

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, October 8, 2007
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Richard J. Manfredi at 7:34PM and opened with the Pledge of Allegiance.

Also present were: John B. McIlhinney, Vice-Chairman
Barbara A. Salvadore, Supervisor
Christopher E. Engelhart, Chief of Police
Lynda S. Seimes, Township Secretary

A. ANNOUNCEMENTS:

1. The Board will meet in Executive Session immediately following this meeting to discuss personnel and litigation.

2. The Hilltown Township Halloween Fest will be held on Sunday, October 28, 2007 from 2:00PM to 6:00PM at a new location, the Hilltown Civic Park located on Rt. 152 near the village of Hilltown.

3. The Supervisors will hold a Public Hearing on Monday, October 22, 2007 at 7:15PM for the purpose of considering the adoption of an Ordinance that will amend Section 124-8, Pre-Treatment Regulations of Chapter 124, and Section 124-8 of the Code of Ordinances. This proposed Ordinance amendment provides for the deletion of Section 124-8 and the replacement of same by the proposed revised Section 124-8, Specific Pollutant Limitations. Said Section provides that sanitary wastewater entering any public sanitary sewage collection system within Hilltown Township shall be pre-treated to appropriate levels required by the collecting governmental agency or treatment agency and that local pre-treatment limits may be modified by future separate Resolution of the Board of Supervisors.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT AGENDA:

1. Minutes of the September 24, 2007 Meeting
2. Approval of Treasurer's Report as of September 30, 2007
3. Manager's Report/Public Works Report/Zoning Officer Report
4. Open Space Committee Report for October 2, 2007
5. Notification of Sketch Plan Staff Meeting – Hickory Brook Kennel – Karla Maynes – Kennel Improvements.

Motion was made by Supervisor McIlhinney, and seconded by Supervisor Salvadore, to approve the consent Agenda as proposed. Chairman Manfredi requested that Item #5 be removed for further discussion. The Board was agreeable.

Chairman Manfredi had no objection to the sketch plan staff meeting for the Hickory Brook Kennel property, however it raises the question that perhaps the Township should consider reviewing and possibly revising kennel standards and regulations. After discussion, the Board directed the Township Manager and Solicitor, and perhaps Township Engineer, to meet with local kennel owners at the earliest convenience to discuss kennel standards, as noted above.

Motion to accept the Consent Agenda in its entirety carried unanimously. There was no public comment.

Supervisor McIlhinney and Solicitor Grabowski will also attend the sketch plan staff meeting for the Hickory Brook Kennel.

D. CONFIRMED APPOINTMENTS:

1. The Honorable Michael G. Fitzpatrick, Resolution for the Open Space Bond Issue – Mr. Fitzpatrick, co-chairman of the Bucks County Commissioner's appointed Open Space Task Force II Committee, was present to request the Board's consideration of a Resolution supporting a referendum and borrowing of funds by Bucks County to commit \$87 million dollars toward the continuation of the Open Space Program by protecting open space, preserving farmland, critical natural areas, steep slopes, and county and municipal parkland by providing grants to municipalities for open space, and a new program for preservation of the Delaware Riverfront throughout Bucks County. Correspondence was received on September 21, 2007 from the Bucks County Educational Leadership Committee II, which includes an outline of the program. Mr. Fitzpatrick explained that there is a land preservation question that is scheduled to be on the ballot countywide during the general election scheduled for Tuesday, November 6, 2007.

As Mr. Fitzpatrick served as a Bucks County Commissioner, and later as a member of Congress, he has always been concerned with the loss of quality of life here in Bucks County due to over development, unplanned development, and development of areas in a way that leads to traffic congestion, flooding, etc. Once elected as Bucks County Commissioner in 1995, Mr. Fitzpatrick took the opportunity to form the Open Space Task Force in 1996, which consisted of a very diverse group of 25 concerned citizens, including taxpayers, farmers, bankers, attorneys, developers, and others. This Task Force reviewed, considered and inventoried various parcels of land available for

development or preservation, made recommendations to the County Commissioners, and prepared a plan for land preservation. In 1997, the Committee recommended that Bucks County borrow \$59 million dollars over the course of a 10-year period in order to preserve approximately 10,000 acres of open space. A question was then placed on the ballot in the form of a referendum in 1997, which was accepted and supported by the voters. Since that time, Bucks County has preserved more than 10,000 acres in less than 10 years for less than \$59 million dollars, which is a record to be proud of. The ten-year plan expires in 2007, and unless the voters reauthorize a new plan and new borrowing, land preservation on a countywide basis will essentially come to an end.

