

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, November 23, 2009
7:00PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Barbara A. Salvadore at 7:00PM and opened with the Pledge of Allegiance.

Also present were: John B. McIlhinney, Vice-Chairman
Richard J. Manfredi, Senior Member
Christopher S. Christman, Township Manager
Christopher E. Engelhart, Chief of Police
Lorraine E. Leslie, Finance Director
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Lynda S. Seimes, Asst. Secretary

A. ANNOUNCEMENTS: None.

B. CONSENT AGENDA:

- Action on Minutes of October 12, 2009 meeting: Motion was made by Supervisor McIlhinney and seconded by Chairperson Salvadore to approve the minutes of the October 12, 2009 Supervisor's Meeting, as written. Supervisor Manfredi abstained from the vote since he was not present at that meeting. There was no public comment.

- Action on Minutes of October 26, 2009 Supervisors meeting: Motion was made by Supervisor McIlhinney, and seconded by Supervisor Manfredi, to approve the minutes of the October 26, 2009 Supervisor's Meeting, as written. Chairperson Salvadore abstained from the vote since she was not present at that meeting. There was no public comment.

- Bills List dated November 24, 2009
- Financial Report for October 2009
- Manager's Report.
- Solicitor's Report.
- 2010 Fire Protection Agreements for Signature – Dublin & Perkasi

Motion was made by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously to accept and approve the remaining items on the Consent Calendar as noted above. There was no public comment.

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

1. Giant Convenience Store (Preliminary) – Mr. Bill Benner, the applicant's legal counsel, along with Mr. Jack Schneider and Ms. Kim Flanders, representing the applicant, were in attendance to present the plan.

The Planning Commission unanimously recommended preliminary approval of the land development plan for a Giant gas facility, convenience store, and retail store on Lot #2 of the Univest Subdivision located on Rt. 113. The Planning Commission also recommended approval of all waivers requested by the applicant as contained within Item #5 of the engineering review dated November 2, 2009, noting the following:

- With respect to parking within 20 ft. of the side of the building, the waiver is conditioned upon the applicant forwarding a plan to the Telford Fire Company seeking their comments regarding the reduced building setback.
- With respect to the reduction in the number of buffer trees due to overlapping requirements, the recommended approval of the waiver is conditioned upon the plan being revised to retain as many of the mature trees along the frontage of the site as possible, and the applicant donating capital contribution to the Township in the amount equivalent to the waived buffer trees.

Supervisor McIlhinney questioned the apparent change to the proposed use of the existing building. Mr. Benner explained that the plan is to convert the building, which is currently in office use to Retail (E-1) Sales. The proposed primary use is a convenience store to be owned and operated by Giant, with ancillary sale of gasoline. The existing Univest building will be retained by Metro Development to be leased for retail sales. Supervisor McIlhinney hopes the change in use will not provide for a strip center look, which in his opinion, would be in direct contrast to the excellent "green" building design initiative being incorporated at the Univest site. Mr. Schneider stated that the applicant would be willing to work with the Township to provide a similar look to that proposed retail use building.

Motion was made by Supervisor Manfredi, seconded by Supervisor McIlhinney, and carried unanimously to grant conditional preliminary plan approval to the Giant Convenience Store Land Development, pending satisfactory completion of Mr. Wynn's November 2, 2009 engineering review, with the caveat that the applicant will consider and work with the Township to provide "green" architectural initiatives for the proposed retail use building during the final plan approval process; and to grant the SALDO waivers as recommended by the Planning Commission with respect to street trees, parking perimeter landscaping, and parking within building setback as noted in the November 2, 2009 review. There was no public comment.

2. Suburban Equities Subdivision (Preliminary) – Motion was made by Supervisor Manfredi, seconded by Supervisor McIlhinney, and carried unanimously to deny the Suburban Equities Subdivision located on Bethlehem Pike, which was initially submitted in June of 2005 due to lack of activity and response by the applicant, and based upon non-compliance with Zoning and Subdivision requirements as noted within the January 9, 2007 engineering review and July 11, 2005 Bucks County Planning Commission review. There was no public comment.

