

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, April 27, 2009
7:00PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Barbara A. Salvadore at 7:07PM, opening with the Pledge of Allegiance.

Also present: John B. McIlhinney, Vice-Chairman
Richard J. Manfredi, Supervisor
Christopher S. Christman, Township Manager
William E. Wert, Asst. Manager/Dir. Of Parks, Recreation and Open Space
Christopher E. Engelhart, Chief of Police
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Lynda S. Seimes, Admin. Asst. to Twp. Manager/Asst. Sec.

A. ANNOUNCEMENTS:

1) An Executive Session was held prior to this meeting to discuss legal matters, and another Executive Session will be held following this meeting to continue that discussion.

2) The Park and Recreation Dept. is offering new programs for the summer months, including youth and adult tennis instruction and "Ladies Summer Boot Camp." For a complete listing of all programs, or to download registration forms, please visit the Township website at www.hilltown.org. Inquiries should be made to Bill Wert, Director of Parks, Recreation, and Open Space at 215-453-6000, ext. 237 or via email at recreation@hilltown.org.

3) The US Census Bureau recently announced that more than 140,000 Census workers will participate in a nationwide address-canvassing operation, which is a critical first step in assuring that every housing unit receives a Census questionnaire in March 2010. Census workers will be going door-to-door to verify addresses and inquire about additional living quarters on the premises. Census workers can be identified by the official Census Bureau Badge. Please be advised that Census workers will never ask for bank or Social Security information. All Census information collected including addresses, is confidential and protected by law. More information can be obtained at www.census.gov.

4) During the summer months, the Bucks County Department of Health typically sprays municipal properties for mosquitoes. Prior to the spraying occurring, communication will be forwarded to property owners living near municipal open space in order to gauge the potential for any adverse reactions or allergies.

5) With respect to the recent Swine Flu outbreak, Chairperson Salvadore advised that Hilltown Township had previously established a Pandemic Program and is prepared in the event the outbreak should become more severe.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT CALENDAR:

- Minutes of the March 23, 2009 Supervisor's Meeting.
- Bills Lists dated April 14, 2009 and April 28, 2009.
- Financial Report for March 2009.
- Manager's Report/Financial Variance Report.
- Solicitor's Report.
- Fire Company Reports for March 2009 – Dublin, Perkasié, and Souderton.
- Giant Food Store Expansion Mylars for Signature.
- Wal-Mart Expansion (Hilltown Crossings) Mylars for Signature

Chairperson Salvadore advised that the Mylars for signature for the Wal-Mart Expansion (Hilltown Crossings) project has been removed from the agenda since signed agreements have not been received.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously to remove the Wal-Mart Expansion Mylars for Signature from the Consent Agenda, and to approve and accept the items on the Consent Calendar as listed above. There was no public comment.

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

1. Holly Farms Subdivision – This item has been removed from the agenda since there may be a need to revise the plans to address the ownership of certain “orphan” parcels. If the adjacent property owners do not wish to accept dedication of these “orphan” parcels, the developer may ask the Township to accept them. The Solicitor has requested copies of the developer's communications with the adjacent property owners

2. Gane Subdivision – Motion was made by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously to accept the Approval of Assignment and Assumption of Obligations Agreement for the Gane Subdivision. There was no public comment.

3. Giant Food Store Expansion Land Development – Motion was made by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously to approve the Giant Food Store Expansion Land Development Subdivision/Land Development Agreements. There was no public comment.

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

1. Peruzzi Land Development (Final) – Mr. Edward Murphy, the applicant's legal counsel, along with Mr. Eric Clase, the applicant's engineer, was in attendance to discuss the plan.

The Peruzzi Land Development located at the intersection of Mill Road/Bethlehem Pike was unanimously recommended for conditional preliminary/final plan approval by the Planning Commission at their March 16, 2009 meeting. The approval is subject to compliance with all items contained within the March 2, 2009 engineering review, noting the following:

- The Planning Commission recommends that the buffer discussed in Item #3 of the Engineering review is adequate, and that no other plantings are required.
- All waivers requested by the applicant contained in Item #4 of the engineering review were unanimously recommended for approval subject to the conditions recommended by Mr. Wynn, including the capital contribution for waived street improvements. All of the recommended conditions for approval of the waivers were satisfactory to the applicant.
- Stormwater runoff along Mill Road addressed in Item #6 in the engineering review will be resolved with a stormwater collection pipe and crowning of the roadway to ensure that stormwater runoff from the site is conveyed on the south side of Mill Road to the existing culvert beneath Mill Road. This includes reconstruction of a drainage swale across the adjoining Ott property. Pursuant to discussions at the Planning Commission meeting with Mr. Ott, a field access culvert/driveway will be installed for Mr. Ott. Final design of the stormwater pipe/swale along Mill Road continues and upon receipt of a final design, Mr. Ott has been advised that Mr. Wynn will meet with him to discuss the field driveway access to ensure that the access is to his satisfaction.