The new proposed 10-year plan is very, very similar to the successful plan of 1997. The 2007 Plan recommends borrowing \$87 million dollars, which is essentially \$59 million dollars plus cost of living or consumer price index increases over a course of the last ten years. Land prices have increased well in excess of the cost of living and the consumer price index. Mr. Fitzpatrick is present to request that the Hilltown Township Board of Supervisors recommend approval and support of the new Open Space Bond Issue. Of all the legacies that can be bequeathed to future generations, Mr. Fitzpatrick believes that one of the most precious is the unsurpassed beauty of the Bucks County countryside.

Supervisor's Comments/Questions:

1. Supervisor Salvadore wondered if the land selection process would remain the same as in the past, or if procedures and/or criteria have changed. Mr. Fitzpatrick replied that the criteria would remain essentially the same. The Plan itself has been very successful and recently preserved its 100th farm. This new program would provide an additional \$25 million dollars. He explained that farms are selected as set forth in the State statute that controls the Farmland Preservation Program. The board, which is populated with Bucks County residents including farmers, citizens, municipal officials, and individuals from the development community, would make decisions based upon review of appraisal reports, ranking of farms based upon size and location of the farm, the quality of the soils, and other factors. Mr. Fitzpatrick believes that the criteria has been fairly successful and well thought out, but of course is subject to review, recommendation, and criticism. For every dollar the County puts into the Farmland Preservation Program, there is approximately \$2.00 to \$3.00 leveraged back from the State program. He reminded the Board that while \$87 million dollars is a large sum of money, it pales in comparison to what is being spent in new school construction in Bucks County.

2. Supervisor McIlhinney referred to the Report of the Bucks County Open Space Task Force dated June 20, 2007. He commented that in addition to the \$59 million dollars in bond money that was spent in the initial 10-year period, page 14 of the Report indicates that an additional \$8 million dollars was spent for Agricultural Preservation.

Supervisor McIlhinney wondered why the County felt it was appropriate to spend an additional \$8 million dollars out of general tax funds that had not been designated for the Program. Mr. Fitzpatrick noted that there are many towns and boroughs throughout Bucks County who might not have had the resources to preserve local parks without this County program. As a Bucks County Commissioner during most of the period of this last 10-year plan, Mr. Fitzpatrick recalls that there were years when the bond was utilized in three phases. For instance, Phase I farmland dollars were expended quicker than the municipal park dollars because there were over 70 farms on the waiting list, yet municipalities going through the planning process were not spending their dollars as quickly. Therefore, the Bucks County Commissioners had to decide whether to borrow additional funds or leverage additional funds, or move on to Phase II borrowing before the Plan had suggested it. Judgments were made by the County Commissioners at that time, given what would potentially be lost in State resources if they did not move forward with the Farmland Preservation Program. While there was a debate at the time, the Commissioners ultimately decided to increase the hotel room tax in Bucks County from 2% to 3%. That additional 1%, for a total of approximately \$800,000.00 per year, which in turn generated \$8 million dollars over a 10-year period, was used specifically for the Farmland Preservation Program. Mr. Fitzpatrick is personally opposed to raising taxes whenever possible, raising the hotel room tax was a revenue source paid primarily by out-of-county residents. Supervisor McIlhinney asked if the additional \$8 million dollars that was spent came from the increase in hotel room taxes. It is Mr. Fitzpatrick's recollection that a portion of those dollars came from that hotel room tax increase, but noted that it is also possible that some of those dollars were borrowed from other portions of the Land Preservation Program, and was probably repaid when Phase II and Phase III borrowing occurred. Nevertheless, Supervisor McIlhinney clarified that the initial \$59 million dollars was spent, and that an additional \$8 million dollars was spent as well in land preservation. While Mr. Fitzpatrick respects Supervisor McIlhinney's position, he personally believes that the best value is found in the Farmland Preservation Program. This is not only due to the funds that it leverages outside of the County, but because it helps to retain local farms and small businesses employing Bucks County taxpayers, both of which continue to generate tax revenue for local governments.

