

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED PUBLIC MEETING
Monday, July 28, 2008, 7:00PM**

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

Also present were: John B. McIlhinney, Vice-Chairman
Barbara A. Salvadore, Secretary/Treasurer
Christopher S. Christman, Township Manager
William E. Wert, Assistant Manager/Director 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 the Township Manager

A. CHAIR ANNOUNCEMENTS:

1. The Board will meet in Executive Session on Friday, August 1, 2008 in order to discuss personnel and legal matters.

2. A Public Hearing has been advertised for 7:30PM this evening to consider the adoption of an Ordinance establishing stop signs within the Country Roads development.

3. PennDot announced that construction began on Monday, July 21, 2008 on the project to replace the Minsi Trail Bridge over Morris Run. The new bridge is expected to open by January 2009. During construction, Minsi Trail through traffic will be detoured over Blue School Road, Rt. 313, and Rt. 113. Local access will be maintained up to the construction zone. Motorists are advised to allow extra time when traveling through the area.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT CALENDAR:

- Approval of Minutes of the May 29, 2008, June 9, 2008, and June 23, 2008 Board of Supervisor's Meetings.
- Approval of Bills Lists dated July 15, 2008 and July 29, 2008
- Acceptance of Financial Report as of June 30, 2008.
- Acceptance of Solicitor's Report.
- Acceptance of Public Works Report for month of June 2008.
- Acceptance of Fire Company Reports for month of June 2008 – Perkasié, Souderton, Telford.
- Acceptance of Mazurek Subdivision Mylars for Signature.

Motion was made by Supervisor Salvadore, and seconded by Supervisor McIlhinney to approve and accept the Consent Calendar as noted above, with the exception of the Bills Lists dated July 15, 2008 and July 29, 2008 as requested by Supervisor McIlhinney. Prior to a vote, discussion took place.

Chairman Manfredi asked when the Board would be receiving the balance sheet financial statements. Mr. Christman advised that they would be available for the Board beginning next month.

Supervisor McIlhinney requested that payment for the legal bill from Ballard Spahr Andrews and Ingersoll (July 15th Bills List) and the legal bill for Weber Gallagher Simpson Stapleton Fires (July 29, 2008 Bills List) be held in abeyance. He asked that a meeting be scheduled with both law firms to discuss the status of the specific legal matters prior to paying these legal bills. Lengthy discussion occurred. The Board directed Mr. Christman to advise both legal firms that no additional expenses should be incurred on either of the two legal matters until the Board can meet with representatives of both firms to determine the status of said matters.

Supervisor Salvadore amended her original motion to accept and approve the Consent Calendar as noted above, while directing the Township Manager not to incur any additional expenses with respect to these two specific legal matters until a meeting has been held with both law firms. The amended motion was seconded by Supervisor McIlhinney. Prior to a vote, public comment was heard.

Public Comment:

1. Mrs. Marilyn Teed questioned the specifics of the legal matters involved. Supervisor McIlhinney explained that the law firm of Ballard Spahr is addressing personnel matters and Weber Gallagher is addressing the Teed matter.

Motion carried unanimously. There was no further public comment.

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

1. Mazurek Subdivision Agreement – Motion was made by Supervisor, Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to approve and authorize execution of the Mazurek Tract Cash Escrow Subdivision Agreement; and to **adopt Resolution #2008-10, accepting the Road Frontage Easement for the Mazurek Subdivision.** There was no public comment.

2. Potential Acquisition of Agricultural Preservation Easements for the Ludlow property and White Chimney Farm property - Several months ago, the staff was

directed to continue research for the potential purchase of easements on the above noted properties. This past week, the Township received a written offer from Mr. and Mrs. Ludlow for their parcel #15-29-81 located on Rickert Road near its intersection with Quarry Road. This property consists of 36.2474 acres with a proposed purchase price of \$14,500.00 per acre. Solicitor Grabowski noted that there is an excluded area of the parcel for the Ludlow homestead, consisting of 3+ acres, along with an outparcel that is also excluded. Mr. and Mrs. Ludlow have agreed to the terms of the Conservation Easement Agreement as prepared by the Township Solicitor.

The White Chimney Farm parcel is located at 411 Blue School Road (TMP #15-17-54-1), consists of 37 acres total and is owned by Atlantis Properties. The White Chimney Farm Subdivision received prior conditional plan approval from the Township. Atlantis Properties is interested in selling a 34.345 acre Agricultural Preservation Easement to the Township for the price of \$21,000.00 per acre.