Mr. Murphy noted that until Toyota confirms what level of expansion they will ultimately want Mr. Peruzzi to undertake, final architectural information cannot be submitted. The expansion will however, consist of approximately 7,500 sq. ft.

Supervisor McIlhinney was concerned with the list of outstanding items as referred to in Mr. Wynn's March 2, 2009 review, and suggested that the Township grant only a conditional preliminary plan approval, rather than the conditional preliminary/final plan approval as recommended by the Planning Commission. Discussion took place.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously to grant conditional preliminary plan approval to the Peruzzi Land Development, pending satisfactory completion of all outstanding items as noted in the March 2, 2009 engineering review. There was no public comment.

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

1. Wynnefield Estates (Letter of Credit Expiration) – The maintenance period for the Wynnefield Estates Subdivision expires on May 20, 2009 and there are still several punchlist items yet to be accomplished. That being the case, Mr. Wynn advised the developer to extend the Univest Letter of Credit, which is not “evergreen,” beyond the May 20, 2009 expiration date. That extension has not yet been received.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously to authorize the Township Solicitor to proceed with a declaration of default against the existing Letter of Credit for the Wynnefield Estates Subdivision, in the event an extension is not received by May 20, 2009. There was no public comment.

2. Malin Subdivision (Extension) – Motion was made by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously to grant a six month extension until October 30, 2009 for completion of remaining improvements at the Malin Subdivision. There was no public comment.

G. UNFINISHED BUSINESS:

1. Discussion of Proposed Lease Agreement with Tax Collector – Since this is a legal and a real estate matter, Supervisor McIlhinney suggested that it be tabled and discussed in Executive Session following this meeting. Chairperson Salvadore and Supervisor Manfredi agreed.

2. Continued Discussion of Traffic Signal at Good Shepherd Church – Rt. 152/Hilltown Pike – This matter was previously discussed at the March 23, 2009 Supervisor’s meeting. Mr. Christman’s memo to the Board of Supervisors dated April 23, 2009 regarding the proposed traffic signal at the intersection of Rt. 152 and Hilltown Pike, was discussed.

Supervisor McIlhinney feels that it is the Township’s responsibility to correctly resolve the problem, and in this case, it would be to align the church’s driveway with Rt. 152. To close one of the church’s driveways to one-way traffic, in his opinion, would only worsen the problem causing parishioners wishing to make a left onto Hilltown Pike to exit the parking lot into waiting traffic at the signal.

Pastor Harpur Turney of Good Shepherd Church was in attendance to discuss the proposed traffic signal. She has the same safety concerns as expressed by Supervisor McIlhinney, and certainly understands that the cost to realign the church’s driveway would be exorbitant for the Township in this economy as well. Pastor Turney also noted that the church’s parking lot experiences an enormous amount of truck traffic on a daily basis. She anticipates that there could be a problem with the newly proposed exit, which could cause maneuverability issues for a

large truck, and which could result in the church's driveway pipe being crushed. Further, Pastor Turney believes that reconfiguring the driveways would affect the church parsonage's property values as well.

Chairperson Salvadore asked if Pastor Turney felt that a traffic signal at that intersection would be a detriment. Pastor Turney replied that she has examined old church records and found that this very issue has been contemplated many times over the past 40 years, and the parishioners have always been in support of installing a traffic signal at that intersection. She wondered if a 4-way stop intersection, even though the road and the driveways are not properly aligned, could be considered.

Lengthy discussion occurred. Supervisor Manfredi suggested that Mr. Heinrich, the Township's Traffic Engineer, conduct an impact study of the movements in and out of the church parking lot and of the intersection itself during Sunday services. The Board agreed, and Mr. Christman was directed to contact Mr. Heinrich to do so with results to be considered at the next Supervisors meeting, if possible.

Chief Engelhart was asked if signage to address truck traffic or "no left hand turns" from the church's parking lot would be enforceable. He replied that it would depend on the signage required by PennDot to be contingent on the traffic signal as to whether or not it would be enforceable.

Pastor Turney thanked Mr. Christman and Mr. Wert for their cooperation and assistance during this process.

H. BOARD MEMBER COMMENT: None.

I. PUBLIC COMMENT: None.

J. PRESS CONFERENCE: There were no questions from the press.

K. ADJOURNMENT: The April 27, 2009 Hilltown Township Board of Supervisors meeting was unanimously adjourned at 7:45PM.

Respectfully submitted,



Lynda Seimes

Admin. Asst. to Township Manager/Asst. Secretary

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