

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED WORKSESSION MEETING
Monday, September 12, 2005
7:30PM**

The regularly scheduled Worksession meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Kenneth B. Bennington at 7:30PM and opened with the Pledge of Allegiance.

Also present were: George C. Egly, Jr. – Vice-Chairperson
Richard J. Manfredi – Supervisor
Christopher Engelhart – Chief of Police
Daniel Jenkins – Fire Marshal
Lorraine E. Leslie – Township Treasurer

Chairperson Bennington announced the Board met in Executive Session on the following dates:

- August 25, 2005 to discuss legal issues pertaining to H&K (Supervisors Bennington and Egly only).
- August 30, 2005 to discuss personnel and real estate matters.
- August 31, 2005 to discuss legal matters pertaining to H&K (Supervisors Bennington and Egly only).
- September 2, 2005 to discuss legal matters (Pearl Buck), real estate, and personnel.
- September 9, 2005 to discuss personnel issues.
- September 12, 2005 to discuss personnel issues.

Chairperson Bennington called for a moment of silence for the victims of the catastrophic hurricane in the Gulf Coast region.

Calvary Church is organizing a Hurricane Katrina Relief Effort, sending crews to the disaster area sometime in October. For additional information, contact Assistant Pastor Matt Reed or his assistant, Denise Atkinson at 215-723-0963.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF CURRENT BILLING – Chairperson Bennington presented the Bills List dated September 13, 2005, with General Fund payments in the amount of \$136,657.52, Park and Recreation Fund payments in the amount of \$1,364.39, State Highway Aid Fund payments in the amount of \$24,482.55, and Escrow Fund payments in the amount of \$29,842.67; for a total of all payments in the amount of \$192,347.13.

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to approve the Bills List dated September 13, 2005. There was no public comment.

C. TREASURER'S REPORT – Chairperson Bennington presented the Treasurer's Report with the following balances as of August 31, 2005:

General Fund Checking	\$ 800,391.20
Payroll Checking	\$ 1,399.04
General Reserve Fund	\$ 58,214.13
Open Space Fund	\$ 1,234,495.45
Park and Recreation Fund	\$ 117,625.52
Road Equipment Fund	\$ 149,484.47
Fire Fund Checking	\$ 78,623.11
Debt Service Checking	\$ 297,546.39
State Highway Aid Checking	\$ 228,330.34
Escrow Fund Checking	\$ 1,695,303.91
Capital Projects Fund	\$ 43,767.79

Supervisor Manfredi asked if the Township would meet the estimated Earned Income and Real Estate (current year) tax collections for this year. Mrs. Leslie replied that Berkheimer estimates the Earned Income Tax collections will make and slightly surpass the budgeted number, and believes that the Real Estate collections will be slightly behind the budgeted number. Discussion took place.

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to approve the Treasurer's Report as of August 31, 2005, subject to audit. There was no public comment.

D. CONFIRMED APPOINTMENTS: None.

E. ZONING HEARING BOARD REPORT – Mr. John Snyder, Chairperson – Mr. Snyder read the Zoning Hearing Board Report for the month of August 2005; a copy of which is on file at the Township office. Mr. Snyder presented the Zoning Hearing Board recommendations with respect to the proposed Zoning Ordinance amendments being reviewed at this time.

Mr. Snyder commented that firefighters Josh Overholt, Battalion Chief of Hilltown Fire Company, and Tim Metzler, former chief of Perkasio Fire Company, drove the Hilltown Fire Company water tanker to Pass Christian, Mississippi to assist with hurricane relief efforts. Discussion took place.

F. PUBLIC WORKS REPORT - Mr. Buzby was not present. The Public Works Report for the month of August 2005 is on file at the Township office.

With respect to the Pleasant Meadows drainage issue, Chairperson Bennington is aware that Mr. Wynn met with and reviewed the situation with the neighboring property owners, and determined an estimate of less than \$4,000.00 for the required work to resolve the issue.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to direct Mr. Wynn to proceed with the resolution of the drainage issue in the Pleasant Meadows Subdivision as noted above. There was no public comment.