Supervisor McIlhinney recalls that during the past ten years, up to 10 small farms did not have the opportunity to participate in the Farmland Preservation Program because one large farmer, or developer, or businessman, had enough wherewithal to purchase some of those small farms at relatively modest prices, and then turned to the Bucks County Farmland Preservation Program to be repaid the money originally expended to purchase the smaller farms. It is Supervisor McIlhinney's opinion that in effect, the Bucks County taxpayers paid for those smaller farms. Secondly, once in the Program, the difference between the commercial value at the time of sale and what is actually paid for the development rights, can become a tax write-off for that individual for a period of 15 years at the rate of 50% of their annual income. Therefore, Supervisor McIlhinney believes

that this program has effectively created a way for wealthy individuals to become wealthier and to avoid taxes. He does not feel the Farmland Preservation Program truly helps small farm owners, and commented that those small farm owners are not seeking tax write-offs because they do not have the necessary income to take advantage of the Program.

As a local elected official, Mr. Fitzpatrick tries to stay as close as he can to the residents and to listen to their concerns, and what they have told him is that they wish to preserve land first and foremost. Both in the drafting of the plan in 1996, and the way it was implemented over the course of the past 10 years, Mr. Fitzpatrick has made every effort to be fair and to always respect landowner's rights. One of the things he is proudest of is that not a single inch of preserved land in Bucks County was taken without the consent of the property owner.

Mr. Fitzpatrick advised that the State Farmland Preservation Program has certain guidelines that must be adhered to in order for Bucks County to qualify for matching State funds. The program is designed with a preference for larger farms, and there are reasons for that. One is that in order to become and remain a sustainable farm in the long-term, it helps to have a larger farm, or even more advantageous is to have many large farms in close proximity to each other. There is such an example on Ridge Road in Buckingham Township at its border with Upper Makefield Township, where approximately 10 large farms were preserved. Mr. Fitzpatrick noted that when there is a list of 70 to 75 farms waiting to be included in the Program, it is sometimes more efficient and beneficial to preserve larger farms. He added that there are additional municipal programs throughout the County that preserve small farms, and Bucks County has assisted with that program as well. In the end, Mr. Fitzpatrick believes that it must be fair for both the farmer and the taxpayer to preserve as much land as possible as quickly as possible.

Chairman Manfredi asked if there might be any difference in consideration to smaller farms versus larger farms should this new referendum pass. Mr. Fitzpatrick believes that Mr. Rich Harvey, who runs the Bucks County Farmland Preservation Plan, and the Committee is open to suggestions with respect to the farm selection process. He personally feels that the existing process has worked well for these past 10 years, and noted that in the 10 years he was County Commissioner, no one has ever questioned the integrity of the process or how farms were selected. It is Mr. Fitzpatrick's hope that over time and perhaps during the course of these next 10 years, those small family farms that Supervisor McIlhinney was referring to would have the opportunity to be included as well.

Supervisor McIlhinney suggested that a written synopsis of the concerns he has raised this evening be provided to the voters so that they can understand the real process

involved with preserving land through the County program. He feels that this information would be a fair and honest representation to let the voters know that participation in the program is not all altruism. There is a great deal of money involved with tax benefits, etc., which in Supervisor McIlhinney's opinion is the driving force for certain individual's participation in the Land Preservation Program. He also referred to Act 319, noting that 2,000 acres have been preserved in the Pennridge School District, however those particular property owners are only paying as much in taxes as five large homes combined, with the remaining taxpayers making up the difference.

Mr. Fitzpatrick reminded Supervisor McIlhinney that there are hundreds and possibly thousands of acres of land donated without consideration of being repaid, with some property owners making their donation with completely altruistic motives, and others perhaps receiving a State tax credit from the federal government. If the alternative is to not preserve that farmland in order to deny someone a federal tax credit, and permit that land to go for residential development, Mr. Fitzpatrick explained that the tax burden in the Pennridge School District will increase greatly as compared to the cost of that land if it were to continue either as woodland, farmland, or natural open space. Discussion took place.

