter approved Earned Income Tax for Open Space Preservation – 0.25%
- Since inception of EIT, 18 parcels totaling 404 acres have been preserved
- 14 Conservation Easements
- 4 Fee Simple Purchases (81 acres)
- Current Balance in Open Space Fund - \$1,070,957
- Ranking System – 47 ranked properties (1,548 acres), 19 property owners expressed interest in preservation (433 acres)



2010 Recreation Goals:

Define the offering of recreation programs

- Program Development for children ages 6-19
- Program Development for adults 36+
- Develop concert series, special events and trips.

Special Events

- Easter Egg Hunt – March 27<sup>th</sup>
- Earth/Arbor Day – April 24<sup>th</sup>
- Fall Harvest Fest

Recreation Programs

- Mat Pilates
- Music Classes
- Theater Camps
- Youth Science Workshops
- Environmental Education Programs
- Sailing and Boat Camps
- Ladies Boot Camp

The Board unanimously agreed to review Mr. Wert's report and to consider it for further discussion and direction at the next meeting.

H. ZONING HEARING BOARD ADVISORIES: None.

I. SUPERVISOR'S COMMENTS:

1. At a recent meeting, Supervisor Salvadore noted that the Board took action to rename the former Jack Fox Award to the Hilltown Township Community Service Award. She does however believe that Mr. Fox should be recognized by the Township, and suggested that it might be appropriate to install a memorial bench at the Hilltown Civic Park, perhaps near the Musselman Log Barn, of which Mr. Fox was a great proponent. Further discussion and consideration of this suggestion will occur at the next meeting.

2. Supervisor Groff requested that Solicitor Grabowski review the current E21 Use in the Zoning Ordinance to perhaps strengthen regulations. Chairman McIlhinney and Supervisor Salvadore agreed, and the Board directed Solicitor Grabowski to forward a final draft amendment to both the Hilltown Township and Bucks County Planning Commissions for review.

3. Supervisor Groff traveled with Mr. Buzby and Mr. Britsch two days following the last snow storm to assist with locating fire hydrants in the cul-de-sac streets. He feels that the Townships Public Works Department, despite several mechanical failures experienced during the height of the storm, did a remarkable job with storm clean-up, particularly considering the

size of the Township and the number of employees. The entire Board of Supervisors commended Mr. Buzby and the Public Works Department on a job well done.

4. Chairman McIlhinney suggested that the Board review the various items in the Manager's Report with Mr. Christman to complete any outstanding projects that may still remain, such as pursuit of grant funding, etc.

J. PUBLIC COMMENT:

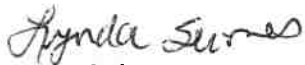
1. Mr. Hans Sumpf of 9 Beverly Road suggested that the newly constructed pavilion at the Blooming Glen Playground be dedicated in Mr. Jack Fox's name.

Mr. Sumpf also praised the snow removal operations performed by the Public Works Department.

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

L. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously, the February 22, 2010 Hilltown Township Board of Supervisors meeting was adjourned at 8:37PM.

Respectfully submitted,



Lynda Seimes  
Township Secretary

(\*These minutes were transcribed from recordings taken by Mr. Wert, and should not be considered official until approved by the Board of Supervisors at a Public Meeting).