

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Thursday, May 29, 2008
7:00PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Richard J. Manfredi at 7:03PM 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
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Christopher E. Engelhart, Chief of Police

A. CHAIR ANNOUNCEMENTS:

1. Chairman Manfredi announced that the Board would meet in Executive Session immediately following this meeting to discuss personnel and real estate matters.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: - None.

C. CONSENT CALENDAR:

- Approval of Minutes of the April 14, 2008 Supervisor's Meeting.
- Approval of Minutes of the April 28, 2008 Supervisor's Meeting.
- Approval of Bills Lists dated May 13, 2008 and May 30, 2008.
- Acceptance of Financial Report for Month of April 2008.
- Acceptance of Solicitor's Report.
- Acceptance of Public Works Report for Month of April 2008.
- Acceptance of Police Report for Month of April 2008.
- Acceptance of Fire Company Reports for Month of April 2008 – Dublin, Hilltown, Silverdale, Souderton, and Telford Fire Companies.

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

D. CONFIRMED APPOINTMENTS:

1. Mr. Lawrence Owen – Hilltown Historical Society – Thomas Musselman Log Barn Funding Request – Mr. Owen explained that the Historical Society is continuing its efforts to restore one of the possibly earliest known structures in Hilltown Township, the Thomas Musselman Log Barn, circa 1735. The building was re-erected and completed in 1986 at the Township-owned Civic Park. A thorough report on the

Thomas-Musselman Log Building, as prepared by Mr. Owen, dated April 2008, was submitted to the Board; a copy of which is on file at the Township office.

Mr. Owen explained that there was controversy about the original use of the building, whether it was a reconstructed barn or an 18th century home. He provided certain factual data that alludes to the fact that this building was an early log barn used for agricultural purposes, which was also converted to a dwelling during the years 1815 to 1835. An early photograph (circa 1848) on page 56 of the report shows Thomas Thomas's home before it burned down, which depicts the subject building in the background, thereby alluding to the fact that the building served as an outbuilding relating to agricultural purposes for the farm.

Mr. Owen advised that the Historical Society has procured several proposals to enlist the expertise of 18th century specialists as well as the proper planning to make for a successful restoration process.

Mr. Owen was present requesting funding and seeking direction for this historic project. He feels that the both the Township and the Historical Society can benefit greatly by working together to create a unique tourism site, an added bonus for the Civic Park and the Village of Hilltown, as well as being linked to other outstanding historic sites in the area.

Supervisor's Comments and Questions:

1. Supervisor Salvadore asked who owns the barn. Mr. Owen explained that the Historical Society owns the actual building, while the Township owns the land on which the building is situated. Supervisor Salvadore inquired as to whether it is the Historical Society's intent to leave the building where it is presently located. Mr. Owen understands that allowing the building to remain at its current location would be the best option, since the foundation itself is in excellent condition. Supervisor Salvadore asked the current condition of the building itself. Mr. Owen replied that the log structure itself, including the timbers and roofing materials, are in very poor condition.

2. Supervisor McIlhinney asked Mr. Owen to elaborate on the following statement in the "Acknowledgements" section of the report: "I also acknowledge the interest and support shown by Richard Manfredi (Hilltown Township Supervisor, Chair) and Barbara Salvadore (Hilltown Township Supervisor), who have provided a platform to present ideas, and to assess the building and its place in the master plan for the Hilltown Village and the Civic Park." Mr. Owen explained that he had spoken with Chairman Manfredi previously about this project, in conjunction with the proposed improvements to the Civic Park. Mr. Owen felt it would be a great idea to include the Thomas-Musselman Log

Barn by providing a conceptual representation of it. He also spoke with Supervisor Salvadore, via email, who expressed support of the project.

