

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, March 9, 2009**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Barbara A. Salvadore at 7:02PM and opened with the Pledge of Allegiance.

Also present were: John B. McIlhinney, Vice-Chairman  
Richard J. Manfredi, Supervisor  
Christopher S. Christman, Township Manager  
Judy Stern-Goldstein, Township Planner  
Christopher E. Engelhart, Chief of Police  
Lynda S. Seimes, Admin. Asst. to Twp. Mgr./Asst. Secretary

**A. ANNOUNCEMENTS:**

1. The Bucks County Emergency Management Agency, in partnership with the Bucks County Health Department and County Commissioners introduced the Special Needs Registry, which is a free, voluntary and strictly confidential program designed to help those who would have difficulty during an evacuation due to physical or cognitive limitations, language barriers, or lack of transportation. Residents (or caregivers on their behalf) are able to register electronically by accessing [www.specialneedspa.org](http://www.specialneedspa.org).

2. The Hilltown Historical Society is gathering documentation to publish a visual history of Hilltown spanning from the mid-1800's to the 1970's. You can help by sharing your images, postcards, photographs, artwork, etc. showing the landmarks, economic activities, people, family life and social activities with the Historical Society. Please bring your images to the Historical Society's March 25, 2009 program to be held here at the Township building at 7PM. Mr. Ivan Jurin of the Hilltown Historical Society provided a brief overview of what types of media are being sought.

3. In order to establish dates for timely interviews of candidates for board, commission and/or committee vacancies for the year 2010, Chairperson Salvadore asked that the Board be reminded of 2010 vacancies in October of this year.

4. The annual Hilltown Township Easter Egg Hunt is scheduled for Saturday, April 4<sup>th</sup> at 10:00AM at the Hilltown Civic Park. Additional overflow parking will be available at the Sacred Heart Church and the Crossroads Tavern.

Supervisor McIlhinney suggested that banners announcing the event be placed near the Hilltown Civic Park, and asked that Mr. Wert be advised to do so.

5. Hilltown Parks and Recreation Department has confirmed dates for youth and adult tennis instruction to be held at the Hilltown Civic Park. For a complete listing of times

and dates, and to download a registration form, please visit the "What's New" section on the right side of the homepage of the Township's website at [www.hilltown.org](http://www.hilltown.org). Questions and inquiries should be directed to Mr. Bill Wert, Director of Parks, Recreation and Open Space at 215-453-6000, ext. 237 or via email at [recreation@hilltown.org](mailto:recreation@hilltown.org).

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

**\*7:10PM – Chairperson Salvadore recessed the meeting and the Board entered into Executive Session to discuss a personnel matter. The regularly scheduled meeting of March 9, 2009 was reconvened at 7:30PM.**

C. CONSENT CALENDAR:

- Minutes of the January 26, 2009 Supervisor's Meeting.
- Minutes of the February 9, 2009 Supervisor's Meeting.
- Bills List dated February 24, 2009 and March 10, 2009.
- Fire Company Reports for month of February 2009 -- Perkasio and Souderton.
- Notification of Sketch Plan Staff Meeting – Proposed Office, Convenience Store/Gas Station on Lot #1 of the Uninvest Land Development.

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

The Board requested to be notified of the date and time of the sketch plan staff meeting for Lot #1 of the Uninvest Land Development.

D. CONFIRMED APPOINTMENTS:

1. Pennridge Community Senior Center Presentation – Members of the Pennridge Senior Center, including Ms. Sue Morgan, Dr. Patricia Guth, Mr. Clarence Applegate, and Ms. Brenda Oelschlager were in attendance to provide a brief Power Point presentation of the programs and activities offered by the Center. Ms. Oelschlager thanked Hilltown Township for their generous contribution toward the construction of the new Pennridge Senior Center in the past, and asked the Board to consider additional contributions during the 2010 budget process. Dr. Guth asked that the Township consider dedicating a column about the Pennridge Senior Center in its next newsletter.

Public Comment:

1. Mrs. Jean Bolger of Rt. 152 volunteers at the Center, which she feels is a valuable asset to the entire community, providing varied activities and programs for area seniors.

As one member of this Board, Supervisor Manfredi would be willing to consider additional donations to the Senior Center during the 2010 budget process.