Mr. Christman provided a listing of Open Space Funding Options (dated July 28, 2008) for the Board's consideration, noting that the Township is subject to Unit Debt Act provisions. Option #1 would allow for both purchases using existing Township funds, through the Open Space Fund and through transfers from the Capital Reserve Fund to supplement the remaining portion. Option #2 as proposed by the property owner, requests 50% of payment at closing and 50% of payment by December 31, 2008. Option #3 would be for the Township to incur a short-term loan or a Tax Anticipation Note to cover the shortfall that exists in the amount of approximately \$270,000.00. Mr. Christman recommended Option #1, which is outlined in greater detail below:

- Hilltown Township funds both agricultural land preservation easement purchases at a cost of \$1,254,000.00+/-.
- Current cash balance: \$983,974.08.
- Temporary fund shortfall: \$270,000.00+/-.
- This shortfall will be repaid by November 30, 2008 based upon prior years' collection rates.
- To cover this shortfall, borrow \$270,000.00+/- from other Township funds and repay as the Open Space Fund collects the remainder of its expected revenues.
- No cost to the Township.

Supervisor McIlhinney felt that the preparation of funding options was premature since the Board has not yet discussed the price or even the viability of proceeding with either purchase. He is opposed to "raiding" other Township funds to pay for Preservation Easements, even if those funds would be replenished by the collection of Open Space Fund taxes later in the year. Supervisor McIlhinney believes it would be setting a precedent that this Board has been opposed to since it established separate funds to avoid excesses of the past.

Discussion regarding Ludlow property:

Supervisor McIlhinney noted that the Township currently owns numerous open space properties in that same eastern half of the Township. He does not believe that the Ludlow property would be a worthwhile acquisition, especially since residents would not be able to utilize it. Further, Supervisor McIlhinney advised that the Ludlow parcel is located adjacent to the Forest Road Park, yet the area closest to the park is being excluded from purchase for future development. In his opinion, just because inquiries are made does not mandate that properties should be acquired.

Supervisor McIlhinney referred to the property appraisal as conducted by A. James Scanzillo, showing the market value (before easement) at \$26,500.00/acre, and the market value (after easement) at \$12,000.00/acre, thereby resulting in an easement value of \$14,500.00/acre. Supervisor McIlhinney noted the sharp contrast from the agricultural value of \$8,500.00/acre for the Haring property with an easement value of \$11,500.00 per acre, which was purchased in December 2006/January 2007. Discussion took place.

Solicitor Grabowski explained that according to the Open Space Act, the Township shall not pay any more than the appraisal amount. However, the Township also has the option of obtaining several appraisals, and then using the overall average appraisal amount.

When the Township participated in easement purchases in the past, Supervisor McIlhinney pointed out that the cost was approximately \$6,000.00 to \$8,000.00 per acre. The County has traditionally paid approximately \$10,000.00 per acre, which was increased to \$12,000.00 per acre for an easement just last year. Therefore, Supervisor McIlhinney would question the motives for paying \$14,500.00 for an easement. In his opinion the land in question does not have the contour or look of a first class piece of land that the Township should pursue.

During previous Executive Session discussions, Chairman Manfredi recalls that the Board had been leaning toward funding Option #2, which is why he pointed out that there are more than ample funds on hand to purchase both easements. Personally, he would not favor the transfer of funds when it is not necessary.

Supervisor Salvadore asked if funds currently in the Capital Projects Fund have been earmarked for specific projects. Mr. Christman is not aware of any specific projects. Chairman Manfredi asked the cash balance in the Open Space Fund at this time, to which Mr. Christman replied that the balance is currently \$983,974.08. The Ludlow easement cost is \$525,587.30, which would leave a balance of \$458,386.78. Mr. Christman advised that the 50% payment of \$360,622.50 under Option #2 would result in a remaining balance of \$97,764.28. Therefore, if Option #2 was chosen, there would be cash on hand balance of \$97,764.28. The projected revenue from the Earned Income Tax

from August 1 through December 31, 2008 is approximately \$800,000.00. This would leave slightly more than \$400,000.00. Therefore, if even 75% of the Open Space Tax revenue is collected, Chairman Manfredi commented that a short term borrowing of funds would not be necessary since the balance would be available by December.