Supervisor McIlhinney referred to correspondence dated May 20, 2008 from Professor Bernard Herman of the University of Delaware, who expressed an opinion that the structure was a tenant house, not a barn. Mr. Owen noted that this was Professor Herman's opinion without having viewed the actual structure and without reviewing all the pertinent data. Supervisor McIlhinney wondered why Mr. Owen disagreed with Professor Herman's analysis that the structure is a tenant house. Mr. Owen responded that he disagrees with Professor Herman's analysis because of the information he has provided in this report, including certain data which points to a log barn of approximate and dimensional parameters. Further, he noted that when the structure was moved, there were signs of an earlier log structure with architectural components and features, which were reconstructed on the present site.

In Supervisor McIlhinney's opinion, which is verified in this report, the structure is considered a replica and wondered why restoration would be necessary for a structure that is not original. When this project was completed in 1986, Mr. Owen explained that the structure was replicated to what it was analyzed to be. When the building was originally dismantled on its former parcel, there were signs of a different structure than it had been converted to in 1815 or 1835; where records show that the structure had been converted into a dwelling by John Bachman. When it was reconstructed, Mr. Owen advised that certain items were shown to be inconsistent with German-type barns. In the 1830's through 1850's, due to the influx of German Mennonite society, different barns were being constructed – mainly of a stone base and timber framed skeletons. Mr. Owen commented that there is still evidence that supports that it could either be a log barn or a "smallholders" house as referred to in Professor Herman's correspondence. Either way, the Historical Society believes that the structure merits rehabilitation.

Supervisor McIlhinney referred to the Hartzell-Strassburger property and asked if that property was given to the Historical Society by the State of Pennsylvania. Mr. Owen was not certain of the exact transaction, and would have to defer to Mr. Ivan Jurin, president of the Historical Society. Supervisor McIlbinney asked the use of the structure on the Hartzell-Strassburger property. Mr. Owen replied that the structure is currently used as a museum and library. Supervisor McIlhinney asked if it is open to the public. Mr. Owen explained that it is not open to the public at this time. Over the past several years, Supervisor McIlhimey discovered that the Township has expended, through the Community Development Block Grant Program, \$54,760.00 to the Hilltown Historical Society, funds that were used mostly for roofing repairs. There was also a second expenditure of \$23,000.00 for pointing, which apparently was improperly done by an incompetent contractor, and never paid. It is quite apparent to Supervisor McIlhinney that far too much money was spent to replace/repair a roof on a building that is basically

the size of his personal home. He further noted that the Historical Society has apparently also hired an incompetent contractor in the past. Mr. Owen's report states that the Historical Society is now seeking approximately \$135,000.00+ from Hilltown Township.

Personally, Supervisor McIlhinney would not be willing to authorize funding toward rehabilitating this questionable structure, whether it is determined to be a barn or a dwelling. Mr. Owen was appointed a member of the Historical Society Board in October of 2005, and noted that the projects Supervisor McIlhinney referred to were completed prior to his tenure, and therefore, he cannot comment on the improper way prior funding might have been expended. He has since been involved with a CDBG funded project from 2004, involving a reconstruction of the addition flooring and support structure, which was successfully completed in May of 2007. Supervisor McIlhinney asked when the residents of Hilltown Township might expect to utilize the Hartzell-Strassburger property. Mr. Owen replied that Mr. Jurin, president of the Historical Society, would be better able to answer that question.

Chairman Manfredi referred to the correspondence from Professor Herman of the University of Delaware, which also points out that the rehabilitation of this property could be of great benefit for educational and cultural aspects. If grant funding is to be sought through PHMC, Chairman Manfredi advised that the structure itself would have to be verified, with eligibility to be determined at that time.

Chairman Manfredi noted that Professor Herman's correspondence also refers to the Jones Log Barn, which is located in Chester County. Mr. Owen advised that Professor Herman worked on that project along with Mr. Frank Stroik, who is a Historical Restoration Contractor, both of whom were involved with the conceptual survey of the Jones Log Barn.