E. UNFINISHED BUSINESS:

1. Continued discussion of proposed Billboard Ordinance – At the December 2008 meeting, the Supervisors directed the Township Planner to prepare alternatives for consideration to amend Section 160-81 of the Billboard Ordinance with respect to digital billboards. Ms. Stern-Goldstein's analysis with the latest revision date of January 7, 2009 was considered. Discussion regarding ambient light conditions, and options for message duration and billboard brightness took place.

A February 21, 2008 report provides information on the different approaches that could be used to regulate digital billboard brightness. Recommendations in this report include 0.1 foot-candles for very low ambient electric light levels, 0.3 foot-candles for low ambient electric light levels, 0.8 foot-candles for medium ambient electric light levels, and 1.5 foot-candles for high ambient electric light levels. Ms. Stern-Goldstein believes that 0.3 foot-candles of light above the ambient light condition seems appropriate for Hilltown Township. She will attempt to obtain a Power Point presentation from one of the digital billboard companies to provide a comparison. She has looked at existing billboards however it is apparent that most companies have not used the new option of setting the brightness above ambient light, recommendations that were just released this past summer. The draft Ordinance regulates that such signs shall only be permitted on non-residential parcels located in the Heavy Industrial and Light Industrial Zoning Districts with frontage along Rt. 309.

Chairperson Salvadore questioned the requirement for the applicant to coordinate and permit message access for local, regional, state, and national emergency services during emergency situations, with Amber Alerts taking precedence. Ms. Stern-Goldstein explained that messages would be coordinated through the local police chief, emergency management coordinator, and/or the County, State, or Federal Emergency Management Coordinators, directly to the sign company. At the time the billboard is permitted, an emergency contact code would be established.

Chairperson Salvadore was in favor of the 20 second message duration and the 0.3 foot candle billboard brightness. Supervisor McIlhinney was leaning toward that as well, however he would prefer to see a Power Point demonstration or an actual billboard before weighing in on the subject. Supervisor Manfredi favored the longer message duration of 25 seconds and the 0.3 foot candle of billboard brightness, and his fellow Supervisors agreed. Lengthy discussion occurred.

It was the Board's consensus that the Township Solicitor be authorized to prepare the Ordinance with the recommendations with respect to message duration (25 seconds) and billboard

brightness (0.3 candle) as discussed this evening, for review and possible authorization for advertisement of public hearing at the next meeting, pending the Board's ability to see a demo of brightness comparison.

2. Ludlow Trail Easement Status Report – To date, Mr. and Mrs. Ludlow have not responded to the administration's attempt to discuss the pedestrian trail easement.

Motion was made by Chairperson Salvadore to remove the Ludlow Trail Easement Status Report from future agendas until such time as a response is received from Mr. and Mrs. Ludlow and/or their attorney as to their interest in a pedestrian trail easement. Discussion occurred.

Supervisor McIlhinney recalls that the Ludlows had agreed to providing a trail easement the evening the Township purchased the property, however Chairperson Salvadore and Supervisor Manfredi turned them down. Chairperson Salvadore felt that statement was an inappropriate characterization of the events that occurred that evening. Since Mr. and Mrs. Ludlow have not responded to repeated attempts to contact them, she concluded that they are not interested in providing a pedestrian path easement at this time.

Original motion was seconded by Supervisor Manfredi. Prior to a vote, further discussion took place.

Supervisor Manfredi amended the original motion to include language that if a trail and/or pedestrian path plan is developed by the Parks, Recreation and Open Space Committee in the future, the Township could then move forward with approaching Mr. and Mrs. Ludlow. Chairperson Salvadore agreed to second the amendment to the original motion. Prior to a vote, very lengthy discussion occurred.

Since both Chairperson Salvadore and Supervisor Manfredi rejected the Ludlows' initial offer of a trail easement, Supervisor McIlhinney believes it is a dereliction of duty, and feels that his fellow Supervisors have not lived up to their fiduciary responsibilities to accept an offer that was in the best interest of the Township residents. Chairperson Salvadore disagreed, noting that her recollection of that evening separates the discussion of the trail easement from the advertised Public Hearing to purchase the Ludlow property, and that it had been determined that the issue of a possible trail easement would be considered at a later date. She considers the continual listing of this item on the agenda as a form of harassment against the Ludlow family. Chairperson Salvadore seconded Supervisor Manfredi's amendment to the original motion. Supervisor McIlhinney was opposed. There was no public comment.