D. CONFIRMED APPOINTMENTS:

1. Ms. Debbie Scollon, Manager of the Pennridge Senior Center – Ms. Scollon was present along with Mr. John Much to seek the Board's consideration for funding for the Pennridge Senior Center in the 2010 Budget. In 2007, the Pennridge Senior Center moved to its new building in Silverdale, with the intent to supply services, programs, and resources for all ages. The Center is one of five full service senior centers operated by the Bucks County Association for Retired and Senior Citizens, serving all residents over the age of 55 in the boroughs of Dublin, Perkasio, Sellersville, Silverdale and Telford, along with the Townships of East Rockhill, West Rockhill and Hilltown. At present, there are 652 members, with 181 of those living in Hilltown Township.

The new facility includes a billiard room, computer room, ceramics room, arts and crafts room, conference room, and offices. Also available is a state-of-the-art kitchen and a community room, both of which are available for rental by the general public. A variety of services are provided to assist participants with a host of relevant information regarding health and personal issues. Ms. Scollon advised that there were 49 building rentals within the last year, with hopes that rental opportunities will continue. The Executive Committee and Advisory Board of the Pennridge Senior Center are continually considering fundraising to assist with the deficit, including bake sales, soup sales, spaghetti suppers, hoagie sales, candy sales, Bon Ton Community Day, flea markets, arts/crafts show, a 3-month daily lottery calendar, and Sunday afternoon concerts. A candlelight dinner dance has been planned for December 13th as well as other holiday activities.

To provide more adequately for the growing senior population, the Center is requesting that funding consideration be given to include the Pennridge Senior Center as a dedicated recreational program in the Township's 2010 Budget, with a suggested contribution of \$1.00 per resident.

Supervisor McIlhinney recalls previous discussions where representatives of the Senior Center had advised that once the building was constructed it would be self-sufficient, and would be seeking private, not municipal funding. However it now appears that approximately \$2 million dollars worth of taxpayer's funds have already been invested into the construction of the new building, either through grants from State, Federal or County sources, or from donations from local municipalities. He noted that Hilltown Township had previously donated \$35,000.00 to the

Center. Supervisor McIlhinney further commented that when the mortgage is paid off, the Bucks County Association of Retired and Senior Citizens would take ownership of the building. Therefore, he does not believe it would behoove the taxpayers of Hilltown Township, which by the Center's suggested donation amount would be the largest municipal contributor, to provide additional donations at this time.

Mr. Much, president of the Center's Advisory Board, stated that the largest private donation, which amounted to 1/3 of the entire building cost, was from a woman's estate in the amount of \$750,000.00. He agreed that the Pennridge Senior Center has continued to ask each participating municipality to donate up to \$1.00 per resident to help defer the mortgage cost. Mr. Much also explained that various municipalities in the area do from time to time, earmark specific funds in their recreational budgets for the Senior Center. Lengthy discussion occurred. Chairperson Salvadore stated that the Board would take this request for funding under advisement during discussion of the 2010 Budget.

E. UNFINISHED BUSINESS:

1. Review of proposed FY 2010 Budget – Mr. Christman provided a Power Point presentation of the proposed FY2010 Budget. He stated that the 2010 Budget is balanced and no tax increase is proposed, with the property tax rate remaining at the current level of 6.75 mills. An analysis of the FY 2010 Budget shows that the Township is maintaining municipal services in such areas a police protection, code enforcement, fire protection, and public works services at or above present levels. The FY 2010 Budget provides the necessary resources to these important areas, to achieve the priorities, goals and policies of the Board and for the Township to continue to fulfill its obligation to provide for the health, safety, and welfare of the community. Mr. Christman again noted that this proposed balanced budget maintains accustomed service levels and represents an accurate estimate in dollar terms of the Township's commitment to deliver quality municipal services to its residents without a tax increase.

(**Please note that a complete copy of the presentation of the FY2010 Budget is available for public inspection at the Township Administrative Office during normal business hours).

Supervisor McIlhinney commended Mr. Christman on the preparation of the proposed budget. He referred to page 10, which indicates that the 2009 Budget was brought in approximately \$150,000.00 under budget due to the economic conditions, and practically speaking, Supervisor McIlhinney believes that the 2010 Budget will be similar.

Motion was made by Supervisor McIlhinney and seconded by Supervisor Manfredi to authorize advertisement of the proposed FY2010 Budget as presented this evening, for possible adoption at the December 14, 2009 meeting. Prior to a vote, discussion took place.