According to the Unit Debt Act, Solicitor Grabowski explained that if the funds are to be paid by December 31, 2008, the adoption of a Resolution and the filing of paperwork with the Department of Economic Development is required. The caveat is that the debt must be paid back by December 31st, and if not, the Township would be in violation of the Act, which requires a whole different procedure. Discussion occurred.

Chairman Manfredi suggested that fresh appraisals be obtained for both the Ludlow and the White Chimney Farm properties. Supervisors McIlhinney and Salvadore were agreeable.

The Board unanimously directed that a Public Hearing be advertised for consideration of both properties at the August 25, 2008 Supervisor's meeting.

Public Comment:

1. Mr. Joe Marino of Redwing Road noted that Bucks County recently approved an \$80+ million dollar Bond Issue for the purchase of open space, which will cost each taxpayer approximately \$230.00. He urged the Board to take advantage of the Bucks County Open Space Program and to inquire as to how much funding Hilltown Township might be eligible for. Mr. Christman has contacted representatives of the Bucks County Open Space program, and noted that in order to participate, Hilltown Township is required to update its Open Space Plan, which is currently being accomplished by Mr. Wert and Mr. Pellegrino. Mr. Christman advised that both the Ludlow property and the White Chimney property would qualify under the reimbursement portion of the Bucks County Open Space Program.

There was no further public comment at this time.

***7:50PM – PUBLIC HEARING – Chairman Manfredi adjourned the July 28, 2008 Board of Supervisors meeting in order to enter into an advertised Public Hearing to consider the adoption of an Ordinance establishing additional stop intersections at the intersection of Fieldstream Drive and Misty Meadow within the Country Roads development.**

Solicitor Grabowski advised that this proposal was in response to the Walnut Street Bridge reconstruction. The proposed Ordinance was advertised in the Doylestown Intelligencer. Proof of Publication is on file at the Township office.

Supervisor McIlhinney asked if warrants or approval from the State is required. Chief Engelhart is unaware of any specific warrants required for these stop signs, noting that they are being used to regulate traffic being diverted from Walnut Street due to the bridge reconstruction. The Township has attempted to mediate some of these issues by providing use of speed boards, installation of a speed table, and painted crosswalks, which will work in conjunction with the new stop signs to insure the safety of pedestrians and other traffic. Supervisor McIlhinney asked if the new stop signs would become permanent. While that would be a decision for the Board of Supervisors, Chief Engelhart is unaware of conditions prior to the bridge reconstruction that would warrant the installation of additional permanent stop signs in this development. Supervisor McIlhinney suggested that the Board consider the removal of these proposed stop signs when the bridge reconstruction is complete, while leaving the other traffic calming measures in place. Discussion occurred.

Public Comment:

1. Mrs. Jean Bolger of Rt. 152 was under the assumption that PennDot could only mandate detours onto another State road. That being the case, she wondered why the detour even goes through Country Roads, which is a Township Road. Chairman Manfredi explained that the designated detour does not go through Country Roads, however motorists are not following the designated detour.

There was no further public comment.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to **adopt Ordinance #2008-6, adding additional stop intersections in the Country Roads development.** There was no public comment.

****Chairman Manfredi adjourned the advertised Public Hearing, and reconvened the regularly scheduled meeting of the Hilltown Township Board of Supervisors at 8:00PM.**

D. Consider acquisition of Agricultural Preservation Easements (Continued) –

Discussion regarding White Chimney Farm property:

Supervisor McIlhinney advised that this property received subdivision approval several years ago, with the condition that public water, sewer and infrastructure be brought into that area for future development and to address the needs of existing properties that may be experiencing failing septic systems and/or wells. Supervisor McIlhinney was opposed to the acquisition of preservation easement rights for the White Chimney property, citing the fact that the property would be inaccessible for use by the general public, and noting

that this acquisition would also thwart the effort to provide relief for failing systems in that area.

Supervisor McIlhinney pointed out that the appraisal of this property shows the easement value of \$27,500.00 per acre, which is almost double what the previous easement value is worth, and notes that the owner would agree to a sale price of \$21,000.00 per acre. He is puzzled as to how a piece of farm land could have a land value that is so much greater than any other property. It would leave Supervisor McIlhinney to assume that the appraiser has somehow factored in costs that the developer may have expended on this property, and therefore, believes that by raising the value, the developer could be reimbursed for those prior costs.