Supervisor McIlhinney felt he was being censored since he is not permitted to request that the Ludlow trail easement update be placed on a future meeting agenda.

Chairperson Salvadore restated her original motion that the Ludlow Trail Easement Status Report no longer appears on the Board of Supervisors meeting agenda until such a time as the Ludlow's and/or their attorney contact Hilltown Township to express their interest in providing a trail easement. Motion carried 2:1, with Supervisor McIlhinney stating his opposition to the motion. There was no public comment.

3. Consider Tax Collector Office Lease -- At the January 26, 2009 meeting, Mr. Christman was directed to prepare a draft Lease Agreement between the Township and the next elected Tax Collector for consideration. The Township currently leases office space to a staff member of State Representative Kathy Watson in the amount of \$20.83 per square foot. The office space consists of 144 sq. ft., which results in rent of \$250.00 per month or \$3,000.00 annually. The office space currently being utilized by the Tax Collector consists of 240 sq. ft., which if the same calculation is taken into consideration, would result in rent in the amount of \$417.00 per month or \$5,000.00 annually. The proposed Lease Agreement would be for the years 2010 through 2013, which could be terminated at any time with 30-days written notice by either the Landlord or the Tenant. No rent is currently being charged to the Tax Collector.

Supervisor McIlhinney noted the following corrections to the draft lease agreement:

- Page 1, first line – remove the specific name of “Diane Telly” and replace with “**duly elected Tax Collector.**”
- Page 1, Section 2, Term – sentence should be revised to state “The **terms** of this Lease is for four-years starting on January 1, 2010 and ending December 31, 2013 **renewable annually.**”

Chairperson Salvadore had asked Mrs. Seimes to research the history of whether or not office rent had been charged in the past, and she found that in 2002, former Tax Collector Alice Kachline was charged \$175.00 monthly rent. When the Tax Collector's compensation was set for the years 2006 through 2009, the rate for interim bills was reduced from \$4.00 to \$2.00 per bill in lieu of charging rent. That being the case, Supervisor McIlhinney asked that rental history prior to 2002 be researched to determine if the \$175.00 monthly rent was even remotely connected to the value of the office space square footage being occupied at today's rates. Supervisor Manfredi noted that the Township does not charge rent for the independent contractors who provide inspection services and who occupy space in this building. Supervisor McIlhinney commented that the Tax Collector is not a Township employee, nor is that position considered an “independent contractor.” Further, an independent contractor's fee is adjusted based upon what services or amenities are provided to them. Supervisor McIlhinney noted that the law does not require the Township to provide office space to the Tax Collector. Supervisor Manfredi stated that the Board of Supervisors has the right to negotiate a Lease Agreement with the Tax Collector, just as it did with the State Representative. It is his understanding that State Representative Watson was offered the office space at no cost, however she had insisted on paying a rental fee. Because the Tax Collector provides a service to the taxpaying public, it was

Supervisor Manfredi's personal opinion that the rental fee could be as minimal as \$1.00. Supervisor McIlhinney noted that the Township administrative department is in desperate needs of additional space for file storage and offices, and gaining back the Tax Collector office square footage would be a great help.

Mrs. Diane Telly, current Hilltown Township Tax Collector, explained that her yearly salary from the Township is approximately \$24,000.00 to \$25,000.00 for 5,521 bills issued plus interims, which equates to roughly \$4.00 per bill. Supervisor McIlhinney noted that an additional \$4.00 per bill is also collected for the County, even though both taxes are on the same bill, which in essence equates to \$8.00 per bill. He also stated that the interim bills are over and above the total number of tax parcels Mrs. Telly is billing for, and therefore, if properties are bought or sold throughout the year, the Tax Collector might in fact collect 1,000 interim bills. Mrs. Telly disagreed, and explained that an interim bill is not issued with the transfer of property. An interim bill is only issued if there has been an assessment change or for newly constructed dwellings. Mrs. Telly stated that her total salary from both the County and the Township is approximately \$48,000.00 to \$49,000.00, which must covers costs for a part-time assistant, office furniture, computer software, and office supplies, but does not include medical benefits, which can be significant. Supervisor McIlhinney commented that the Tax Collector is an elected position separate from the Township administration, and is generally considered a part-time position. Mrs. Telly disagreed with that statement, and explained that her average work week is 33 to 40 hours per week, which she definitely would not consider as a part-time position. She also reminded the Board that there could possibly be another individual elected for the next term. Mrs. Telly fully understands the issue of insufficient space for the administrative department, and agreed that a Tax Collector could certainly perform their job from a home office however that would require limited collection times in the Municipal Building. She noted that approximately 2,600 individuals visited her office in the last year alone.