Chairperson Salvadore expressed concern with the Fund Balance, which has diminished from \$1,130,398.00 in 2006 to \$518,805.00 going into 2011. Mr. Christman replied that the Fund Balance is not anticipated to be reduced in 2010. Supervisor Manfredi noted that the beginning balance for January 1, 2010 and the ending fund balance as of December 31, 2010 is projected to be the same at \$518,805.00. Mr. Christman met independently with Supervisors McIlhinney and Manfredi, who each recommended that the initial \$254,000.00 budget shortfall should be made whole via a transfer from the Capital Projects Fund back into the General Fund. This action resulted in no affect on the Fund Balance. Chairperson Salvadore is very concerned that the Township is not heading into the recession with enough cash in reserve. Mr. Christman explained that most line items in the proposed budget have either been maintained at the 2009 rate or have been decreased.

Chairperson Salvadore referred to other municipalities who have gone to great lengths to preserve their reserve by significantly decreasing their budget. For instance, Warminster Township is requiring employee give-backs on health insurance, and mandating a reduction in paid time off. Plumstead Township has eliminated Code Enforcement positions by contracting with a third party agency. Some municipalities are increasing real estate taxes, eliminating positions, freezing wages, and increasing employee-paid health insurance premium rates. In today's environment, with more and more Township residents unemployed, losing their health insurance benefits, having their positions downsized, or losing their homes, Chairperson Salvadore feels that Hilltown Township appears to have adopted a "business as usual" mentality. She wondered what this Board is doing to respond to a community that may have difficulty keeping up with their assessed taxes or making their mortgage payments.

Mr. Christman reminded the Board that three positions included in the 2009 Budget remained unfilled through the year, which saved \$175,000.00. Further, the Non-Uniform and administrative employees switch to the Delaware Valley Insurance Trust in 2008 reduced health insurance costs overall. For instance, the Public Works Department, who voluntarily agreed to make the switch 17 months prior to their contract expiration, saved the Township approximately \$41,000.00 per year, and the switch by administrative employees saved the Township approximately \$51,000.00 per year. Mr. Christman feels the Township is in a very good financial position, and supports the proposed 2010 Budget.

Chairperson Salvadore advised that 68% of the Planning Commission meetings were cancelled this year, as well as 21% of the Board of Supervisors meetings, which points to a decrease of work from prior years, yet the Township continues to employ the same number of individuals, and has not cut back on hours. Mr. Christman replied that there are five full-time employees on the administrative staff to maintain a Township of 28 sq. miles. Those five employees are responsible for zoning, processing building permits, subdivision/land development administration, finance, recreational activities, and general administration. The Public Works Department consists of 8 individuals, which is currently undersized in Mr. Christman's

estimation, and which he feels provides more "bang for the buck" than surrounding municipalities with a larger workforce and less area. He cited Montgomery Township, which is smaller in size but has 17 Public Works employees. Mr. Christman feels the administrative staff in addition to the Public Works Department and the Police Department has done everything possible to cut expenses, and will continue to do so. Chairperson Salvadore is certain that with cutting hours of employees, significant funds could be saved to build the Reserve Fund. Another concern was employee benefits such as longevity and sick time buy-back, which on top of a modest salary increase, will impact the proposed budget as well. Mr. Christman noted that those benefits are addressed in the Township's Human Resource Manual, which currently only impacts 8 employees while the remaining employees are governed by the Police Contract and the Non-Uniform Contract.

