

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, March 13, 2006
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:30PM and opened with the Pledge of Allegiance.

Also present were: Richard J. Manfredi, Vice-Chairman
Barbara A. Salvatore, Supervisor
Kenneth B. Bennington, Township Manager
Christopher E. Engelhart, Chief of Police
Thomas A. Buzby, Director of Public Works
Nick Lupinacci, Zoning Officer
Lorraine E. Leslie, Township Treasurer

Chairman McIlhinney announced the following Executive Sessions and Policies and Procedures Meetings:

- Executive Session following the February 27, 2006 meeting to discuss legal matters.
- Monday, March 6, 2006 - Policies and Procedures Informational Meeting and also an Executive Session to discuss real estate, legal, and personnel issues.
- Supervisor Salvatore and Chairman McIlhinney attended the March 8, 2006 Fire Prevention Bureau Meeting.
- Monday, March 13, 2006 – Policies and Procedures Informational Meeting, and also an Executive Session prior to this meeting to discuss personnel and legal matters.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the January 23, 2006 Supervisor’s Meeting – Motion was made by Supervisor Salvatore, seconded by Supervisor Manfredi, and carried unanimously to approve the minutes of the January 23, 2006 Supervisor’s Meeting, as written. There was no public comment.

C. APPROVAL OF CURRENT BILLING – Chairman McIlhinney presented the Bills List with General Fund payments in the amount of \$68,519.90, Park and Recreation Fund payments in the amount of \$1,301.28, State Highway Aid Fund payments in the amount of \$7,597.18, and Escrow Fund payments in the amount of \$7,744.31; for a grand total of all payments in the amount of \$85,162.67.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to approve the Bills List dated March 14, 2006, as written. There was no public comment.

D. TREASURER'S REPORT – Chairman McIlhinney presented the Treasurer's Report as of February 28, 2006, a copy of which is on file at the Township office.

Supervisor Salvadore questioned the following items:

- General Fund – 01-396-200 – \$100,000.00 - Mrs. Leslie explained that it is a transfer from the General Reserve Fund into the General Fund for the purposes of payroll.
- General Fund – Capital Purchases – 01-401-700 - \$27,210.00 – Mrs. Leslie explained that it was the payment for the Township Manager's vehicle, which was ordered in 2005, but not delivered until 2006.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to approve the Treasurer's Report dated February 28, 2006, subject to audit. There was no public comment.

E. CONFIRMED APPOINTMENTS: None.

F. PUBLIC WORKS REPORT – Mr. Thomas A. Buzby, Director of Public Works – Mr. Buzby presented the Public Works Report for the month of February 2006; a copy of which is on file at the Township office.

Chairman McIlhinney noted that a large delivery of salt was received last week. Mr. Buzby commented that the salt usage for this winter is below what was estimated. Supervisor Salvadore asked if the Township purchases salt through COSTARS. Mr. Buzby replied that salt was purchased through the Bucks County Consortium, and noted that the difficulty with COSTARS, along with the Pennsylvania Piggy-Back Program, is that estimates must be submitted by March of the previous year, and you must use 70% of that estimated amount.

G. POLICE REPORT – Mr. Christopher E. Engelhart, Chief of Police – Chief Engelhart read the Police Report for the month of February 2006; a copy of which is on file at the Township office.

The following speed details were conducted in the month of February, as follows:

- On February 16, 2006: 500 block of Broad Street with 23 citations issued, and the highest speed clocked at 85 m.p.h in a 35 m.p.h. zone.

- On February 23, 2006: Hilltown Pike, north of Rt. 152 with 13 citations issued, and the highest speed clocked at 68 m.p.h. in a 45 m.p.h. zone.
- On February 27, 2006: Rt. 309 at Fairhill Road with 14 citations issued, and the highest speed clocked at 102 m.p.h.
- On March 10, 2006: Blooming Glen Road at Miller Tire with 20 citations issued, and the highest speed clocked at 67 m.p.h. in a 35 m.p.h. zone.

