

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS**  
**Monday, February 25, 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:           John B. McIlhinney, Vice-Chairman  
                              Barbara A. Salvadore, Secretary/Treasurer  
                              Christopher E. Engelhart, Chief of Police  
                              Francis X. Grabowski, Township Solicitor  
                              C. Robert Wynn, Township Engineer  
                              Lynda S. Seimes, Admin. Asst. to Township Manager

**A.     CHAIR ANNOUNCEMENTS:**

1.       The Board of Supervisors met in Executive Session on February 18, 2008 to discuss personnel and real estate matters.
  
2.       The 18<sup>th</sup> annual Easter Egg Hunt will be held on Saturday, March 15<sup>th</sup> at 11:00AM at the Hilltown Civic Park, with a rain date of Saturday, March 22<sup>nd</sup>.

**B.     PUBLIC COMMENT ON AGENDA ITEMS ONLY:**

1.       Mr. Ken Bennington of 926 E. Walnut Street referred to a recent article in the News Herald regarding the Lansdale Catholic's proposal for construction of a new high school and also referred to page 13 of the January 28, 2008 meeting minutes, Item H, which states "The Board of Supervisors was unaware of the developments with this proposal until they heard about the press conference this afternoon. It is Chairman Manfredi's understanding that the Arch Dioceses previously contacted a representative of the Township in the past, however the Board was not made aware of those discussions." During his tenure as Township Manager, Mr. Bennington advised that he had provided a bi-monthly "Manager's Report" to the Board, which provided a chronological timeline of meetings that had been held with representatives of Lansdale Catholic beginning in April of 2006 until his separation from the Township in October 2007. Chairman Manfredi explained that at the January 28<sup>th</sup> meeting, statements were made to the Board of Supervisors that Lansdale Catholic would be constructing two high schools in Hilltown, and that the Arch Diocese intended to move forward with architectural and engineered plans for the project, the details of which the Supervisors had not been made aware of.

2.       Mrs. Marilyn Teed of Mill Road wondered how the Easter Egg Hunt could be scheduled since only 3 members of the Park and Recreation Board remain. Supervisor Salvadore stated that the remaining Park and Recreation Board members expressed interest in proceeding with this year's Easter Egg Hunt.

3. Mr. Tim Gane asked if the Board of Supervisors would consider waiving or reducing fees on his minor subdivision that is before them this evening. Chairman Manfredi explained that Mr. Gane is welcome to address this issue during the "Legal" portion of the agenda.

C. CONSENT CALENDAR:

Minutes of the January 28, 2008 Supervisor's Meeting  
Bills List dated February 12, 2008  
Bills List dated February 26, 2008  
Financial Report as of January 31, 2008  
Solicitor's Report  
Silverdale Fire Co. Report for month of January 2008  
Telford Fire Co. Annual Report for 2007  
Public Works Report for January 2008  
Police Report for January 2008  
Planning Commission Report for January 2008

Motion was made by Supervisor McIlhinney and seconded by Supervisor Salvadore to accept the above noted items on the Consent Calendar. Chairman Manfredi requested that "Approval of Minutes of the January 28, 2008 Supervisor's Meeting" be removed from the Consent Calendar and discussed in further detail under the "Unfinished Business" portion of the agenda.

Supervisor McIlhinney amended his original motion to remove "Approval of Minutes of the January 28, 2008 Supervisors Meeting" for further discussion under the "Unfinished Business" portion of the agenda, but to accept the other items as noted on the Consent Calendar. Supervisor Salvadore seconded the motion, and it carried unanimously. There was no public comment.

Supervisor Salvadore thanked Chief Engelhart for providing additional information in the monthly Police Report, which now includes speed details, etc.