Chairperson Salvadore is not satisfied with the 2010 Budget as proposed at this time. Supervisor McIlhinney was very pleased with it, and noted that Hilltown has minimal debt as compared to other municipalities, which he believes is due to conscientious frugality in the budget process throughout the year. He would be opposed to penalizing 8 employees not represented by contracts to comply with Chairperson Salvadore's suggestions of cutting salaries and/or hours, which Supervisor McIlhinney believes would affect employee morale. Supervisor McIlhinney commented that this Township functions very well and effectively with a lean staff and he would not be inclined to disrupt that harmony. Supervisor Manfredi agreed that the Board has worked very hard over the past five years to be proactive in expenditure of funds via such avenues as reducing health insurance costs by switching vendors, not filling staff position vacancies, contracting services for building/zoning, etc. He complimented the administrative staff by name - Lynda, Lisa and Lorraine, who are rarely recognized for their efforts, who do an incredible job on a regular basis, and who are in the office early every day. Even with the addition of parks and open space these past several years, the Township has managed to maintain a fund balance of \$518,000.00, with no tax increase proposed, and with revenues beating expenses. Supervisor Manfredi commented that the Township has been prudent, frugal, and fiscally responsible, and is in a very solid position going forward in 2010. Further, Supervisor Manfredi would not support any changes to the Human Resources Policy. While he may agree that a percentage increase in employee contributions to health care could be considered, and while he would like to see the longevity benefit eliminated, Supervisor Manfredi does not believe that 8 employees should be penalized simply because they are not part of a bargaining unit. Chairperson Salvadore had absolutely no negative comments about the employees however she believes that it is the Board's job to insure that every avenue for fiscal responsibility is explored during these trying financial times. Even though taxes are not proposed to be increased, she noted that this draft budget does not propose reducing expenses from what they were in 2009. Mr. Christman explained that most budget categories have been reduced where possible, or otherwise maintained.

The original motion to authorize advertisement of the proposed 2010 Budget as presented this evening for possible adoption at the December 14, 2009 Supervisor's meeting carried 2:1, with Chairperson Salvadore opposed. There was no public comment.

2. Discussion of EMS Contracts/Map Status – At the September 28th meeting, the Supervisors directed Mr. Christman to develop a reasonable solution for a draft EMS Coverage Area Map until Bucks County's GIS system was completely operational. The proposed draft EMS Coverage Area Map was created with assistance from the Bucks County Planning Commission, and includes draft coverage areas for four ambulance companies using current box card allocations, TMP numbers, and street names. Since the County GIS program is not yet operational, the existing box card system was utilized to create the service area map. Ms. Jeryl DeGideo of Bucks County and several representatives of the four ambulance squads were in attendance this evening.

Supervisor McIlhinney commented that the proposed map is not one he has agreed to, noting that the initial discussions included three squads, not four. The original purpose was to assist the three volunteer EMS squads with an equitable distribution of call volume, and with that, the opportunity to solicit donations and/or subscriptions from residents living in the area they had been assigned. Supervisor McIlhinney felt that the controversy began when Grand View Ambulance, which is a for-profit company, was brought in. Subsequent to Grand View's inclusion, Supervisor McIlhinney advised that the original three squads had agreed to honor each other's subscribers. He met with the original three companies just last week, and was informed by one of the services that Medicare prohibits any such inclusionary agreements between various ambulance squads. If true, this would be unacceptable to Supervisor McIlhinney since residents who subscribed to a particular EMS service would expect that they would not be back-billed, no matter which EMS squad responded. After many attempts during the past week, Supervisor McIlhinney was finally able to schedule a phone appointment with a Medicare representative for tomorrow morning.

Supervisor McIlhinney does not feel a four-way split of the Township is required since Bucks County 911 will be dispatching first-due anyway on the basis of squad availability. Supervisor Manfredi feels there are two separate and distinct issues, including which EMS squad is considered first-due to be dispatched by Bucks County, and which EMS squads Hilltown assigns territory to, thereby allowing them to solicit for donations/subscriptions within their respective territories.

Lengthy discussion took place concerning response times; call box locations, and first-due coverage. Supervisor Manfredi noted that the proposed conceptual map really has no bearing on which EMS service may respond to a location, since Bucks County will dispatch the closest ambulance available at the time of the call.

Chairperson Salvadore initially reviewed the County's data including volume and response times, and determined that it was the shortest response time to the addresses in the box card that would matter most to someone requiring an ambulance. It is her opinion that the issue of subscriptions did not come into play until this last year when the Board realized that Hilltown residents were receiving multiple requests for donations from numerous EMS squads. Supervisor McIlhinney believes that the reason this issue was pursued was to insure that the three remaining volunteer (non-profit) EMS squads could survive by providing them with sufficient call volume and the ability to solicit donations and subscriptions. The easiest way to accomplish that was to divide the Township into three separate coverage areas. Chairperson Salvadore disagreed, stating that it is the Township's obligation and responsibility to provide for the health, safety, and welfare of its residents; in this case by determining the first-due ambulance squads to specific sections of the Township. Ms. DeGideo agreed that was correct. Supervisor Manfredi asked if it was possible for a municipality to defer to Bucks County Emergency Communications to determine first due, to which Ms. DeGideo replied in the affirmative.