Chairperson Bennington asked the date of the next Deep Run Sports Association Board of Director's meeting, which Mr. Wynn and Mr. Buzby were directed to attend to discuss the ongoing stormwater issues. Mr. Hans Sumpf, president of the D.R.V.S.A., stated that the next board meeting is scheduled for tomorrow evening, however Mr. Buzby and Mr. Wynn are not on the agenda. Supervisor Manfredi directed Mrs. Leslie to contact Mr. Wynn to determine if a date has been established for a meeting with the Deep Run Board of Directors. If such a meeting is not held prior to the October 10, 2005 Supervisor's Worksession meeting, Supervisor Manfredi suggested that a meeting be scheduled between the Board of Supervisors and either the full Board of Directors or a representative of Deep Run, so that this issue can be resolved once and for all. Mr. Sumpf believes that the meeting between Mr. Wynn and a representative of Deep Run's Board of Directors has either taken place or they have had a discussion about this issue. He understands that the Deep Run Board of Directors expects PennDot to do something to rectify the situation, and believes that the Township records indicate what PennDot has promised to accomplish. It was Chairperson Bennington's understanding that PennDot intended to do some work to assist with the problem, however Mr. Wynn, Mr. Buzby, and the Deep Run Board of Directors were to meet in September to determine the remaining work that must be completed by Deep Run to resolve the final issue. Discussion took place.

G. POLICE REPORT – Chief Christopher Engelhart – Chief Engelhart presented the Police Report for the month of August 2005; a copy of which is on file at the Township office.

Chief Engelhart announced that the Green Meadows Police Substation has been operational since August 6, 2005, with 24-hour per day access by the Hilltown Police Department.

The Hilltown Police Department has been awarded \$3,800.00 in a grant for a bullet-proof vest program, which will help lower the Township's obligation for the year.

Several DUI roving patrols were recently conducted. A DUI checkpoint has been scheduled in the Bethlehem Pike area in the very near future. On August 26, 2005 a

speed detail was performed Rt. 113 and Briarwood, a 45 M.P.H. speed zone. The top recorded speed was 83 m.p.h. On September 5, 2005, a speed detail was performed at Rt. 309 at Fairhill Road, with the top recorded speed of 102 m.p.h.

H. FIRE MARSHAL REPORT – Mr. Daniel Jenkins, Fire Marshal – Mr. Jenkins has not had the opportunity to prepare a written report, because of the time spent in the building department due to Mr. Taylor's resignation. He personally thanked the Township staff - Lorraine, Lynda and Lisa for their assistance during this transition period.

Mr. Jenkins announced that there is a Fire Prevention Bureau meeting scheduled for Wednesday, September 14, 2005 at the Dublin Fire Company.

With respect to the Longleaf sprinkler issue, Mr. Jenkins noted that communication with Heritage Building Group has been sparse recently. He has scheduled a meeting with Longleaf residents and representatives of Heritage Building Group on Tuesday, September 27, 2005 at the municipal building.

I. WATER AND SEWER AUTHORITY REPORT – Mr. James C. Groff, Authority Manager – Mr. Groff read the Hilltown Authority report for the month of August 2005; a copy of which is on file at the Township office.

Discussion took place regarding the North Penn Water Authority's application to the DRBC for renewal of groundwater project. Supervisor Manfredi asked Mr. Groff to conduct a more in-depth review of the application.

J. HILLTOWN FIRE COMPANY REPORT – Mr. Robert Grunmeier, Fire Chief – Mr. Grunmeier presented the Hilltown Fire Company Report for the month of August 2005; a copy of which is on file at the Township office.