Supervisor Manfredi asked the status of the purchase of two speed boards, funds for which were appropriated in the 2006 Budget. Chief Engelhart anticipates they will be purchased after the first quarter of this year has passed. Chairman McIlhinney noted that the existing speed board, which is approximately 4 years old, is not being used. Chief Engelhart advised that the existing speed board is out of order, and has been a maintenance nightmare. The newer types of speed boards are more sophisticated in that they can collect data, and will probably hold up a bit better. Since it does not appear that posted speed limits stop motorists from speeding, it is Chairman McIlhinney's personal opinion that the Township should not rush into purchasing two additional speed boards when their longevity is not certain. Supervisor Manfredi explained that part of the logic of purchasing two speed boards is due to the vast size of the Township. Supervisor Manfredi wished to ensure that those speed boards are purchased in 2006. Chairman McIlhinney suggested that the issue of purchasing the additional speed boards should be revisited at the April 10, 2006 Supervisor's Meeting. Supervisor Manfredi wondered why items are placed in the budget if the Board does not feel they are necessary. Chairman McIlhinney replied that items are placed in the budget because it is anticipated that they may be needed, however in this instance, the new Board of Supervisors did not prepare the 2006 Budget, and therefore, he believes the new Board has every right to ask questions. Supervisor Manfredi commented that a majority of this Board of Supervisors voted on the 2006 Budget. Discussion took place.

On January 28, 2006, the Hilltown Police Department cited a young man traveling at 110 m.p.h. on Rt. 309. Both the driver and the passenger were very good friends with the three individuals who were recently killed on Township Line Road. Chief Engelhart commented that apparently these young men did not learn a lesson from that previous tragedy.

Supervisor Manfredi is aware that funds for the hiring of a new police officer was designated in the 2006 Budget, and is interested in reviewing Chief Engelhart's cost effectiveness evaluations and conclusions analysis for the first quarter of the year with respect to paying overtime costs versus the hiring of an additional officer.

H. ZONING REPORT – Mr. Nick Lupinacci, Zoning Officer – Mr. Lupinacci presented the Zoning Report for the month of February 2006; a copy of which is on file at the Township office.

Mr. Lupinacci questioned the status of the "Welcome to Hilltown Township" sign associated with the new CVS Pharmacy located at Rt. 113 and Rt. 313, which was brought to his attention when the sign company applied for a permit. Supervisor Manfredi noted that the CVS Pharmacy received conditional final plan approval with specific direction regarding the sign itself. Supervisor Salvadore advised that a resident had also submitted another suggestion for the wording to appear on that sign. Supervisor Manfredi agreed, however that was relative to whether or not the words "Kulp's Corner" should be included on the "Welcome to Hilltown Township" sign. He recalls having this specific discussion when George Egly was a member of the Board of Supervisors, who at the time noted that he was not certain the Rt. 113 and Rt. 313 site is the actual location of Kulp's Corner. Supervisor Manfredi suggested that Mr. Lupinacci review and refer to the meeting minutes when the CVS Pharmacy received conditional final plan approval.

Chairman McIlhinney asked the status of the Coluccio property on Rt. 113. Mr. Lupinacci explained that the tenant of that property, Mr. William Birk, is making an attempt to clean up the property and was actually in the office today seeking an extension. Mr. Lupinacci advised that Mr. Birk's lease would be terminated effective March 31, 2006. Discussion took place.

I. HILLTOWN WATER AND SEWER AUTHORITY REPORT – Mr. James C. Groff, Authority Manager – Mr. Groff read the Authority Report for the month of February 2006; a copy of which is on file at the Township office.

Mr. Groff received a call from Mr. Jerry Lohan, who is currently constructing a new dwelling on Telegraph Road. He has been reading the newspaper articles about the Township permitting the extension of public sewer to the Smith Tract and the Myers Tract. Mr. Lohan is interested in connecting his new home to the public sewer line and will make his request to the Board of Supervisors at a future meeting.

J. HILLTOWN FIRE COMPANY REPORT – No one was present at this time.

K. SILVERDALE FIRE COMPANY REPORT – Mr. John Gillespie, Fire Chief – Mr. Gillespie presented the Silverdale Fire Company Report for the month of February 2006; a copy of which is on file at the Township office.

L. ZONING HEARING BOARD REPORT – Mr. John Snyder, Chairperson – Mr. Snyder presented the Zoning Hearing Board Report for the month of February 2006; a copy of which is on file at the Township office.

M. PLANNING COMMISSION REPORT – Mr. D. Brooke Rush, Chairperson – Mr. Rush presented the Planning Commission Special Worksession meeting minutes dated

February 23, 2006, and the March 6, 2006 Worksession meeting minutes; copies of which are on file at the Township office.