Public Comment:

1. Mr. Mike Tuttle, chief of Plumstead/Pt. Pleasant Ambulance expressed concern with the box card information from the County, which was used to compile the draft map for first-due response times. He asked if it was possible to split a box, and Ms. DeGideo replied that it is. Mr. Tuttle commented that the various squads would have to travel through other box card territories to service a location within their own territory, and therefore disputed the accuracy of the proposed map. Mr. Tuttle felt that the map should be determined strictly by mileage, and asked what specific data and criteria was used to draft the proposed map. Chairperson Salvadore replied that the County's data was utilized, and she simply reviewed the average time from when an ambulance left their station location until they reached the box card location. Mr. Tuttle disagreed that time should be a factor, and feels as though there are flaws in the system used to establish the proposed map. Lengthy discussion occurred.

Mr. Tuttle understands that second-due is mandated by the State, and that the second-due squad has to be located closest to the location within the box card system. Mr. Tuttle asked the Supervisors not to rely on the County data when determining squad territories. He will ask his squad's attorney to provide clarification that it is illegal for them to honor subscription plans of other squads and ask them to provide data from the Medicare bulletins stating such. It is Chairperson Salvadore's understanding that ambulance squads can indeed honor each other's subscriptions. Supervisor McIlhinney will also provide the information he receives from Medicare when he telephone conferences with their representative tomorrow.

In December of 2008, Mr. Tuttle recalls that the Township Solicitor was to meet with the squad's legal counsel to review the proposed contract, however to his knowledge that never occurred. Solicitor Grabowski explained that there were emails exchanged with the attorney for the EMS

squads, the most recent being approximately 3 months ago, where he was told that the agreements were still being drafted.

2. Mr. Chris Frantz, Chief of Souderton Ambulance, reiterated Mr. Tuttle's comments about the lack of accuracy and continuity with the proposed map. Approximately 10 years ago, Souderton Ambulance covered portions of Hilltown along Rt. 309 and other areas as first-due however they were removed from the box card system because they were located in Montgomery County squad. Mr. Frantz commented that the Souderton Ambulance is actually 5 to 6 miles physically closer to the Hilltown Crossings Shopping Center location on Rt. 309 than Cbal-Brit. If this system is to purely address timeliness of patient care, Mr. Frantz feels that the closest ambulance location should be the only criteria used to determine territory. If only the Bucks County data is used, Mr. Frantz wondered how Souderton Ambulance can fairly be considered if they are not even in the system.

Mr. Jim Troop, staff coordinator for Souderton Ambulance, explained that Mr. Frantz's point is that the Bucks County data is skewed due to the age of the box card system, and its inaccuracies over the years. According to the December 8, 2008 Hilltown Supervisor's meeting minutes, the chiefs of the squads were to meet, along with Ms. DeGideo and Mr. Christman, to discuss and consider a fair division of ambulance squad coverage however Mr. Troop noted that meeting never occurred. Ms. DeGideo explained that the County will not participate in a meeting with the various squads, because it is the municipality's responsibility to determine coverage area.

Ms. DeGideo stated that when the box card system was established many years ago, Bucks County and Montgomery County did not have compatible CAD systems. As such, Montgomery County squads were given a 4 minute penalty, which was to allow time for phoning Montgomery County to dispatch their squads. That problem of compatible CAD systems has since been rectified however the change has not yet been reflected on the current box cards, though it will be resolved on the new GIS system.

3. Mr. John Angle of Chal-Brit Regional Ambulance advised that the Chal-Brit Board of Directors have determined that they do not wish to participate in drafting the EMS response territories, which is the responsibility of the Hilltown Board of Supervisors. He recognizes the difficulty in drawing straight lines on a map across 3-dimensional territory, and agrees that whenever average data is reviewed, there will always be flaws. On the advice of their shared attorney, Mr. Peterson of PWW, the squads have been told that they cannot formally honor each other's subscriptions. He suggested that the squad's legal counsel and Solicitor Grabowski work together on the issue of Medicare and honoring subscriptions between the various squads. Until the attorneys for both the Township and the squads can come to an agreement about the legality of honoring each other's subscriptions, Chal-Brit would not commit to do so.