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

1. Gane Minor Subdivision Agreements – Mr. Wynn's engineering review dated January 18, 2008, which provided the various conditions of preliminary and final plan approval as granted by the Board of Supervisors on November 29, 2007, was discussed. Conditions of approval include execution of a Stormwater Facilities Maintenance and Monitoring Agreement, a fee in-lieu-of recreation land in the amount of \$1,962.00, execution of a Development/Financial Security Agreement with a Construction Cost Estimate approved by the Township Engineer in the amount of \$16,618.42, and lastly, a fee in-lieu of street improvements along Callowhill Road

frontage of the site, a total that would be based on an estimated cost of the waived improvements. Roadway improvements include widening, curbing, and sidewalk, which was determined to be in the amount of \$14,730.00 by the applicant's engineer. Mr. Wynn concurred with this estimate, and hence the January 18<sup>th</sup> letter advises that the fee should be paid to the Township prior to plan recordation or, in the alternative, the plan should be revised to include the various improvements.

Mr. and Mrs. Gane have executed the appropriate Subdivision Agreement and have provided a cash escrow of the required \$16,618.42, as well as a check for the fee in-lieu-of recreation land in the amount of \$1,962.00. Mr. Gane was present to ask if the Board would be inclined to reconsider reducing or waiving the fee in-lieu-of street improvements. Supervisor McIlhinney noted that the applicant's own engineer prepared the Cost Estimate, an estimate that the applicant previously concurred with at the time of conditional plan approval in November of 2007. Mr. Gane agreed that was correct. Discussion occurred.

This item was tabled for further consideration at the March 24, 2008 meeting.

2. Coventry Meadows Street Light Resolution – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to **adopt Resolution #2008-8, accepting the Street Light Petition to Establish a Future Streetlight Assessment for Coventry Meadows Subdivision.** There was no public comment.

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

1. Pileggi Land Development (Rt. 313) DEP NPDES Permit – Mr. Wynn presented draft correspondence in response to notification the Township received regarding Mr. Joseph Pileggi's application for an NPDES Permit from DEP. Mr. Wynn recommends that the Board of Supervisors authorize the correspondence to be forwarded to DEP notifying them of objections to issuance of an NPDES Permit for activity on this site without additional information from the Township. The Board provided unanimous consent for Mr. Wynn to forward the draft correspondence to DEP as noted above.

2. CVS Land Development – Denial of Completion of Maintenance Period – The maintenance period for CVS Land Development site located at Route 113 and Rt. 313 expires on February 28, 2008. Mr. Wynn cannot determine, however, whether or not the replacement trees will survive due to the late installation. Since the Letter of Credit is about to expire, Mr. Wynn suggested that the developer provide the Township with a check in the amount of \$5,000.00 to guarantee the landscaping, which was submitted today.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to reject the successful completion of the maintenance period for the CVS Land Development, but to allow the \$5,000.00 to be utilized in-lieu-of the Letter of Credit to guarantee the landscaping as noted above. There was no public comment.

3. Estates at Hilltown Subdivision – Request for Extension for Completion of Improvements – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to approve the one year extension for completion of improvements at the Estates at Hilltown Subdivision until January 23, 2009, as noted above. There was no public comment.

4. Calvary Church Completion of Improvements – Mr. Wynn explained that the one remaining item prior to commencing the maintenance period was final approval from PennDot. A copy of the executed acceptance of final approval from PennDot dated January 28, 2008 was received today.

Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to accept completion of improvements and commence the 18-month maintenance period for the Calvary Church Land Development. There was no public comment.

5. Forest Road Park Bid Authorization – Mr. Wynn explained that the Forest Road Park property, which was excavated and graded by Blooming Glen Contractors last summer and fall, was only temporarily seeded and mulched for the approaching winter. The contractor's work did not include permanent raking and seeding of the site or an as-built plan. As the Board had previously directed, Mr. Wynn's office provided an as-built of the entire 24-acre site confirming that it was constructed pursuant to the Spotts, Stevens and McCoy Plan for Phase 1. Mr. Wynn drafted specifications for the York raking and seeding of the 24 acres of disturbed area. Work may not actually occur until late April or early May depending on weather conditions.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to authorize the advertisement for bid opening for work on Phase I of the Forest Road Park project to include seeding, grading, York raking, fertilizing, etc., as noted above. There was no public comment.

6. Mr. Wynn presented a draft Conservation Management Ordinance amendment and complimentary Subdivision Ordinance amendment for the Board's review and consideration.