Chairman Manfredi explained that he was a past member of the Historical Society, at the encouragement of his good friend, Jack Fox, who has since passed away. Chairman Manfredi commented that the Board of Supervisors, as elected officials, must be diligent and be good stewards of the public trust and public funds. He would be willing to see if any grant funding is available and if the Township is eligible to participate in that grant funding. It is Chairman Manfredi's personal view that the Township should support history, and feels he is obligated to support those issues that the residents he has been elected to serve find important.

Supervisor Salvadore is a current member of the Hilltown Historical Society, and has renovated her own personal barn. She agrees that this structure as well as the Hartzell-Strassburger building should be open for public tours. Supervisor Salvadore suggested that the Board consider providing some funding that could become seed money for a matching grant, if possible, however she feels that should be done under the direction of

the Manager in conjunction with the newly appointed Assistant Manager/Director of Parks, Recreation and Open Space, if the structure is to remain in its present location at the Civic Park. Supervisor Salvadore supported the preservation of the Thomas-Musselman Log Barn, with the caveat that it becomes available for use by the general public. She suggested that the Historical Society consider a phased approach to the restoration of the building. Mr. Owen advised that there are four phases of the project outlined in this report, along with a summary of the anticipated restoration and maintenance process.

Personally, Chairman Manfredi had no objection to exploring the possibility of assisting with the restoration of this structure to determine what is or is not viable, what funding might be obtained, and consideration of whether or not public funds should be used. Lengthy discussion occurred. No action was taken at this time.

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

1. Acceptance of Mazurek Operation and Maintenance Agreement for Sand Mound System – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to accept the Mazurek Subdivision Operation and Maintenance Agreement for Sand Mound System. There was no public comment.

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

1. Civic Park Improvements – Bid Consideration – Correspondence from Mr. Wynn dated May 28, 2008 was discussed. Bids were opened on May 23, 2008. Base bids, which include construction of the basketball court with a Plexi-cushion surface (or equal), were received from the following:

- James R. Kenny Excavating and Paving, Inc.	\$268,560.00,
- S & H Landscaping	\$242,843.20
- Couzins Inc.	\$187,911.58

Mr. Wynn's correspondence notes that while the actual total base bid tabulated on Attachment 1 submitted by Couzins, Inc. was \$181,231.42, there were four multiplication errors, which increased the base bid to \$187,911.58 (actual contract payment is based upon the quantities utilized multiplied by the unit price).

In addition to the total base bid, alternate bids were received as follows:

- Alternate 1 is installation of a Plexi-pave court coloring in lieu of a plexicushion surface (or equal) and is a deduct to the base bid if accepted by the Board of Supervisors.

- Alternate 2 is installation of a Plexi-pave court coloring system (or equal) on the existing tennis courts.
- Alternate 3 is installation of Plexi-cushion surface (or equal) on the existing tennis courts.

Lengthy discussion occurred. Prior to bid award, the Board requested that Mr. Wynn contact various references regarding previous work performed by the low bidder, Couzins, Inc. The Civic Park Improvements Bid Award was tabled for further consideration at the June 9, 2008 Supervisor's Meeting.

2. Traynor Subdivision (Preliminary/Final) - The Planning Commission unanimously recommended preliminary/final plan approval to the Traynor Subdivision, located with frontage along Fairhill School Road, Church Road, and Keystone Drive subject to completion of all outstanding items as contained within the May 8, 2008 engineering review. Waivers requested from SALDO requirements as contained within Item 1.A through E were also unanimously recommended for approval with waiver from street improvements (Item 1.E) being recommended provided the applicant donated a fee in-lieu-of street improvements in an amount acceptable to the Board of Supervisors. The waiver requested pursuant to Item 1.F of the review is not necessary, as no waiver is required. It was noted that the applicant would utilize "small" trees from the PECO list of trees permitted beneath power lines.

Some time ago, Mr. Wynn met with the Director of Public Works, Tom Buzby at the site concerning drainage improvements along Fairhill School Road. At that time, Mr. Buzby indicated he would prefer to make the swale improvements along Fairhill School Road himself, rather than have a contractor do the work and suggested that the applicant provide a capital contribution for completion of said work.