Mr. Angle noted that Chal-Brit Regional Ambulance has lost a significant amount of membership contribution because Hilltown residents did not know, based on average data, which

squad the Township has designated as their first-due. Chal-Brit's Board of Directors was unanimous that they would prefer to solicit subscriptions only where their squad has been designated first-due, because they feel it is wrong to do otherwise. Mr. Angle stated that Chal-Brit Regional is extremely lucky that a large amount of the area they serve is supported by Chalfont Borough, New Britain Borough and New Britain Township, all of whom have agreed to donate 50% of the LST to the municipality, 25% to the fire companies serving that area, and 25% to the ambulance services. Further these three municipalities provide a ½ mill Real Estate tax that is designated to support the ambulance services.

Discussion took place concerning Chal-Brit's subscription policy, which guarantees the subscriber that they will not be personally billed, and that the ambulance company will accept whatever Medicare or the patient's insurance company deems as appropriate payment, with no balance-billing involved.

4. Mr. Jim Cook, Operations Supervisor for Medic 51 Grandview Ambulance explained that they are and always have been a non-profit organization. As such, they operate under many of the same operational and financial restraints that the other squads represented this evening do. Although this squad may be perceived as having a stronger financial backing than the others, Mr. Cook advised that this service has in the past and continues to operate at a loss every year as a service to the community. If Grand View Ambulance is not permitted to participate in subscription/funding opportunities in Hilltown Township would ultimately affect their ability to provide that service in the future. Grand View Ambulance would only support a system of determining first-due driven by Bucks County, and wishes to remain independent of any decision made for quickest response time as dictated by the County.

Supervisor McIlhinney asked if Grand View would be amenable to honoring other EMS service subscribers. Mr. Cook replied that they have done so in the past, as he is sure the other squads have as well, however Grand View's internal legal counsel is currently considering whether or not that is a viable legal process. At this time, that option has been frozen until their counsel has made a clear determination. Supervisor McIlhinney asked for a copy of Grand View Ambulance's financial statement proving that their ambulance service is being run at a loss. Mr. Cook does not have the authority to release that information however the request can certainly be made of the CEO of the organization. He can assure Supervisor McIlhinney that Grand View Ambulance is operated annually at a substantial loss. Mr. Cook also explained that Grand View Ambulance does not receive any tax millage funding from any municipality they serve. If they were given the opportunity to solicit in Hilltown Township, Mr. Cook projects that it would be 25% of their total revenue subscription to all areas serviced, and would put Grand View Ambulance just on the other side of profitability. Mr. Cook confirmed that their relationship with Grand View Hospital does provide a very strong financial backing; however the ambulance service is held to many of the same standards and restraints that the individual squads are which certainly necessitates funding opportunities.

There was no further public comment.

Supervisor Manfredi suggested that Mr. Christman be directed to resolve these above-noted issues as soon as possible by meeting with the chiefs of the ambulance squads, and then place this item on a future agenda for additional consideration. Supervisor Manfredi would also like Mr. Christman to provide a status report of his findings and any progress that has been made by the next meeting. Chairperson Salvadore and Supervisor McIlhinney agreed.

3. Consider costs for traffic signal modifications/intersection modifications – Rt. 113/Callowhill Road and Callowhill Road/Rickert Road intersections – Mr. Heinrich, the Township's Traffic Engineer, provided cost estimates for the signal improvements for the Rt. 113/Callowhill Road intersection in the amount of \$3,450.00. Discussion took place.

Motion was made by Supervisor Manfredi, seconded by Supervisor McIlhinney, and carried unanimously to authorize the expenditure of funds not to exceed \$3,450.00 from the Capital Project Fund for the signal improvements at the Rt. 113/Callowhill Road intersection, with the stipulation that PennDot agrees to waive the new ADA requirements prior to proceeding. There was no public comment.