7. Ridings at Hilltown Subdivision – Supervisor McIlhinney referred to recent correspondence the Board received regarding the Ridings at Hilltown Subdivision,

seeking Mr. Wynn's recommendation on the request. Mr. Wynn explained that the owner of the site has requested an extension in the period in which to proceed with the planning and completion of improvements for the Ridings at Hilltown Subdivision, in accordance with the Municipalities Planning Code. The plan received conditional final plan approval on March 28, 2003. Since that time, litigation ensued between the property owner and the developer of the site, Craig Properties. Mr. Wynn noted that this plan was prepared in concert with a plan for the adjoining property, consisting of 3-acre lots and a roadway and path system that was to be connected. Both developments were designed to be compatible with one another. By granting an extension as requested by the property owner, Mr. Wynn advised that there is a greater possibility that it would be constructed to the way it was designed, which is compatible with the adjacent subdivision. If an owner or developer is required to begin the planning process once again under new Ordinance requirements, he feels that it is less likely that the two sites would be designed to be compatible with one another. That being the case, Mr. Wynn recommended approval of the applicant's request for the extension in the time period to complete improvements.

Chairman Manfredi and Supervisor Salvadore were unprepared to act on the request this evening, which was tabled for additional review and consideration at the March 10, 2008 meeting.

8. Supervisor Salvadore asked the procedure involved when a land development project's improvements, such as the trees on the CVS site, continue to die. Mr. Wynn replied that the municipality has the opportunity to require the developer/owner of any subdivision/land development plan to replace any portion of the approved plan.

9. Chairman Manfredi asked the status of the Request for Proposals for construction of the basketball courts at the Civic Park. Mr. Wynn will be providing correspondence to the Board of Supervisor on this issue, noting that he was able to obtain information with respect to construction material for the basketball courts. Discussion occurred.

F. UNFINISHED BUSINESS:

1. Hilltown Village Visioning Committee Mission Statement – Chairman Manfredi read the proposed Mission Statement, as follows:

“The Hilltown Township Board of Supervisors, in one of a series of steps the Board has taken to, in part, improve the quality of life for the residents of the Township and the Village of Hilltown in particular, hereby ratifies the creation of the Adhoc Hilltown Village Visioning Committee. The purpose of this Visioning Committee is to provide community perspective, and to be a representative

sample of the interests of the Hilltown Village area residents and business owners. It is anticipated that the Committee will meet monthly with the Planning Consultant, who will lead and advise the group during the course of the study. The final product will be a visioning component for the Planning Study Report, which will outline a series of recommendations for the Board of Supervisor's consideration. The appointed Hilltown Township Planner shall be the facilitator and lead person working with the Committee through the Township Manager on behalf of the Board of Supervisors. The Adhoc Planning Study Committee members are Mr. Joe Brady, Mr. Mike O'Neill, Ms. Lori McCauley, Mr. Joe Phillips, and Mr. Todd Polenchek. The Adhoc Committee shall complete its work and sunset no later than December 31, 2008.

Supervisor Salvadore sought clarification of the correct name of this Committee. She stated that the Township Planning Consultant, Ms. Judy Stern-Goldstein, had referred to the Committee as the "Adhoc Planning Study Committee," yet in portions of the Mission Statement, the group is referred to as the "Adhoc Visioning Committee." Chairman Manfredi recommended that the words "Planning Study" be substituted with the words "Visioning Committee." It was Supervisor Salvadore's recollection that Ms. Stern-Goldstein believes that this group would be most closely involved in the planning portion of the process, and that visioning would include other residents of the village. Discussion took place. Chairman Manfredi suggested the group be called the "Adhoc Study Committee." Supervisor McIlhinney advised that it was Ms. Stern-Goldstein's suggestion that the group be called "Visioning Committee," with it's purpose to address the viewsapes and streetscape of the villages. Further, Supervisor McIlhinney does not believe that it was the Committee's purpose to be involved with zoning, planning, or Ordinances. It was Supervisor Salvadore's understanding from Ms. Stern-Goldstein that the Committee was a study committee that would also participate in visioning as well. Supervisors McIlhinney and Salvadore both agreed that the words "Planning Committee" should be removed from the group's title, to be replaced with the words "Study Committee."

Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to approve the Hilltown Village Adhoc Study Committee, with the Mission Statement language as recited this evening, except for the striking of the word "Planning" in the Purpose Statement, and the word "Planning" from the title Study Committee. There was no public comment.

2. Minutes of the January 28, 2008 Supervisor's Meeting – This issue was carried forward to the "Unfinished Business" portion of the agenda by the Supervisors in response to the question previously raised by Mr. Ken Bennington. Chairman Manfredi wished to clarify that the comments he made to Jim Groff found in the January 28<sup>th</sup> meeting minutes (Page 13, Item H "Public Comment") accurately reflect the events that

took place at that meeting, and therefore, no revision would be made to those minutes. He also noted that the Board's comments at the January 28<sup>th</sup> meeting were in direct response to the information that had been provided to them by residents regarding the press conference announcing Lansdale Catholic's specific plans for construction of a "mega- complex high school" on the Hilltown site.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to approve the minutes of the January 28, 2008 Board of Supervisor's Meeting as written. There was no further public comment.

G. BOARD MEMBER COMMENTS:

1. As referred to in the January 28<sup>th</sup> meeting minutes, Supervisor Salvadore requested that appointment of an individual to the Vacancy Board be an agenda item for the next meeting. Chairman Manfredi agreed. He also suggested that the Board should review their calendars in order to schedule interviews for the candidates for all of the remaining boards and commissions (Park and Recreation Board and Open Space Committee), including the Vacancy Board.

H. PUBLIC COMMENT:

1. Mr. Jim Sensinger of Rt. 113 expressed concern with an incident that occurred in a field across the street from his home on February 1, 2008. A 9-1-1 call was made to which police officers responded, however Mr. Sensinger and his neighbors were never advised of the nature or outcome of the incident, though they had heard rumors that it was a suicide. He feels that it is the duty and obligation of the police department to inform the resident who contacted 9-1-1 of the circumstances involved once an incident has been investigated and resolved in order to allay that individual's fears. Mr. Sensinger stated that his nephew, who made the initial contact with police, was upset that he had not been informed of the nature of the incident.

Chief Engelhart was unaware that the responding officer had not relayed any follow-up information to Mr. Sensinger's nephew. He explained that the incident was indeed a suicide, however due to privacy issues, that information was not released to the public, nor was it reported to the newspaper. Chief Engelhart agreed to direct his officers to follow-up with residents who may contact 9-1-1 in the future in order to allay any fears or concerns.

2. Mrs. Nancy Boice of Mill Road asked if the Hilltown Village Study Committee monthly meeting dates have been established and if those meetings would be open to public participation. Supervisor McIlhinney believes that should be a decision determined by the Planning Consultant and the Hilltown Village Study Committee

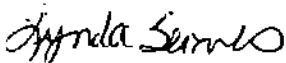
members, who will be setting the meeting dates and considering whether or not public participation would be permitted. It is Chairman Manfredi's hope that citizen input from those directly affected would be considered. He also feels that some public meetings should be held to gather the sentiment of all Township residents who may travel through or make use of the park or patronize the businesses located in Hilltown Village. Supervisor McIlhinney felt that the meetings of the Hilltown Village Study Committee are no different than the meetings held with other professional consultants, such as the Township Solicitor or Engineer, regarding subdivision or land development projects, which are not open to the public. Chairman Manfredi stated that he intends to discuss whether the Committee meetings will be open to the public with Ms. Stern-Goldstein, and will advise of her response.

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

\*\*Chairman Manfredi announced that the Board of Supervisors would be entering into a brief Executive Session immediately following this meeting in order to discuss personnel and real estate matters.

J. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously, the regularly scheduled Hilltown Township Board of Supervisors meeting of February 25, 2008 was adjourned at 7:55PM.

Respectfully submitted,



Lynda Seimes

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).