The Planning Commission, to date, has completed its review and submitted drafts of the following proposed Ordinance amendments:

- Barn Use Ordinance
- Conservation Management District
- Buffer Ordinance
- Bed and Breakfast Ordinance
- Accessory Family Apartment
- Trade Business Ordinance
- Farmstead Ordinance
- Definitions of Words

Mr. Rush sought clear direction in the form of a motion from the Board as to whether the Planning Commission can continue its review of the proposed Zoning Ordinance amendments. Supervisor Salvadore suggested that the Supervisors, at their April meeting, consider and discuss the seven draft Ordinance amendments and the Definitions as reviewed and presented by the Planning Commission. She has personally reviewed verbatim transcription of previous minutes, and was unable to find reference to a motion that was made, seconded, and approved directing the Planning Commission to cease review of the Zoning Ordinance amendments once the seven specific items had been completed. Chairman McIlhinney disagreed, further noting that these are not amendments to the Zoning Ordinance, but a complete re-write of the Ordinance. He believes that the Planning Commission, at a Supervisors meeting in October or November of 2005, was given specific direction to cease working on the Ordinance amendments once review of the seven items was complete. Supervisor Manfredi recalls directing the Planning Commission to focus on the review of those seven specific items, but does not believe that further review of the Ordinance amendment beyond that was officially tabled. He does not feel that there is anything stopping the Planning Commission from moving forward with their review of the remainder of the amendments. Mr. Rush would like the Planning Commission to begin review of the Blooming Glen Village Overlay section of the Ordinance next. Chairman McIlhinney would be opposed to that since the Village Overlay, to his knowledge, has never been addressed by the Board of Supervisors; rather he believes that it had merely been a suggestion of the Bucks County Planning Commission.

Discussion took place regarding the Planning Services Agreement with the Bucks County Planning Commission for work on the Zoning Ordinance. It appears to Supervisor Manfredi that the question seems to be whether or not the Planning Commission was charged with making revisions to or re-writing the entire Zoning Ordinance. Mr. Rush

commented that the Hilltown Planning Commission is simply completing review of a book they were given in June of 2005 from the Bucks County Planning Commission, at the initial direction of the Board of Supervisors. Once review of those seven specific items was completed, Mr. Rush does not believe that any further direction was received from the Board of Supervisors as to whether they should cease review or continue on. Supervisor Manfredi read portion of the agreement with the BCPC, (dated February 18, 2004) Attachment A, which states "A Zoning Ordinance Update -- the staff of the BCPC will perform an update of the Township Zoning Ordinance. We will create a digital version of your Ordinance, either by scanning or getting it from you in digital form. We will prepare suggested changes using underlining and striking to denote changes. We will review the Ordinance page-by-page with the Township committee designated to correct the update. We like to begin with an initial meeting then take about three months to prepare a rough draft so that the committee sees the whole document when they begin their review." Chairman McIlhinney noted that the only person to receive a copy of the BCPC's first version of the Zoning Ordinance re-write in February of 2005, was Supervisor Manfredi, while the rest of the members of the Board of Supervisors and the Hilltown Planning Commission did not receive it until June of 2005. Supervisor Manfredi replied that he had specifically requested a copy from the Bucks County Planning Commission. Lengthy discussion took place concerning whether or not the Board had directed the Hilltown Planning Commission to continue their review of the Zoning Ordinance once the specific seven items were completed.

Public Comment:

1. Mr. Joe Marino of Redwing Road encouraged the Board to move forward and to provide the Planning Commission with clear direction as to the task at hand.
2. Mrs. Marilyn Teed of Mill Road clarified that the reason the Zoning Ordinance was being revised was to address the inconsistencies and contradictions that currently exist. She believes it was the purpose of the Bucks County Planning Commission to review and highlight those inconsistencies for consideration by the Hilltown Planning Commission, and then ultimately for revision by the Board of Supervisors.
3. Mrs. Denise Hermany, member of the Planning Commission, noted that the Hilltown Planning Commission has been working diligently on their task to review the Zoning Ordinance, to determine inconsistencies and to recommend, with the guidance of the Bucks County Planning Commission, whatever changes might be necessary. She believes that the Hilltown Planning Commission was charged in May of 2005 to complete a thorough review of the Zoning Ordinance. Mrs. Hermany feels that Chairman McIlhinney has a different mission in mind and is intent on stopping revision of the Zoning Ordinance. She would like the Board of Supervisors to provide the Hilltown Planning Commission with very clear direction as to how they would like the review of

the Zoning Ordinance amendments to proceed, and then to schedule Public Hearings to receive the necessary public comment to insure that the all residents of this Township are fairly represented.