Supervisor McIlhinney stated that the developer purchased this 38-acre property, including an existing dwelling and other outbuildings in August of 2005 for a total of \$1,557,000.00, at a cost of \$40,788.00 per acre. According to the appraisal, the market agricultural value of the land after the easement is \$15,000.00 per acre, while the market value of the land before easement is \$42,500.00 per acre. Supervisor McIlhinney disputes the claim that the market value of the land is \$42,500.00 per acre, and questioned the accuracy of the appraisal. Supervisor McIlhinney advised that the Bucks County Assessor's Office, who updates assessments on an annual basis, calculates the cost per acre at \$18,880.00, with the existing buildings calculated at \$816,677.00. After extracting the actual value of the easement land, it is \$648,000.00, and the house with the 3.8 acres is \$889,000.00. Therefore, Supervisor McIlhinney does not believe the Board should consider this purchase without a thorough and comprehensive discussion including comments from the general public, and would recommend rejection of this conservation easement purchase for the very reasons he has outlined above.

Chairman Manfredi relies upon the professional appraiser to determine the property value, and noted that the property owner was willing to accept a payment that was below the appraisal rate. He would be interested in reviewing the fresh appraisal that has been requested by the Board.

Relative to the environmental aspect of the site, Chairman Manfredi voted to approve the extension of public water and sewer to the site because there were 23 sandmound systems proposed for that development, which were not considered acceptable to DEP. For the record, Supervisor Salvatore stated that she had been opposed to the approval of the White Chimney Farm Subdivision and the extension of public water and sewer to the site. Since that was not Supervisor McIlhinney's recollection of the vote, he requested that Mrs. Seimes investigate the minutes for clarification. Chairman Manfredi and Supervisor Salvatore concurred.

Public Comment:

1. Mrs. Marilyn Teed of Mill Road wondered if the same individual who conducted these previous appraisals would be hired to provide a fresh appraisal. Chairman Manfredi replied that he would. Supervisor McIlhinney wished to clarify that he had questioned not only the freshness, but the accuracy of the current appraisals. Mrs. Teed expressed similar concern and suggested that three appraisals be conducted.

2. Mrs. Eleanor Cobb of 2300 Rickert Road commented that the Ludlow farm is a beautiful property filled with wildlife, and owned by a family who has lived in Hilltown Township for many, many years. Since the Ludlow's son and daughter live adjacent to this property, Mrs. Cobb believes it would perpetuate the continuance of the family farm environment.

Mrs. Cobb expressed concern that a group or corporation rather than a family owns the White Chimney Farm property, and also asked if the agricultural preservation easement purchase could be revoked by a future Board. Chairman Manfredi replied that Solicitor Grabowski has included a clause in the Agreement that provides for the agricultural easement to continue in perpetuity.

Mrs. Cobb is very sad that open space funding is being used to purchase property that always seems to be converted into active recreation property, rather than being retained in its natural, pristine state for passive recreation. She referred to the Forrest Road Park property currently under construction, which is proposed to be an active recreational property with several athletic fields, instead of remaining as an open space to be enjoyed for its natural beauty and wildlife. Mrs. Cobb suggested that perhaps the Ludlow property easement could become a butterfly refuge, wildflower field or nature preserve.

There was no further public comment.

A Public Hearing on this issue will be advertised and held on Monday, August 25, 2008.

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

1. Traynor Subdivision Fee In-Lieu-Of Request – Mr. Dan Traynor and Mr. Jonathan Traynor, the applicants, and Mr. Mike Beuke, the applicant's engineer, were in attendance to discuss the plan. This plan received a recommendation of conditional final plan approval by the Planning Commission at their meeting held on May 19, 2008, and was tabled at the Supervisor's meetings of May 29 and June 23, 2008. The applicant's engineer submitted an opinion of costs of waived frontage improvements, which were reviewed by Mr. Wynn within correspondence dated June 10, 2008. Subsequently, a cost estimate for drainage improvements along Fairhill School Road was received from

Showalter and Assoc. in cover correspondence dated July 7, 2008. Mr. Wynn's review dated July 21, 2008 was also discussed. Action on the Traynor Subdivision is required by not later than July 31, 2008 unless an additional extension is received.