Chairperson Salvadore asked Mr. Christman if the administration is sorely in need of the Tax Collector's current office space. Mr. Christman replied that the administration is making do with the space that is currently available, and is not office space that is required at this time. Regardless of whether the Tax Collector is collecting for the Township, County or School District, Chairperson Salvadore commented that the service is being provided for the convenience of all Township residents. After personally polling residents, Chairperson Salvadore discovered that 100% of those individuals questioned really appreciated having the Tax Collector available to them in the Municipal Building to provide customer service and to collect payments.

The Board directed Mrs. Seimes to continue researching the history of rent for the Tax Collector's office and asked that this item be placed on the April 13, 2009 meeting agenda for further discussion and possible resolution.

4. Consider amendment to Ordinance creating Parks, Recreation, and Open Space Committee – Remove language regarding members not being permitted to serve on more than one Township board, commission or committee simultaneously – Motion was made by Supervisor Manfredi, and seconded by Chairperson Salvadore to authorize advertisement for public hearing to consider amending the Ordinance creating the Parks, Recreation, and Open Space Committee to remove language prohibiting members from serving on more than one Township board, commission or committee simultaneously. Prior to a vote, discussion took place.

Supervisor McIlhinney recalls that approximately seven or eight years ago, it was apparent that the same individuals were serving on the same boards, commissions or committees – sometimes more than one – year after year. He feels that other individuals did not apply for vacancies because they had no confidence that they might be selected. This sitting Board of Supervisors then discussed amending the pertinent Ordinances or Resolutions to prohibit members from serving on more than one board, committee or commission at a time in order to promote more resident participation and volunteerism. He remains opposed to individual members serving on other boards simultaneously because he does not believe it is good or productive in providing diversity on the various Township boards, committees, or commissions. Supervisor Manfredi was surprised that Supervisor McIlhinney would continue to support this policy because he apparently had no problem appointing a certain individual to a Township board for a seventh term at the most recent Reorganization meeting. Even though there was discussion that a formal policy had previously been adopted, Chairperson Salvadore found that was not the case. The only place this regulation was found was in the recently adopted Parks, Recreation and Open Space Committee Ordinance. Supervisor McIlhinney noted that this regulation was inserted into the PROS Ordinance with the clear understanding that this would be the policy throughout all Township boards, committees and commissions.

Original motion carried 2:1. Supervisor McIlhinney was opposed. There was no public comment.

5. Hilltown Township Volunteer Fire Company Support Discussion – Mr. Christman's memo dated March 5, 2009, which includes his "Notes to File", December 22, 2008 Engineering Damage Report, emails from Jim Walter dated January 22, 2009 and February 9, 2008, and the February 9, 2009 cost estimate from the insurance contractor, Woods Restoration Service, LLC, was discussed. Mr. Christman also received an additional email from Jim Walter, chief of the Hilltown Fire Company, late this afternoon acknowledging that he has additional information to provide to the Board and that they are outsourcing additional bids for reconstruction of the firehouse.

Chairperson Salvadore spoke with Mr. Walter this past weekend, who noted that the prices currently being received for reconstruction are much lower than the original bids. There are also anticipated improvements being made that will not be covered by insurance.

Mr. Christman explained that the Township has made similar donations to both the Sellersville and Silverdale Fire Companies in the amount of \$9,000.00 each, disbursed over a three year period.

Motion was made by Chairperson Salvadore and seconded by Supervisor Manfredi to make a donation to the Hilltown Township Volunteer Fire Company in the total amount of \$9,000.00, at a rate of \$3,000.00 per year over a three year period. Discussion occurred prior to a vote.