Mr. Mike Beuke, the applicant's engineer, was in attendance to present the plan. With respect to the waivers requested by the applicant, Supervisor McIlhinney recalls that there was a previous subdivision by the Traynor family in 2006, which received approval and granted waivers on the condition that any further subdivision of the property would require completion of various roadway improvements. He also recalls that the applicant had advised that the subdivision was being done to accommodate family members, however since approval was granted, Supervisor McIlhinney noted that the land was then sold to a developer. Mr. Wynn confirmed that there were actually two prior Traynor Subdivisions, and the one Supervisor McIlhinney referred to is located across the street from this site. He advised that the Township currently holds escrow funds from the first Traynor Subdivision for roadway improvements, including the swale along one side of the road.

Supervisor McIlhinney suggested that the applicant provide a fee in-lieu-of one hundred percent of the total cost of the improvements they are requesting to be waived. Mr. Wynn agreed that the Township could request that the applicant provide a Cost Estimate or Opinion of Probable Costs for all required road improvements.

Discussion took place. The matter was tabled for further consideration at the June 23, 2008 Supervisor's meeting.

3. Carson Helicopter Land Development (Preliminary/Final) – The Planning Commission unanimously recommended preliminary/final plan approval to the Carson Helicopters, Inc. Land Development Plan, conditional upon completion of items contained in the May 12, 2008 engineering review with the following noted:

- In lieu-of installation of a buffer along the Bishop parcel and DRVSA fields (not desirable due to the farming practice on the Bishop property and use of portions of the Carson Helicopter Inc. land by DRVSA), the applicant will provide a buffer around the rear of the proposed building in a manner acceptable to the Township.
- The waiver requested from design criteria of the stormwater management basin (refer Item 4.A) is unanimously recommended for approval subject to the applicant installing a fence consistent with Township Ordinance requirements around the perimeter of the basin.
- Waivers requested from street improvements identified in Item 4.B of the engineering review are unanimously recommended for approval subject to fee in-lieu-of street improvements as may be determined by the Board of Supervisors. The applicant's legal counsel, Mr. Steven Harris, is requesting that no capital contribution be required in the same manner as the final plan approval that was granted for this site in 1994.
- A waiver of parking lot lighting as referenced in Item 4.G was unanimously recommended for approval subject to clarification as to security lighting to be mounted on the building. The applicant notes that there are no night hours and requests that the parking lot not be lighted.
- A waiver is requested to eliminate three parking lot trees (refer Item 4.H) due to potential conflicts with maneuvering helicopters around the building. The Planning Commission unanimously recommended the waiver be granted subject to the applicant providing a fee in-lieu-of installation of three parking lot trees to be deposited in the Township

Street Tree Fund. The applicant's legal counsel had indicated that the applicant intends to make a capital contribution.

- Balance of waivers requested as contained within Item 4 of the engineering review and correspondence dated February 25, 2008, latest revision date April 27, 2008 prepared by Irick, Eberhardt, and Mientus, Inc. on behalf of the applicant, are either unanimously recommended for approval or withdrawn.

Mr. Harris, the applicant's legal counsel, was in attendance to seek waiver of fee in-lieu-of requirements. Mr. Harris explained that the Planning Commission had indicated that street improvements were not necessary. He noted that the estimate for the required roadway improvements is approximately \$124,000.00. With respect to the fee in-lieu-of required improvements, it was noted that the applicant provides two large parcels of land for recreational use by the neighboring Deep Run Valley Sports Association for the nominal fee of \$1.00 per year. Further, Mr. Carson, in an effort to make the proposed building more presentable and aesthetically pleasing, has installed windows and broken up the façade, which came at significant cost to the applicant. Finally, Mr. Harris felt that while the fee in-lieu-of process may work for a residential developer because the additional cost can be passed on to the consumer; for a commercial operation, the applicant must absorb that additional fee. Mr. Harris noted that Carson Helicopter has been a part of the Hilltown community since 1958, and has every intention to remain at its present location for years to come.