At the Board's direction, the Township staff met with Mr. Traynor and his engineer. In the absence of any clear direction from the Board, Mr. Wynn noted that the applicant's engineer submitted a cost estimate for improvements along the Fairhill School Road frontage only, which he believed would approximate the previous recommendation of the Planning Commission. The estimate is based upon work discussed at the Planning Commission meeting, but does not include any costs for inspections or contingencies. Mr. Wynn then reviewed that estimate and prepared his own cost estimate based upon further inspection of the storm drainage system at the intersection of Church and Fairhill School Roads, including additional costs the Township would incur for design/construction, whether the work is performed by the Township or by a contractor. Given the nature of the discussion at the last Board meeting, Chairman Manfredi asked why the dollar amount figure for fee in-lieu-of improvements was confined to only the Planning Commission's recommendation. Supervisor McIlhinney felt that he was very clear in his direction. Mr. Wynn agreed that Supervisor McIlhinney had made his individual feelings known, however there was never a clear consensus of direction from a majority of the Supervisors that evening.

Supervisor McIlhinney suggested that consideration be given to installation of a walking trail, as had been required for the neighboring Fedele Subdivision, and for the recently withdrawn Orleans-Bennett Subdivision plan. Very lengthy discussion occurred.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to grant conditional preliminary/final plan approval to the Traynor Subdivision conditioned upon completion of all outstanding items as contained within the May 8, 2008 engineering review, except as modified:

- Waivers requested of SALDO requirements as contained within correspondence dated April 25, 2008 from Showalter and Associates on behalf of the applicant and referenced in Item 1A, B, C, and D are approved.
- Waiver of street improvements (Item 1.E), including cartway reconstruction/overlay, drainage improvements, cartway widening, curb, and sidewalk along existing roadways within the frontage of the site as required by Sections 140-28.P, 140-29.D(1), 140-35, and 140-36 are waived subject to your payment of a capital contribution fee in-lieu-of street improvements to the Township in the amount of \$17,762.00 for drainage/shoulder improvements along the Fairhill School Road frontage

of the site, and \$5,000.00 in-lieu-of installation of sidewalk/trail along the Fairhill School Road frontage . In the alternate, plans must be revised to conform to Ordinance requirements relative to frontage street improvements.

- Waiver requested from Sections 140-37.A(1) and (4) (Item 1.F) is not approved. Street trees must be installed along the frontage of the site where suitable trees do not exist. In the vicinity of utility poles, "small" street trees must be selected which will not interfere in the future with the overhead utility lines.

There was no public comment.

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

1. Status Report of Civic Park Improvements – Mr. Wynn provided a report of the anticipated schedule for construction activities. Construction commenced on the walking path and the basketball courts this morning. An anticipated construction schedule has been received from the contractor who is optimistically suggesting that he will complete all work within 32 working days (approximately 6 ½ weeks). Silt fence and tire cleaner has been installed.

2. Summer Lea Subdivision – Completion of Improvements – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to accept completion of the maintenance period for the Summer Lea Subdivision while retaining \$5,000.00 cash escrow to guarantee replacement of approximately 14 trees in the fall during favorable weather conditions. There was no public comment.

3. Ashland Meadows Subdivision – Extension – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to grant a 12-month extension in the timeframe for completion of improvements for the Ashland Meadows Subdivision until July 28, 2009, with a 10% increase in the amount of financial security (both Letter of Credit and Township escrow balance). There was no public comment.

4. Malin Subdivision – Extension – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to grant an extension in the time frame to complete improvements for the Malin Subdivision until April 30, 2009. There was no public comment.

5. Chairman Manfredi questioned the status of traffic signals for the Rt. 152/Hilltown Pike intersection, and the Orchard Road and Diamond Street intersection.

Discussion took place concerning the three driveways located on Good Shepherd Church property at the Rt. 152/Hilltown Pike intersection, which will be impacted by the installation of the traffic signal by Haines and Kibblehouse, as part of their Agreement with the Township. Once driveway realignment is completed, Mr. Wynn advised that only two of the three driveways would remain. He also noted that drainage and other improvements would be necessary, which would require the issuance of a PennDot permit. Mr. Wynn advised that the Signal Permit from PennDot for this location has been received. The Board directed Mr. Wynn to begin the process to amend the PennDot Signal Permit for the Rt. 152/Hilltown Pike intersection.

With respect to the Orchard Road/Diamond Street intersection signalization, Mr. Wynn had been directed by the previous Manager to put this project on hold during the budgeting process. However since that time, Mr. Christman advised him that funds have been budgeted and authorized him to proceed.