Mr. Fitzpatrick agreed to provide the Board with copies of the procedures of the Farmland Preservation Program and will also provide copies of the Penn State University study that shows unequivocally the cost to the taxpayer, which shows that the monetary burden of residential development is much, much higher than preserved farmland. Supervisor McIlhinney suggested that the procedures be made public in a broad format so that citizens are aware of how the program works and all facets of it so that they can make an informed decision when voting on the issue.

In reviewing the report on how funds were spent in the past, Supervisor McIlhinney noticed that those designated for farmland preservation were also expended for municipal open space projects, such as Styer's Orchard in Middletown Township. He wondered why those expended funds were not listed in the Farmland Preservation funding, rather than the Municipal Open Space Program. Mr. Fitzpatrick, who resides in Middletown Township, participated in the negotiation of the acquisition and preservation of Styer's Orchard, which qualified under the Farmland Preservation Program through the municipal allocation portion of the program. In 1997, of \$59 million dollars, the Commissioners deemed that \$20 million dollars would be set aside for direct grants for the municipalities. At that time, Middletown Township received a grant, and decided to use their entire municipal allocation of \$875,000.00 toward the preservation of that orchard at a total cost of \$1.7 million dollars for 107 acres. Mr. Fitzpatrick commented that this program is very flexible, as he feels it needs to be, and explained that municipalities are entitled to utilize their municipal allocation as they see fit – to purchase farmland or park land. In Middletown's case, the Farmland Preservation Program

purchased the development rights and the Township used its allocation to buy the fee-simple interest. Today, the Styer's Orchard property is an educational and environmental resource for the school children of lower Bucks County.

Chairman Manfredi asked the rationale behind the \$7 million dollars allocated for the Delaware River Enhancement versus the purchase of additional farmland. Mr. Fitzpatrick explained that the new plan designates the Delaware River as a natural resource, with 60 miles of Buck's County's border being the river itself. The new plan also recognizes the inappropriate and excessive development in the floodplains, which has resulted in more progressive and devastating flooding. Therefore, the Commissioners felt that the County, through both planning and acquisition, needed to develop a vision for a more livable waterfront. Supervisor McIlhinney noted that the report does not specify where the Delaware River Enhancement funds would be spent on. Mr. Fitzpatrick replied that those funds could be spent on riverfront preservation, public access, and/or flood mitigation efforts, and noted that a mechanism and set criteria would be put in place by the County Commissioners for distribution of the \$7 million dollars. Supervisor Salvadore grew up along the river in Yardley and is well aware of the flooding problems. She commended the County Commissioners for their efforts to preserve the Delaware River area. Further, Supervisor Salvadore is a very strong proponent of preserving farmland, open space, and historic structures. Lengthy discussion occurred.

Supervisor McIlhinney sought an explanation of a reference in the plan to spending \$1 million dollars on properties of "historic significance." Mr. Fitzpatrick replied that those funds would be used to preserve historic structures, utilizing the criteria as set forth on the National Register of Historic Places. When Bucks County was engaged in land purchasing in the 1960's, which created Peace Valley Park, Core Creek Park, Dark Hollow Park, etc., a flood mitigation program was put in place subsequent to a devastating hurricane in the late 1950's. When the County purchased the 1,100 acres for Core Creek Park, it also acquired many historic structures, including old farmhouses within those parks areas. It was determined that some funding should be set aside to preserve and maintain those historic structures within those park properties.

Supervisor McIlhinney was concerned with Recommendation 9 of the Report, which seems to hold a veiled threat that if a municipality does not agree to partner with other municipalities for funding, that Township may be ineligible to receive any funding. Mr. Fitzpatrick understands Supervisor McIlhinney's concern, however he does not interpret Recommendation 9 in that way. He explained that Bucks County has always encouraged multi-municipal cooperation, and even if Hilltown utilizes all of its dollars within Hilltown's borders, Bucks County would respect the local decision making process in that case. Mr. Fitzpatrick referred to smaller boroughs with little land remaining to be preserved who might wish to use some of their funding in a neighboring municipality.