Supervisor Salvadore suggested that consideration be given to providing additional buffer between the land development and Blooming Glen Road; the view of which is very visible from the roadway during the winter months. On behalf of Mr. Carson, Mr. Harris committed to the applicant providing additional screening plantings to address the issue brought forth by Supervisor Salvadore. Discussion occurred.

Supervisor McIlhinney asked if the architecture of the proposed building would be comparable to the existing building. Mr. Harris replied that it would be identical in appearance to the existing structure.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to grant conditional preliminary/final plan approval to the Carson Helicopter Land Development, granting the requested waivers in the May 12, 2008 review, and addressing the comments made by the Supervisors this evening, and pending completion of all outstanding items as noted in Mr. Wynn's May 12, 2008 engineering review. There was no public comment.

4. Orleans/Bennett Tract Subdivision (Preliminary) – Since Mr. Wynn prepared the Supervisor's memo for this meeting, the Township received correspondence dated May 22, 2008 from McBride and Murphey, attorney for Orleans Builders, advising that they are formally withdrawing the Orleans/Bennett Tract Subdivision plan, and therefore, no action is now necessary.

G. UNFINISHED BUSINESS: None.

H. NEW BUSINESS: None.

I. BOARD MEMBER COMMENT:

1. In an attempt to address higher fuel prices, Supervisor Salvadore advised that the company she works for is permitting employees to work four 10-hour workdays, and suggested that the Board might consider such an option for Township employees. Discussion took place.

J. PUBLIC COMMENT:

1. Ms. Sue Welch of 97 Misty Meadow, was in attendance representing the Country Roads Homeowner's Association, to bring heightened awareness to what she and her neighbors consider a dangerous condition that currently exists on Fieldstream Drive, due to the Walnut Street bridge closing and accompanying detour. Ms. Welch noted that there is open space located across Fieldstream Drive from the residential dwellings in Country Roads, and since the bridge detour has gone into effect, there have been many speeding vehicles reported, which she feels poses a danger to residents accessing the development's open space. Ms. Welch praised the efforts of Chief Engelhart, who has provided officers to the development during rush hour to monitor the traffic flow, and has located the portable speed boards within the development in an effort to reduce vehicle speeds, however it is not enough. At a minimum, Ms. Welch suggested that the Township provide painted crosswalks and temporary stop signs to address this problem. The Country Roads Homeowner's Association would like to have permanent stop signs installed at the following locations – at the corner of Fieldstream Drive, Wheatsheaff, and Misty Meadow. According to Ms. Welch, the bridge contractor has agreed to pay for the installation of stop signs – whether temporary or permanent.

Chief Chris Engelhart had no objection to the installation of permanent or temporary stop signs, however he noted that it would require the adoption of an Ordinance to do so. He had also made several other recommendations to the Township Manager, including the possibility of installation of speed tables, which would involve additional signage, maintenance, road markings, and plowing issues. Lengthy discussion occurred.

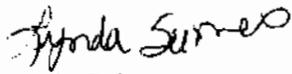
Supervisor McIlhinney noted that there is a State statute, permitting crosswalk signage such as that used in front of the Bucks County Courthouse. Chairman Manfredi and Supervisor Salvadore supported moving forward with those immediate measures. After discussion, the Board directed Mr. Christman to order the crosswalk signage as necessary, and to move forward with the procedure involved with establishing stop signs within the Country Roads development.

Supervisor Salvadore thanked Ms. Welch and the Country Roads Homeowner's Association for bringing their concern and recommendations for resolution to the Board of Supervisors, which she found very refreshing.

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 May 29, 2008 Hilltown Township Board of Supervisors meeting was adjourned at 8:30PM.

Respectfully submitted,



Lynda Seimes

Administrative Assistant to the Township Manager

(*These minutes were transcribed from recordings and notes taken by Mr. Christopher S. Christman, Township Manager, and are not considered official until voted upon by the Board of Supervisors at a public meeting).