Mr. Grunmeier elaborated on earlier comments made by Mr. Snyder with respect to Mr. Overholt and Mr. Metzler assisting with hurricane relief efforts. He advised that the tanker was deployed on Monday, September 5th, with the tour scheduled to end this Saturday. In addition to the Hilltown Fire Company tanker, eleven other tankers were dispatched from the state of Pennsylvania. Mr. Grunmeier advised that Mr. Metzler and Mr. Overholt are assisting with search and rescue, and are also providing the primary water supply for structural fires that might occur. Today, both men were repairing fire trucks, and were successful in getting two of the trucks operational. Mr. Grunmeier expressed his pride in the job being done by Mr. Metzler and Mr. Overholt, stating that they are representing Hilltown Township and Bucks County extremely well.

Mr. Grunmeier had contacted Supervisor Egly on Saturday, September 3rd to sign, on behalf of the Board of Supervisors, an agreement with PEMA for release of the tanker truck to travel to Pass Christian, Mississippi. Discussion took place regarding Hilltown's Emergency Management Plan and evacuation procedures in the event of a natural disaster.

Public Comment:

1. Mr. Nick Lupinacci asked if there are any drills planned for a potential evacuation in the future. Mr. Grunmeier believes that the Township's Emergency Management Team is mandated to conduct a table-top drill. One year when there was a planned hazardous material release drill, there was a real incident near Dock Meadows. During that particular incident, residents of Dock Meadows were sheltered in place, with the ventilation systems shut down, because of the materials involved. Mr. Lupinacci suggested that educational materials be provided to Township residents advising of the proper evacuation procedures. Mr. Grunmeier explained that Bucks County has the C.A.N. System in place, which automatically notifies residents via telephone of potential evacuation procedures. Mr. Jenkins advised that the Emergency Management Team intends to schedule a tabletop emergency drill sometime in November. Discussion took place.

2. Mrs. Jean Bolger of Rt. 152 suggested that the Emergency Management Team, in conjunction with the local fire departments, prepare a resident information packet outlining evacuation procedures in the event of an emergency.

3. Mr. John Gillespie, chief of the Silverdale Fire Company, commented that one of the difficulties in the Gulf States during the hurricane was the loss of cell phone or land phone service, which is something Hilltown should take into consideration since the C.A.N. system is dependent on phone service.

K. SILVERDALE FIRE COMPANY REPORT – Mr. John Gillespie, Fire Chief – Mr. Gillespie presented the Silverdale Fire Company Report for the month of August 2005; a copy of which is on file at the Township office.

L. PLANNING COMMISSION REPORT – Mr. D. Brooke Rush, Chairperson – Mr. Rush presented a brief overview of two Planning Commission Worksession meetings held on August 31st and September 8th (copies of these minutes are on file at the Township office). It was the Planning Commission's consensus that public water should be decoupled from lot size. The Commission also spent a great deal of time considering the pros and cons of clustering and the Conservation Management District. Supervisor Manfredi commented that the purpose of the conservation design element is to carefully inspect a parcel, taking into account the natural features and environmental aspects of the

site and design the development around those features. He does not believe it is meant to simply designate all of the infrastructure and homes on a corner of the site, while the rest of the site remains as open space. Lengthy discussion took place.

Mr. Rush noted that Planning Commission member Mike Beatrice, with assistance from the Bucks County Planning Commission, has prepared a detailed list of all parcels greater than 3 acres in size that he would like to present to the Supervisors. Mr. Beatrice prepared this spreadsheet and database in order to provide all Township boards and commissions with a tool to show how planning affects the overall picture of Hilltown.

With respect to land use, Supervisor Manfredi commented that one missing component of the previous two Land Use Summits was public input. Both meetings included stakeholders and invited participants, however it was his intention that the Land Use Summits conclude with a public meeting that provides residents the opportunity to learn what was discussed at the previous Summits. Supervisor Manfredi suggested that the Board schedule a final meeting, which would include public comment on land use and zoning issues at the end of October. He also suggested that this meeting be held at the middle school. Discussion took place.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to authorize the scheduling and advertisement of a public meeting to be held at the middle school to discuss and consider land use and zoning issues in Hilltown Township, with a specific date to be determined.

Public Comment:

1. Mrs. Jean Bolger of Rt. 152 recalls that the previous Land Use Summits were held on weekday mornings, and suggested that for greater public participation, this meeting be held on a Saturday morning or in the evening.