Supervisor McIlhinney still perceives the language in Recommendation 9 as a potential threat, noting that the Bucks County Planning Commission has regularly supported the Pennridge Area Coordinating Committee's suggestion to regionalize zoning and planning efforts. Chairman Manfredi advised that Hilltown Township is very close to finalizing two other acquisitions of open space, and the Board has worked very hard at connecting with 40 other property owners in an attempt to attract interest in participating in the Township's open space acquisition program. Supervisor Salvadore quoted a section of the correspondence from the Bucks County Educational Leadership Committee II, which states "This program has the potential to generate another \$120 million in federal, state and municipal money and is expected to cost the average household somewhere between \$10 - \$30 per year." Discussion ensued.

Motion was made by Supervisor Salvadore, and seconded by Supervisor McIlhinney, to **adopt Resolution #2007-24, to support the \$87 million dollar Bond Issue for the purpose of continued open space preservation throughout Bucks County.** Prior to a vote, Public Comment was heard and further discussion took place.

Public Comment:

1. Mr. Henry Rosenberger of Rt. 113 strongly supports the Open Space Program of both Bucks County and the State, and indicated that he and his wife made settlement last week on 136 acres next to the tollhouse at 1330 Rt. 113/Schwenkmill Road. Mr. and Mrs. Rosenberger have preserved 440 acres in Hilltown Township, which he believes will save the taxpayers of Hilltown somewhere between \$30-\$40 million dollars in school taxes over the next ten years. He is very proud of the fact that he and his wife have preserved this open space, and noted that a majority of the community has strongly endorsed and supported the Rosenberger family's efforts to preserve farmland.

Mr. Rosenberger feels that this is an opportunity for all residents to creatively consider buying, growing, and/or eating local meats and produce, which in his personal opinion is the true definition of Homeland Security. Mr. Rosenberger stated that it is very, very important to think about the food supply and agriculture as an issue of security. He truly believes that this Open Space Program is the underlying strength of Pennsylvania, which is foremost in its leadership in agriculture. Mr. Rosenberger reminded the Board that the number one industry in Pennsylvania is agriculture and the number two industry is tourism, which is due to the scenic views of open space.

Mr. Rosenberger believes that many of the comments made by Supervisor McIlhinney this evening were targeted at him, and commented that money is not everything. He further noted that a million dollars here or there for land is not a lot. He is convinced that what he and his wife have done with respect to preserving open space is for public purpose and the greater good, and is certain that many people appreciate their efforts.

2. Mr. Joe Marino of Redwing Road requested that the County provide more in depth information, including a step-by-step procedure for land preservation, on-line and via handouts for the general public, which he believes would be a selling tool to insure that taxpayers are properly informed. Mr. Marino feels that more residents might consider participation in the Program if they were made aware of the procedures and benefits to preserving land.

3. Mrs. Marilyn Teed of Mill Road wondered if the procedure has changed for removing preserved lands from the Program. Mr. Fitzpatrick advised that there are several components to the Bucks County Open Space Program, including the Farmland Preservation Program, the Natural Arcas Program, the Bucks County Parkland Program, the Municipal Open Space Program, and the new Delaware Riverfront Program. In all of the County-driven programs, Mr. Fitzpatrick advised that the County preservation easements that are in use are permanent easements, which is the way the program was designed. He believes what Mrs. Teed is referring to is the State-driven Farmland Preservation Program, which does provide for the ability for easements to be purchased back, after a certain period of time, if the landowner can demonstrate that the land can no longer be farmed productively. However, Mr. Fitzpatrick advised that there is no history of that ever occurring in Pennsylvania. For the programs that are County-driven, those easements would remain in place for perpetuity. Furthermore, most of the farmland that is being preserved in Bucks County is being preserved through municipal cooperation. Supervisor Salvadore confirmed that she called the State regarding this very issue, and was provided with an example that a conservation easement could be lifted only if the land could no longer be used for agriculture, such as if there was a chemical spill. Discussion took place.

Mrs. Teed asked for confirmation that Mr. Fitzpatrick is saying that a parcel of preserved land could never be removed from the County program, while apparently it could from the State program. Mr. Fitzpatrick reiterated that the County easements are easements in perpetuity, and the only way he knows of to remove previously preserved land is at the State level. Supervisor McIlhinney referred to Act 153, which he believes supersedes the County and the local level programs.