There was no further public comment.

Prior to the March 27th meeting, Chairman McIlhinney suggested that Mr. Bennington review minutes of previous meetings, as well as the contract with the Bucks County Planning Commission with respect to work on the Zoning Ordinance, to determine what was actually mandated by the Board of Supervisors, at which time this Board can then vote on whether or not the Hilltown Planning Commission should continue its review of what he believes is a total re-write of the Zoning Ordinance. Supervisor Manfredi felt that the issue should only be an agenda item at the March 27th meeting if Mr. Bennington discovers that the facts indicate there was no formal direction by the Supervisors for the Planning Commission to continue reviewing the Zoning Ordinance once those seven items were complete. The Board was in agreement that they would wait until Mr. Bennington researched the issue further as to whether or not this matter should be an agenda item for action at the March 27th Supervisor's meeting.

Mr. Rush continued with his verbal report of the last Planning Commission Worksession meeting minutes.

N. PARK AND RECREATION BOARD REPORT – Mr. Dan Kell, Member – Mr. Kell presented the Park and Recreation Board Report for the month of February 2006. The Park and Recreation Board made a formal recommendation that the Board of Supervisors designate a liaison between the Township and Haines and Kibblehouse to oversee the development of the Forest Road Park and to report the status of same to the Park and Recreation Board at their regularly scheduled meeting on the second Thursday of each month. Further, Mr. Kell, as the Vice-Chairman of the Park and Recreation Board, was designated as the contact to be notified for consultation between regularly scheduled meetings. Supervisor Manfredi requested that this item be placed on the March 27th Supervisor's meeting agenda in order to act on the Park and Recreation Board recommendation.

Theater Camp is scheduled for July, though no specific week has yet been determined. Additional information will follow.

The Annual Easter Egg Hunt will be held at Pearl S. Buck International on Saturday, April 8th. Because of that, the Park and Recreation Board is seeking authorization to reschedule their regular meeting from Thursday, April 13th to Thursday, April 6th in order to stuff the plastic eggs in preparation for the Egg Hunt. Mr. Kell noted that the eggs

will be stuffed at 6PM, and all volunteers are welcome. The actual meeting will begin at 7:30PM.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to authorize the advertisement of the change in meeting date of the Park and Recreation Board from Thursday April 13, 2006 to Thursday, April 6, 2006, as noted above. There was no public comment.

O. OPEN SPACE COMMITTEE REPORT – No one was present.

P. NEW BUSINESS:

1. Mr. Bennington presented an oral report of the recent PA 309/Sunneytown Pike Connector Project Meeting held with Mr. Heinrich, the Township's Traffic Engineer and representatives of McCormack-Taylor, and Carroll Engineering. Mr. Bennington, Chief Engelhart, Mr. Buzby, Director of Public Works, and Chairman McIlhinney were also in attendance at the meeting. The concept is to construct a throughway between Rt. 309 and Sunneytown Pike to allow traffic to flow smoothly between the interchange in Lansdale on Sunneytown Pike and Rt. 309. McCormack-Taylor and Carroll Engineering, in conjunction with PennDot, are planning to purchase the easement rights of all affected properties beginning in April of 2006. Phase I is slated to begin in 2007 and includes the area between Sunneytown Pike and Allentown Road, and Phase II is slated to begin in 2007 and includes the area between Allentown Road to Rt. 309. The affected property owners in Hilltown Township have been contacted by PennDot, and include the commercial properties of Montgomeryville Cycle and Rice Electric (now Window Shop) as well as two private residences. McCormack-Taylor will consider concerns expressed by Hilltown Township representatives and additional meetings will established in the near future for further discussion.

Public Comment:

1. Ms. Sandy Williamson of Mill Road requested that a copy of a map of this proposal be available for residents to review.

There was no further public comment.

2. The required escrow has been received and a staff sketch plan meeting will be scheduled with the Wolfson Group regarding the possible expansion of the Wal-Mart at the Hilltown Crossings Shopping Center.