Public Comment:

1. Mrs. Jean Bolger of Rt. 152 questioned the three driveways serving Good Shepherd Church, and suggested that the rectory driveway take access from the church parking lot instead of from the roadway, which would eliminate one of the three ingress/egress locations.

G. UNFINISHED BUSINESS:

1. Influenza Pandemic Addendum to Emergency Management Plan – Motion was made by Supervisor Salvatore, seconded by Supervisor McIlhinney, and carried unanimously to **adopt Resolution #2008-11, approving the Influenza Pandemic Addendum to the Emergency Management Plan.** There was no public comment.

The Board requested that the adopted Influenza Pandemic Addendum be posted on the Township website.

2. Status of Ambulance Re-Districting – Supervisor Salvatore provided a report of ambulance re-districting. She has researched criteria for excellent service to the residents of Hilltown, and has since established criteria for discussion with EMS squads interested in serving Hilltown Township. The Board of Supervisors met with and interviewed several EMS squads, seeking their interest in becoming a service provider to the Township, with positive responses. With that information, Supervisor Salvatore, working with Bucks County EMS, developed draft map changes for the squads who

expressed an interest in serving this community. In June, Bucks County EMS provided the Township with historical data regarding mileage from the box and the response time (in minutes). Supervisor Salvadore intends to meet with the original three squads, as well as one additional squad to review proposed map changes, obtain and execute Agreements with all squads, and to communicate coverage and map changes to community members. It is very important that the squad with the shortest response time is assigned to each of the areas of Hilltown Township.

Supervisor McIlhinney commented that only three ambulance squads were previously interviewed, and he would not be in favor of considering a fourth. Supervisor Salvadore explained that with only three squads, there are significantly longer response times, which would be addressed with the addition of a fourth squad, bringing response times down to approximately 9 minutes. Supervisor McIlhinney was resistant to bringing a fourth EMS squad into the Township at this time because he feels the Township can be adequately serviced with the original three that were interviewed. He cited the fact that monetary donations to the three squads could precipitate a move by some or all of the EMS squads to locations that may be closer to Hilltown Township, thereby shortening the response times. Supervisor McIlhinney questioned the response time data that had been submitted. Supervisor Salvadore is reviewing this process from a life safety aspect, and supports the accuracy of the response time data. She was insistent that the Board consider four squads so that response times are adequately addressed. Billing and subscription practices were also discussed. Very lengthy dialogue occurred.

Solicitor Grabowski sought direction with respect to drafting an EMS Agreement. Chairman Manfredi suggested that a meeting be held with the original three EMS squads, followed by a meeting with the fourth squad as proposed by Supervisor Salvadore, after which the Board's wishes would then be communicated to Solicitor Grabowski for drafting of an Agreement. Lengthy discussion took place.

Due to Supervisor Salvadore's upcoming vacation, if it is feasible to schedule individual meetings with the four EMS squads prior to the August 11th meeting, she and Mr. Christman will provide an update at that time.

H. NEW BUSINESS:

1. Consider Ordinance regulating ATV/Dirt Bike usage – Recently Supervisor Salvadore received several complaints from residents regarding ATV and dirt bike usage. She feels that the Board must protect the rights of the individual, while simultaneously protecting the right of those property owners who are impacted by individual decisions. The staff had provided the Board with information from several years ago when an Ordinance regulating ATV/dirt bike usage had been considered, but was never adopted. Discussion occurred.

Chief Engelhart provided the following statistics with respect to complaints:

- Year 2005 – Approximately 14 complaints received
- Year 2006 – 11 complaints received
- Year 2007 – 14 complaints received
- Year 2008 – 25 complaints received (YTD)

The Supervisors requested more detailed information be provided regarding the complaints that have been received this year to date – location and size of property where riding is taking place, number of individual homeowner's making complaints, timelines and duration of riding, etc.

2. Consider 457 Deferred Compensation Plan for Township Employees- Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to **adopt Resolution #2008-12, creating a 457 Deferred Compensation Plan for Township Employees at no cost to Hilltown Township.** There was no public comment.

3. Fencing and Street Trees for frontage of Forest Road Park Property – The Administration is proposing that split rail fencing and Red Oak street trees be installed at the Forest Road Park along the entire frontage of the property. Mr. Buzby has procured three quotes for solid concrete post and Hemlock rails. The Public Works Department will schedule installation of the fencing toward the end of summer should the Board approve the project. Mr. Wynn also recommended that the Township install 20 Red Oak street trees approximately 50 ft. apart along the frontage.