There was no further public comment.

M. PARK AND RECREATION BOARD REPORT – Mr. Nick Lupinacci, Member
– Mr. Lupinacci presented the Park and Recreation Board Report for the month of August 2005.

At their last meeting, the Park and Recreation Board made a unanimous recommendation for a \$200.00 donation to be made to the American Red Cross for the victims of Hurricane Katrina. Discussion took place. The recommendation was tabled for future consideration.

The Jack Fox Memorial Tree Planting of a Liberty Elm will be held on Saturday, October 8, 2005 at 11:00AM at the municipal building. The Robert Minninger Memorial Tree Planting of a Dawn Redwood and bench will take place on November 12, 2005 at the Hilltown Civic Park. The time of that tree planting is yet to be determined by Mr. Minninger's family. The Hilltown Halloween Fest will be held on Saturday, October 22, 2005 from 2:00PM to 7:00PM at the Pearl S. Buck International site.

Public Comment:

1. Mr. John Wietecha commented that a Dawn Redwood, which is a type of Sequoia from California, could grow up to 300 ft. when mature. Discussion took place.

N. OPEN SPACE COMMITTEE REPORT – Mr. John Wietecha, Chairperson – Mr. Wietecha presented the Open Space Committee Report for the month of August 2005; a copy of which is on file at the Township office. The Committee reviewed the list of 20+ acre parcels, and began preparation of correspondence to those property owners to determine their interest in participating in the Township's Open Space Program. Two members of the Open Space Committee are scheduled to meet with a property owner next week.

O. NEW BUSINESS:

1. 2006 Board/Commission Vacancies - Positions available for 2006 include:

- 1 seat-Planning Commission (Ken Beer) – 5 Year Term
- 1 seat-Zoning Hearing Board (John Snyder) – 3 Year Term
- 1 seat-Water and Sewer Authority (Rocky Wright) – 5 Year Term
- 2 seats-Park and Recreation Board (Dan Kell, John Apple) – 5 Year Terms
- 2 seats-Open Space Committee (Charlie Moyer, John Wietecha)– 5 Year Terms
- 1 seat-Vacancy Board (John Bender) – 1 Year Term
- 1 seat-Emergency Management Coordinator (Bill Devlin) – 1 Year Term
- 1 seat-Asst. Emergency Management Coordinator (Bob Grunmeier)–1 Year Term
- 1 seat-Agricultural Officer/Emergency Management(Keith Nace) – 1 Year Term

Public Comment:

1. Mr. Joe Marino of Redwing Road suggested that the Board also consider appointing one or two alternates to the Zoning Hearing Board, in the event of lack of a quorum for any particular hearing. Having sat on the Zoning Hearing Board for six years, Supervisor Manfredi explained that any one member can be the hearing officer.

The issue of alternates was discussed several years ago, and the Board felt that given the hearing officer option, alternates were not necessary.

There was no further public comment.

Since the position of Emergency Management Coordinator, Assistant Emergency Management Coordinator, and Emergency Management Agricultural Officer are more specialized appointments that would require specific qualifications, particularly in this day and age, Supervisor Manfredi suggested that these three positions not be included in the advertisement at this time. Discussion took place.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to authorize the advertisement of the abovementioned vacancies on the various boards/commissions for 2006, with the advertisement clearly stating that the three positions on the Emergency Management Team requires a detailed resume for consideration. There was no public comment.

2. Community Development Block Grant funding for the years 2006 through 2008 is due as of October 14, 2005.

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to authorize the advertisement of a Public Hearing to consider applications for Community Development Block Grant funding at the September 26, 2005 meeting. There was no public comment.

3. Due to the recent resignation of the Code Enforcement Officer, the Board has discussed appointing an outside agency to conduct building inspections until a full-time individual is hired as Code Enforcement Officer/Building Inspector. Mr. Jenkins contacted various firms and made a recommendation to appoint Pennoni Associates as the interim Building Inspector/Code Enforcement Officer.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to appoint Pennoni Associates as the interim Building Inspector/Code Enforcement professional services provider, based on submission of the Agreement as adopted herein, striking paragraph 8 in the "General Terms and Conditions" section of the Agreement, which requires a 7 day notification of termination. There was no public comment.