3. Mr. Bennington requested authorization to advertise the cancellation of the April 24, 2006 Supervisor's meeting due to a majority of the Board's attendance at the PSATS convention in Hershey, PA.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to authorize the advertisement of the cancellation of the April 24, 2006 Board of Supervisor's meeting, as noted above. There was no public comment.

4. Chairman McIlhinney requested authorization for the Township Solicitor to prepare a draft revision of the current Ordinance so that residents who are affected by the extension of public sewer will not be mandated to connect unless they so desire.

Motion was made by Supervisor Salvadore to authorize the Township Solicitor to prepare a draft revision of the current Ordinance so that residents who are affected by the extension of public sewer will not be mandated to connect unless they so desire. Supervisor Manfredi wished to confirm that this Ordinance revision would be for consideration only. Chairman McIlhinney advised that was correct. Motion was seconded by Supervisor Manfredi and carried unanimously.

In that same vein, Chairman McIlhinney suggested that the Township Solicitor be authorized to draft an Ordinance amendment for consideration that would require owners of vacant properties along the route of proposed public sewer line extension to provide documentation of the number of lots that could be obtained using conventional on-site sewage disposal systems so that no density bonus could be given.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to authorize the Township Solicitor to draft an Ordinance amendment for consideration that would require owners of vacant properties along the route of proposed public sewer line extensions to provide documentation as to the number of lots that would be obtained using conventional on-site sewage disposal systems so that no density bonus could be given with the extension of public sewer, as noted above. There was no public comment.

Supervisor Manfredi asked if those two items would be agenda items for the March 27th Board of Supervisor's meeting. Chairman McIlhinney hopes that documentation will be available for review by the Township Solicitor at that meeting.

- Q. MYLARS FOR SIGNATURE:
1. Harry Kratz Subdivision
 2. Miller Tract Subdivision

R. PUBLIC COMMENT:

1. With respect to the neighboring Kirk Tract Subdivision, Mr. Bill Godek of 206 Broad Street inquired if a determination had been made as to what the iron pin that had been placed on his property represents, as mentioned at the last meeting. Supervisor Manfredi asked Mr. Bennington to contact the Township Engineer about this issue. Concerning the extension of the public water line through Broad Street to serve the Kirk Tract, Mr. Godek recalls that the developer had stated that there would be no expense to the property owners along the waterline route to connect if they so desired. He asked if the residents would be required to pay tapping fees. Chairman McIlhinney replied that the individual laterals will already have been tapped and run to the right-of-way line. The charges that would be incurred if a Broad Street property owner would want to connect afterward have not yet been determined, however the residents would not be required to pay the tapping fees. If his well were to go dry because of being located within the area of influence of the neighboring H & K Quarry, Mr. Godek asked who would be fiscally responsible if forced to connect to public water. Mr. Bennington advised that H & K Quarry would be responsible if Mr. Godek's well should go dry. Mr. Godek wished to confirm that he cannot be forced to connect to public water should his well go dry. Chairman McIlhinney replied that was correct.

2. Mr. John Castle of 18 Paige Trail attended the June 7, 2005 Supervisor's meeting, where he advised the Board that a judgment had been filed against the builder of the Hilltown Chase Subdivision involving property that has now been dedicated to the Township as open space. Mr. Castle referred to minutes of the June 7, 2005 meeting, which state "Before the open space is dedicated to the Township, the existing Subdivision/Land Development Agreement states that the open space must be dedicated to the Township free and clear of all judgments and liens." Mr. Castle explained that the judgment he referred to was never satisfied and remains outstanding at this time, and therefore, wondered why dedication was accepted for the Hilltown Chase open space. Chairman McIlhinney suggested that Mr. Castle attend the March 27th meeting when Solicitor Grabowski would be present to offer an explanation. Discussion took place.

3. Mr. Mark Funk of Broad Street asked if the seven or eight Zoning Ordinance amendments Mr. Rush spoke of will be an agenda item for the April 10th meeting. Chairman McIlhinney doubts that there will be sufficient time between now and then for the Board to review those documents.

S. SUPERVISOR'S COMMENTS: None.

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

U. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously, the March 13, 2006 Hilltown Township Board of Supervisors Meeting was adjourned at 9:24PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

(*These minutes were transcribed from tape recordings taken by Mrs. Lorraine Leslie, Township Treasurer; and are not considered official or approved until voted upon by the Board of Supervisors at a public meeting).