Supervisor McIlhinney stated that the fire company has yet to provide the Board with a breakdown of exactly what additional improvements at an estimated cost of \$150,000.00, are being proposed. He is concerned with donating funds to rehabilitate a building, which by the fire company's own admission, is located too close to the road for easy truck ingress/egress, has limited parking, and is not large enough to hold fundraising events and training classes, or to maintain their trucks.

Supervisor Manfredi asked if the proposed \$9,000.00 would come from the Fire Fund, and Mr. Christman replied that it would. Supervisor Manfredi asked Mr. Christman for the current Fire Fund balance, along with his analysis of what impact the \$9,000.00 donation might have on the 6 remaining fire companies. Supervisor Manfredi explained that the Hilltown Fire Company lost \$60,000.00+ per year of funding based upon the new fire fund distribution formula established by the Township. Supervisor McIlhinney felt that the new fire fund distribution formula was long overdue noting that the other six fire companies had been short-changed for many years under the old formula. Supervisor McIlhinney wished to make it clear that he is not opposed to providing a \$9,000.00 donation to the Hilltown Fire Company, however he believes that an itemized accounting of what that funding is being spent on should be provided to the Township. Chairperson Salvadore acknowledged the commitment by the Hilltown Fire Company was well evidenced by their continued service to the community from the moment the incident occurred and throughout this ordeal.

Motion carried unanimously. There was no public comment.

F. NEW BUSINESS:

1. Beyer Property Update – The Township officially took ownership of the Beyer property located near the Forest Road Park in mid-February. Mr. Christman requested authorization to prepare an engineering study of the structural conditions of the existing dwelling, barn and outbuildings on the site. He is also requesting authorization to obtain dumpsters for the Public Works Department to use during clean-up of the site. The Board was in unanimous agreement.



2. Building and Code Enforcement Services - Motion was made by Supervisor Manfredi, seconded by Supervisor McIlhinney, and carried unanimously to acknowledge the resignation of the Township Zoning Officer, Russ McLaughlin of BIU Incorporated; to authorize the Township Manager to terminate the contract with BIU for building inspection services; and to appoint Pennoni Associates to serve as the interim Township Zoning Officer and Building Code Official for up to 90-days as the Administration evaluates additional alternatives for this service. There was no public comment.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Manfredi, and carried unanimously to appoint Christopher S. Christman, Township Manager, as the Temporary Interim Zoning Officer of Hilltown Township. There was no public comment.

G. BOARD MEMBER COMMENT:

1. Supervisor Manfredi remembered Mr. Jack Fox, former Supervisor, Planning Commission member, and community servant, who passed away four years ago today.

2. Supervisor Manfredi asked Mr. Christman to provide his fellow Supervisors with copies of the response from PennDot regarding traffic changes, particularly those proposed to the Rickert and Callowhill Roads intersection.

3. With respect to the log barn owned by the Historical Society and located on the Civic Park property, Supervisor Manfredi asked Mr. Christman to inquire of the Township's insurance company what liability issues might be involved if someone were to be injured in the log barn and to take any appropriate action he felt necessary. Supervisor McIlhinney asked that Mr. Christman report back to the Board at the March 23, 2009 meeting prior to taking any action with the log barn.

4. Chairperson Salvadore hopes to finalize and be able to move forward with the EMS issue by the end of this month.

H. PUBLIC COMMENT:

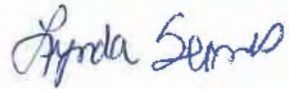
1. Mrs. Nancy Boice of Mill Road asked when the Walnut Street Bridge Replacement project will be complete. Mr. Christman replied that PennDot anticipated completion of the project by March 19<sup>th</sup>, however it appears that it may be sooner than that.

2. Mr. Chuck Stockert, Deputy Chief of the Silverdale Fire Company, introduced himself and offered his assistance to the Board should they require it.

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 March 9, 2009 Hilltown Township Board of Supervisors meeting was adjourned at 9:00PM.

Respectfully submitted,

A handwritten signature in blue ink that reads "Lynda Seimes". The signature is written in a cursive, flowing style.

Lynda Seimes

Admin. Asst. to Township Manager/Asst. Secretary

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