4. Further discussion of Development Identification Sign regulations – At the September 28, 2009 meeting, the Supervisors approved the Modification Agreement for the Reserve at Hilltown development, with the heart of the issue surrounding the requirement for removal of the development sign. According to current Zoning Ordinance requirements, permanent development signs are not permitted. Section 160-78.B of the Ordinance regarding "Temporary Signs" states:

"Temporary signs advertising the sale or development of the premises, when erected in connection with the development or proposed development of the premises by a builder, developer or contractor are permitted, provided that:

- (1) The area on one side of any such sign shall not exceed 16 sq. ft.
- (2) Not more than one such sign shall be placed upon any property held in single and separate ownership unless such property fronts upon more than one public street, in which event one sign may be erected on each street frontage;
- (3) Such signs shall be removed within 20 days after the last dwelling has been initially occupied; and
- (4) Such signs shall be erected only on the premises to which they relate."

Mr. Mark Paulits of 3204 Berry Brow Drive, who is a resident of the Reserve at Hilltown, does not agree that the sign in question is temporary, and feels it was clearly meant to be permanent. He noted that the sign itself does not mention the builder, and therefore would not be considered a form of advertising. If a farm or estate is permitted to have a permanent identification sign, Mr. Paulits and many of his neighbors, feel that it is fair for their development to have one as

well. Supervisor McIlhinney reminded Mr. Paulits that the only reason the sign is still remaining at the site is because the development is not yet complete.

Solicitor Grabowski commented that there are still approximately 25 lots left to be built upon in this development, so the existing temporary sign will be remaining for quite some time. If the Board wants to consider changing the Ordinance, it is a policy decision to do so and an advertised Public Hearing must be held to revise the Ordinance. After lengthy discussion, Chairperson Salvadore stated that it does not appear that the Board is willing to revise the Ordinance at this time.

5. Approval of Tax Collector Lease Agreement for FY2010 – Motion was made by Supervisor Manfredi, and seconded by Chairperson Salvadore to accept and execute the Tax Collector Lease Agreement between Hilltown Township and Diane Telly, the duly elected Tax Collector of Hilltown Township, with a term beginning January 1, 2010 and terminating on December 31, 2010, with office rent to be set at \$1.00. Supervisor McIlhinney was opposed. Motion carried 2:1. There was no public comment.

F. NEW BUSINESS:

1. Street Light Assessment Rates Resolution – Motion was made by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously to **adopt Resolution #2009-33, establishing Street Light Assessment Rates effective with the year 2010 billing.** There was no public comment.

2. Authorize Candidate Interviews for 2010 Authorities, Boards and Commissions – Supervisor McIlhinney suggested that only new applicants, not incumbents requesting reappointment, be interviewed, with the exception of the Vacancy Board, where he feels both candidates should be interviewed. The remaining Supervisors were agreeable.

Supervisor Manfredi suggested that Supervisor-Elect Groff be included in the interview process, since he will be one of three Board members making those appointments at the Reorganization meeting.

Chairperson Salvadore also recalls that Mr. Ray Fegley, current Emergency Management Coordinator, and Mr. Thomas Loudon, current Asst. Emergency Management Coordinator, had previously requested that the Board permit them to switch positions. Mr. Christman was directed to contact both individuals to garner their preference with respect to these positions.

3. Consider approval of support letter to Bucks County Commissioners requesting use of State Gaming Funds – Motion was made by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously to authorize execution of a letter of support directed to the Bucks County Commissioners requesting use of State Gaming Funds to assist

municipalities with offsetting costs of FCC-mandated Public Safety Communication Equipment Upgrades. There was no public comment.

G. BOARD MEMBER COMMENTS:

1. Supervisor Manfredi noted that the Pennridge Area Coordinating Committee, as well as the Bucks County Association of Township Officials, suggested local municipalities consider adopting a Resolution in support of area Tax Collectors in their ongoing lawsuit against the Pennridge School District. It is the concern that this issue abrogates the ability of the residents to choose a legislatively elected Tax Collector. Such a Resolution has been adopted by or is being considered for adoption by Plumstead Township, East Rockhill Township, and other neighboring municipalities.

As the Director of BCATO, Supervisor Manfredi knows that there has also been some consideration of filing a brief with PSATS on the Tax Collector's behalf, as well.

H. PUBLIC COMMENT: None.

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

J. ADJOURNMENT: Upon motion by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously, the November 23, 2009 Hilltown Township Board of Supervisors meeting was adjourned at 9:41PM.

Respectfully submitted,



Lynda Seimes
Assistant Secretary

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