4. Mr. Hans Sumpf of 9 Beverly Road referred to earlier comments made by Chairman Manfredi that the Township had previously sent correspondence to landowners with over 20 acres of property. Chairman Manfredi explained that correspondence was sent to individual property owners who were identified with 20+ acres for land preservation. Mr. Sumpf commented that Deep Run Valley Sports Association owns 26 acres, however they never received a letter from the Township.

5. Mrs. Jean Bolger of Rt. 152, as a 31 year resident of this Township, wished to express her support of the proposed Resolution and hopes that the Open Space Referendum passes in the next election.

Motion to adopt Resolution #2007-24, supporting the \$87 million dollar Bond Issue for the purpose of continued open space preservation throughout Bucks County, as noted above passed unanimously. There was no further public comment.

E. OLD BUSINESS:

1. Consider appointment of Zoning Officer/Agreement for Zoning Services – Motion was made by Supervisor Salvadore, and seconded by Supervisor McIlhinney, to appoint Building Inspection Underwriters Incorporated as Zoning Officer for Hilltown Township at a rate of compensation of 10% of the Zoning Application fee, with a minimum of \$10.00 per application; and to direct the execution of the duties of the Zoning Officer as set forth in the Zoning Ordinance, serving at the pleasure of the Board of Supervisors; and to direct the Township Solicitor to revise the final Agreement with the comments as discussed this evening, for further consideration and possible adoption at the October 22, 2007 meeting. Prior to a vote, discussion took place.

Public Comment:

1. Mrs. Jean Bolger of Rt. 152 asked if the position of Zoning Officer is full-time. Chairman Manfredi replied that it is not, and noted that BIU is an independent outside agency that has been contracted to provide these services, as well as the building inspection services that they currently provide to the Township.

Motion carried unanimously. There was no further public comment.

The Board reviewed the proposed Agreement between Hilltown Township and Building Inspection Underwriters, Inc. for Zoning Officer services, taking into consideration Solicitor Grabowski's proposed revisions and comments, which were determined to be satisfactory to the Board. Rather than the term of the Agreement being for a period of one year, the Supervisors unanimously agreed that B.I.U. should serve at the pleasure of the Board. Solicitor Grabowski will be directed to make the necessary revisions and present the final draft document for possible adoption at the October 22, 2007 meeting.

F. NEW BUSINESS:

1. Consider Zoning Amendment to Section 160-23, C1, Accessory Activities – Chairman Manfredi introduced a proposal to amend Section 160-23, C1, Accessory Activities relative to institutional establishments such as churches. He cited a small café,

which has been operating at Calvary Church for a number of years to serve the parishioners. Recently, Calvary Church opened another, larger Internet café' called "Mr. B's," that subsequently raised questions with respect to Zoning and Zoning permits. Chairman Manfredi proposed an amendment to the Zoning Ordinance to allow another accessory activity for institutions of worship to be permitted by Conditional Use, which would include internet café', coffeehouse, tea room, bookstore, and media sales center. In addition, the following language would be added:

- The use or activity shall be owned and operated exclusively by the place of worship, and no private ownership or operation would be permitted.
- All revenue shall be used to support the mission of the principal use.
- The use or activity shall be contained within the principal structure of the place of worship and shall not exceed ten percent (10%) of the floor area of the principal structure.
- The use or activity shall be open only during the hours the facility is open.
- There shall be no additional street signs identifying the use or activity. A sign or signs on the building identifying the entrance to the use shall be permitted.
- Public promotion of the activity shall be limited to promotion of the general mission of the principal use.
- The use shall be available to persons who are members or who are at the principal use to engage in activities and programs offered or sponsored by the principal use.
- The area and facilities set aside for the use or activity shall comply, in all respects, with all current federal, state, and local regulations, and standards pertaining to fire, safety, health and handicap access.
- Adequate parking shall be available to support the accessory activity.

Chairman Manfredi noted that this amendment was designed to insure that any institution that wants to have some sort of fund-raising mechanism could do so for their members, without being involved in a commercial activity.

Motion was made by Supervisor McIlhinney, and seconded by Supervisor Salvadore to send the draft amendment to the Township Solicitor for review and to be put into

Ordinance form for the Board's consideration at the October 22nd meeting. Prior to a vote, Public Comment was heard and discussion took place.