4. Appointment of Zoning Officer – Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to appoint Nick Lupinacci as part-time Zoning Officer, at \$18.00 per hour working 20-24 hours per week. There was no public comment.

5. Appointment of Township Manager – Since resigning from Commerce Bank, Supervisors Egly and Manfredi have asked Chairperson Bennington to consider applying for the position of Township Manager. Initially the Supervisors interviewed and were about to appoint another individual to the position of Township Manager, however the background investigation showed that the individual was not qualified or suitable.

Chairperson Bennington was elected in 1989 and has served as a member of the Board of Supervisors for 16 years, a job he has thoroughly enjoyed. He earned a Masters degree in history from Villanova, and a Masters degree in business administration from Drexel University, and spent four years as a Captain in the military, commanding 110 men in Korea. Chairperson Bennington had a 27-year career at Merck and Company, supervising hundreds of people, and supervising a system that coordinates 32 worldwide sites. Having worked at Commerce Bank for one year, he is now very familiar with the banking industry, as well. At this time, Chairperson Bennington offered his resignation as a member of the Hilltown Township Board of Supervisors effective at 12:01AM on September 19, 2005. He thanked the Board and the residents of Hilltown for the opportunity to serve the community these past 16 years.

Motion was made by Supervisor Manfredi, and seconded by Supervisor Egly, to appoint Kenneth B. Bennington as Township Manager of Hilltown Township effective 12:01AM on September 19, 2005. There was no public comment.

Motion was made by Supervisor Manfredi, and seconded by Supervisor Egly to **adopt Resolution #2005-31, setting the compensation and benefits for the Township Manager.** There was no public comment.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to authorize the advertisement of a proposed Ordinance amending the Manager's Ordinance. There was no public comment.

Supervisor Manfredi commented that Hilltown Township requires someone with professionalism, a management background, and who is familiar with the operation of the Township. He believes that Chairperson Bennington is the perfect fit for this position. Supervisor Manfredi noted that Chairperson Bennington would be missed as a valuable member of the Board of Supervisors. Supervisor Egly has served with Chairperson Bennington for many years, first as the Chief of Police, and now as a fellow Supervisor. He recognized Chairperson Bennington's many years of service to Hilltown Township, and wished him well in his new position.

Motion was made by Supervisor Manfredi to authorize the advertisement of a vacancy on the Board of Supervisors after September 19, 2005, with letters of interest and completed

questionnaires to be returned to the Township no later than Friday, September 30, 2005. There was no second to the motion at this time. Lengthy discussion took place.

Supervisor Manfredi commented that applications or letters of interest for the position of Township Supervisor that were submitted to the Township prior to September 19, 2005 would not be considered valid.

Chairperson Bennington explained the process involved with appointing an individual to a vacancy on the Board of Supervisors. He noted that Supervisors Egly and Manfredi have 30 days from September 19th to come to an agreement on an individual to appoint as a replacement. If they cannot agree, then Mr. John Bender, as the Vacancy Board chairman, would be the deciding vote. If the two Supervisors and Mr. Bender do not come to an agreement after 45 days, the matter would go before the Bucks County Court for a decision.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to authorize the immediate advertisement of the vacancy on the Hilltown Township Board of Supervisors, with letters of interest and completed questionnaires to be returned to the Township by no later than Friday, September 30, 2005. There was no public comment.

6. A Public Hearing to consider the application of D'Angelo Construction for the Guttman Tract re-zoning request has been scheduled for 8:00PM on Monday, September 26, 2005 during the regularly scheduled Board of Supervisor's meeting.