Anticipated cost is \$300.00 per tree (installed) for a total cost of \$6,000.00. Two options are as follows:

Option #1 – Two-Rail Fence– Hemlock two-rail fencing with concrete posts - \$5,500.00 and Red Oak street trees - \$6,000.00 for a total of \$11,500.00.

Option #2 – Three-Rail Fence – Hemlock three-rail fencing with concrete posts - \$6,000.00 and Red Oak street trees - \$6,000.00 for a total of \$12,000.00.

The Board was agreeable to Option #2 as outlined above for the installation of three-rail Hemlock fencing with concrete posts in the amount of \$6,000.00 and 20 Red Oak street trees planted 50 ft. apart along the frontage of the Forest Road Park.

4. Resolution to execute the Federal Aid Mill Road Bridge Project Reimbursement Agreement between PennDot and Hilltown Township – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried

unanimously to **adopt Resolution #2008-13 to execute the Federal Aid Mill Road Bridge Project Reimbursement Agreement between Hilltown Township and PennDot, as presented by Mr. Christman.** There was no public comment.

5. Chairman Manfredi suggested that the Board consider appointing Christopher S. Christman as Assistant Secretary at a future meeting.

I. BOARD MEMBER COMMENT:

1. Chairman Manfredi asked the status of the Open Space Analysis Report being prepared by Mr. Pellegrino, so that the Board of Supervisors has sufficient time to place a Bond Issue question on the ballot in November if they so desire. Mr. Christman left a message for Mr. Pellegrino advising that the Board would like to present this matter at their August 11th meeting.

2. Chairman Manfredi acknowledged Mr. Wally Rosenthal for his assistance with trying to establish the Hilltown Business Alliance group. In an effort to further assist small business owners, Mr. Rosenthal presented correspondence regarding recommendations for flexibility with respect to amount and size of signage in order to facilitate traffic flow for small businesses. Supervisor McIlhinney noted that there should remain a correlation between the square footage of the building and the size of the sign, as well as the aesthetics and the sign's distance from the roadway. Discussion took place.

Since what is proposed would constitute an amendment to the Zoning Ordinance, Chairman Manfredi suggested Mr. Rosenthal meet with Mr. Christman to discuss the matter further. The Board was agreeable.

3. In the past, Chairman Manfredi held one public forum regarding traffic safety issues. He has compiled a list of various community groups and Homeowner's Associations and intends to begin scheduling several more traffic safety "listening sessions" with these groups.

J. PUBLIC COMMENT:

1. Mr. Wally Rosenthal of Rosie Lane has read the June 9th Supervisor's meeting minutes where Marilyn Teed made disparaging and erroneous remarks about him. He advised that Mrs. Teed's comments had no basis of fact whatsoever.

Mr. Rosenthal explained that in 2001, he held a meeting with the other merchants located along Rt. 309 from the former Pub II Restaurant to the Hilltown Crossings Shopping Center to discuss the installation of public sewer to that area. The group was told that

there were limitations with topography and elevations involved, so the matter was tabled at that time. Several years later, Mr. Rosenthal personally retained Mr. Jeff Wert of Metz Engineering to conduct a feasibility study, which revealed that public sewer was a possibility, and that the developer of the Hilltown Crossings Shopping Center was required to engineer their sewer system to accommodate future development along Rt. 309. At the time, Mr. Rosenthal asked Barney Grunmeier and the former owner of Pub II to join in, but both declined for financial reasons. Therefore, other business owners - Haddon Smith, Ken Steigelman, Audrey Humphreys and Mr. Rosenthal, between hard costs and soft costs, collectively spent approximately \$250,000.00 to have the public sewer line tapped in to each individual store. The line was also designed to accommodate additional expansion at a later date. Mr. Rosenthal wished to make it clear that the individuals Mrs. Teed referred to in the June 9, 2008 meeting minutes, had nothing to do with him, noting that those individuals could in fact tap into the public sewer line by making the necessary request of the Hatfield Municipal Authority. As for tap-in fees, Mr. Rosenthal advised that they are customary and normal through the Hatfield Municipal Authority.