Public Comment:

1. Mr. Mike Beatrice of Church Road asked if the proposed amendment would be reviewed and considered by both the Hilltown Planning Commission and the Bucks County Planning Commission. Supervisor McIlhinney replied that if Solicitor Grabowski advises that a review by both Planning agencies is required and necessary, it will. Chairman Manfredi noted that in this specific case with Calvary Church, the Planning Commission did have the opportunity to review the coffee shop concept during the land development process. Mr. Beatrice would hope that the Planning Commission's comments on this proposal, via previous minutes, would be considered. Discussion ensued.

Motion carried unanimously. There was no further public comment.

G. SUPERVISOR'S COMMENTS:

1. Supervisor Salvatore recalls that the Supervisors had agreed to meet individually with the fire companies that service Hilltown Township, however those meetings have not yet occurred. Discussion took place. It was determined that Chairman Manfredi and Supervisor McIlhinney would provide available dates to Supervisor Salvatore in order to schedule those meetings.

2. Chairman Manfredi attended the last Historical Society Meeting, where members sought the Supervisor's assistance with the following:

- Ownership of the Thomas-Musselman Log Barn located on the Hilltown Civic Park site. (Staff will research).
- Requested donation of any older computers. (Supervisor Salvatore offered to donate an older computer that belonged to her).
- Requested better and more regular communication between the Hilltown Historical Society and Township. (Board was agreeable).

H. PUBLIC COMMENT:

1. Mr. Joe Marino of Redwing Road asked Chairman Manfredi to strictly uphold the Board's own Public Comment Rules, which states that all public comments must be directed to the Chair and that any public comments must be made to the Board as a whole entity, and further prohibits the polling of or debating with an individual Supervisor. Mr. Marino noted that this situation occurred this evening, and he intends to

call for point of order if it happens again in the future. Chairman Manfredi is aware of what Mr. Marino is referring to, and stated that he did not realize it was going in that direction at the time.

2. Mrs. Marilyn Teed of Mill Road questioned Item #5 of the Consent Agenda – “Notification of Sketch Plan Staff Meeting – Hickory Brook Kennel” which Supervisor McIlhinney had commented was part of a litigated matter. Mrs. Teed was not aware of any litigation involved with this property and sought clarification. Supervisor McIlhinney explained that correspondence from the Solicitor indicates that this site was a matter of a Stipulated Agreement in the 1990’s. Mrs. Teed asked if this matter of litigation was a court proceeding. Supervisor McIlhinney replied that it was not; apparently the applicant executed a Stipulation Agreement with Hilltown Township before the matter went to court.

3) Mrs. Jean Bolger referred to the previous meeting minutes, which announced that Candidate’s Night would be held on Tuesday, October 23, 2007 at 7:00PM. For the Board’s information, Mrs. Bolger believes that the Hilltown Civic Association’s Candidate’s Night has been cancelled.

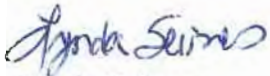
4) Mr. Mike Beatrice of Church Road noticed that the front of the municipal building had recently been landscaped and mulched, even though the Board of Supervisors had previously identified that project to be completed by his sixteen year old son, Sam, as an Eagle Scout project. Chairman Manfredi was under the impression that Mr. Beatrice’s son, Sam, had done the work, and was puzzled to hear that he had not. Supervisor Salvadore stated that the Board and Sam Beatrice have been working on this project since last January, and she had even sent a letter to Mr. Bennington advising that the Township would pay for the mulch for Mr. Beatrice’s son to complete this Eagle Scout project. However, she recalls recently being copied on correspondence from Mr. Bennington to another organization, thanking them for doing the landscape work in the front of the Township building. Mr. Beatrice, as a long time resident of Hilltown Township, is very disappointed that his son’s plans for his Eagle Scout project have been circumvented.

After discussion, Chairman Manfredi had an idea for another project that he would like to speak to his fellow Supervisors about, and he would then approach Sam Beatrice to see if he would be interested. On behalf of the Board of Supervisors, Supervisor Salvadore apologized to Mr. Beatrice and to his son, Sam. Supervisor McIlhinney assured Mr. Beatrice that the Board would investigate the matter.

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

J. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously, the October 8, 2007 Hilltown Township Board of Supervisors meeting was adjourned at 9:30PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

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