P. MYLARS FOR SIGNATURE: None.

Q. PUBLIC COMMENT:

1. Since Jack McIlhinney will be the Township's next Supervisor, Mrs. Jean Bolger of Rt. 152 recommended that the Board consider appointing Barbara Salvadore, the other candidate for the office, to the vacancy on the Supervisors. She noted that Mrs. Salvadore only lost the election by 3 votes.

2. Mr. Joe Marino of Redwing Road, who actively participated on Mr. McIlhinney's campaign team, agreed that the appointment of Barbara Salvadore to the Supervisor's vacancy would be a compromise that would satisfy all of the voters of the Township.

3. Mr. Gene Cliver of 427 Telegraph Road has heard that the proposed Zoning Ordinance amendments would permit the Township to take private land for open space. He owns 21 acres of property, and understands that the new amendments will

cause him to lose 7 acres to the Township for open space. A developer offered to purchase Mr. Cliver's property for development, and told him that 1/3 of the property would have to be dedicated to the Township for open space. Mr. Cliver feels that the taking of private property by the Township is nothing more than a socialist government. Chairperson Bennington commented that no plans for the development of Mr. Cliver's property have been submitted to the Township. Supervisor Egly assured Mr. Cliver that the Township is not attempting to take his land. Supervisor Manfredi believes that Mr. Cliver was misinformed by a developer. He explained that the present Zoning requirements permit lot sizes of 3-acres in the RR District, unless public water is available, at which time lots can be 50,000 sq. ft. in size. The Township is in the process of amending its Zoning Ordinance, which the Planning Commission has been diligently reviewing. Supervisor Manfredi advised that no amendments would be made to the Zoning Ordinance until the required Public Hearings are held where all public comment is welcome. Mr. Cliver commented that he does not subscribe to local newspapers, and therefore, is not aware of scheduled Public Hearings. Supervisor Manfredi asked Mrs. Leslie to forward notices of Public Hearings with respect to the Zoning Ordinance amendments to Mr. Cliver, and encouraged Mr. Cliver to attend the Public Hearings.

4. Mrs. Susan Brickajlik of Hilltown Pike wondered if Mr. Cliver was under the impression that the developer would not be paying him for the land that would be dedicated as open space. Mr. Cliver explained that when he first purchased the property, he could have built 40 dwellings on that land, however it is now down to 8 dwellings that could be constructed. Discussion took place.

5. Mrs. Sandy Williamson of Mill Road urged Mr. Cliver to review and compare the current Zoning Ordinance with the proposed revised amendments. Further, she noted that the Worksession and regular meetings of the Planning Commission are open to the public. Mrs. Williamson encouraged Mr. Cliver to attend those meetings as well.

6. Mr. Lawrence Owen of 506 Rt. 313 asked the process involved with appointing a new Supervisor to the vacancy. Chairperson Bennington explained that from the 19th of September, the Board has 30 days to fill the vacancy. However, if Supervisors Egly and Manfredi cannot agree on a candidate, the matter then goes before the Vacancy Board (John Bender) on the 31st day. Mr. Bender would then have to render his decision within 15 days. On the 46th day, if no appointment has been made, the matter is referred to the Bucks County Court for a decision.

Mr. Owen asked if there is a deadline for adoption of the Zoning Ordinance amendments. Chairperson Bennington replied that there is no specific date in mind, though he would suspect that the process might not be complete until 2006. Supervisor Manfredi stated

that ideally, the amendments would be adopted by the end of 2005, but it may be 2006 until enough public input is received and the Planning Commission completes its review.

R. SUPERVISOR'S COMMENTS:

1. Supervisor Manfredi advised that correspondence has been received from residents of New Britain Township, requesting that the Township Engineer review their concerns with respect to a surface water drainage problem.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to authorize the Director of Public Works and the Township Engineer to review the above noted correspondence, conduct a site inspection, and report back to the Board at their next meeting. There was no public comment.

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

T. ADJOURNMENT: Upon motion by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously, the September 12, 2005 Board of Supervisors Worksession Meeting was adjourned at 9:15PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

(*These minutes were transcribed from tape recordings taken by Mrs. Lorraine E. Leslie, Township Treasurer).