Supervisor McIlhinney commented that it is his goal to insure that these public sewer line extensions go through the Hilltown Township Water and Sewer Authority via an Agreement. Therefore, even though the Hatfield Authority may ultimately be the recipient of the extension, the request should go through the Hilltown Authority so that sewer capacity and other factors are taken into consideration. Mr. Rosenthal has had preliminary discussions with the Hatfield Authority, who conceptually agreed with Supervisor McIlhinney's idea of installing a meter pit from which the Hilltown Authority could purchase capacity at a wholesale price from the Hatfield Authority. The Hilltown Authority could then sell capacity to local businesses up and down Rt. 309 and be responsible for that particular line.

2, Mrs. Eleanor Cobb of Rickert Road asked if the Forest Road Park is presently open for use by the public. Chairman Manfredi replied that technically, a park does not yet exist on that site. Mrs. Cobb asked who is responsible for the maintenance of that property. Chairman Manfredi advised that those portions of the site that are not presently being farmed are maintained by Hilltown Township. Mrs. Cobb inquired as to the timetable for development of the park. Chairman Manfredi explained that the park development has been scaled back quite a bit, and at this time, the Board anticipates that there will be two ball fields, perhaps one soccer field in the outfield, and walking trails. Supervisor Salvadore reminded Mrs. Cobb that the Board recently hired a Director of Parks, Recreation and Open Space who will be actively involved with the park's development. Mrs. Cobb hopes that consideration will be given to developing activities and recreational facilities for senior citizens and toddlers at the Forest Road Park site. At this time, Chairman Manfredi advised that Forest Road Park would remain an open area for residents to visit and enjoy as they see fit. He noted that Mr. Wert, the Assistant

Manager/Director of Parks, Recreation and Open Space, is to develop a program for how the Township will utilize all of its facilities. Chairman Manfredi believes that it is Mr. Wert's intention to hold several public meetings to hear resident's comments and may conduct a survey to solicit resident's opinions.

Mrs. Cobb expressed concern with the parcels of open space, which were acquired with tax dollars yet have been leased to private organizations, and therefore are now unavailable for use by the general public. Further, Mrs. Cobb believes the Board should thoroughly define "open space" because she feels that the residents are being misled to believe that it means undeveloped open land or passive parks, which is not the case.

On a different subject, Mrs. Cobb referred to a speed limit sign located along Rt. 313 near the intersection with Rickert Road, which causes safety concerns for westbound motorists attempting to make a left turn into Rickert Road. Since Rt. 313 is a State highway, Mr. Wynn advised that the speed limit is subject to PennDot requirements. Discussion took place. The Board directed Mr. Christman to research the matter and make a recommendation.

3. Mrs. Marilyn Teed of Mill Road made the following comments:
 - She objected to the interpretation of her public comments as reflected in the June 9, 2008 Supervisor's meeting minutes.
 - It was Mrs. Teed's opinion that ATV usage should increase. She noted that certain things can be regulated to lessen the impact on neighboring properties such as the reduction of noise levels through exhaust systems and times of use.
 - Mrs. Teed asked why the traffic signal at the Good Shepherd Church was overlooked for this long.
 - Mrs. Teed felt that only the governing body (i.e. - the Board of Supervisors) should be seated at the dais, and that the Manager, Assistant Manager, and Solicitor should sit at the tables that are placed at either side of the dais.
 - Mrs. Teed recently visited Gettysburg with her family and appreciates the new visitor center, which housed a display about freedom. She stated that someone has recently been driving past her home, taking photographs of her property. Mrs. Teed hopes that she is not being investigated by this Township for the second time.

- With respect to signage for small business owners, Mrs. Teed commented that in the past, Hilltown Township has sued business owners over signs. The case she is referring to involved a sign with a picture of an ice cream cone. Mrs. Teed feels that pictures on signs should be encouraged.

4. Mr. Jim Groff of Fairhill Road asked if the staff meeting for discussion of the Traditional Neighborhood Development Ordinance has been scheduled, and if so, would that meeting would be open to the public. Chairman Manfredi explained that the staff will meet on August 1, 2008 to discuss the proposed TND Ordinance, and the Board of Supervisors has been invited to observe without making comment. He advised that the staff meeting is not open to the public.

K. PRESS AND MEDIA TIME – A conference was held to answer questions of those reporters present.

L. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously, the July 28, 2008 Hilltown Township Board of Supervisors Meeting was adjourned at 10:07PM.

Respectfully submitted,



Lynda Scimes

Administrative Assistant to the Township Manager

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