

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED WORKSESSION MEETING
Monday, August 9, 2004
7:30PM**

The regularly scheduled worksession meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Kenneth B. Bennington at 7:33PM and opened with the Pledge of Allegiance.

Also present: George C. Egly, Jr., Vice-Chairperson
Richard J. Manfredi, Supervisor
Gregory J. Lippincott, Township Manager
Christopher Engelhart, Chief of Police
Thomas A. Buzby, Director of Public Works

Chairperson Bennington announced the Board met in Executive Session prior to this meeting to discuss personnel, and also met following the last meeting, minus Supervisor Manfredi, to discuss the H & K Quarry request for re-zoning.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the July 12, 2004 Supervisor’s Worksession Meeting – Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to approve the minutes of the July 12, 2004 Supervisor’s Worksession Meeting, as written. There was no public comment.

C. TREASURER’S REPORT – Chairperson Bennington presented the Treasurer’s Report with the following balances as of July 31, 2004:

General Fund Checking	\$ 162,867.46
Payroll Checking	\$ 395.84
General Reserve Fund	\$ 4,640.70
Open Space Fund	\$ 336,431.07
Fire Fund Checking	\$ 77,126.94
Debt Service Checking	\$ 258,296.31
State Highway Aid Checking	\$ 220,373.87
Escrow Fund Checking	\$ 1,212,656.26
Capital Projects Fund	\$ 62,171.34

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to accept the Treasurer’s Report dated July 31, 2004, subject to audit. There was no public comment.

D. PUBLIC WORKS REPORT – Mr. Thomas A. Buzby, Director of Public Works – Mr. Buzby presented the Public Works Report for the month of July 2004; a copy of which is on file at the Township office.

With the addition of new roadways due to development, Supervisor Manfredi asked Mr. Buzby to begin thinking about what equipment needs the Public Works Department may have within the next year to five years. Discussion took place.

E. POLICE REPORT – Chief of Police Christopher Engelhart – Chief Engelhart presented the Police Report for the month of July 2004; a copy of which is on file at the Township office.

Chairperson Bennington asked how many DUI details the Police Department has participated in this year, and how many are planned for the remainder of the year. Chief Engelhart replied that he has been in discussions about scheduling the next detail, most likely to take place during the Labor Day holiday. He is uncertain how many DUI details have taken place to date. Discussion took place.

Supervisor Manfredi asked if the Police Department has been tracking accidents at the Callowhill Road/Rickert Road intersection. Chief Engelhart is not aware of a major problem at that intersection. Supervisor Manfredi noted that during rush hour, motorists do not actually stop at that intersection and sometimes simply roll right through as if Rickert Road were part of Callowhill Road. He suggested that perhaps larger stop signs be placed on both sides of Callowhill Road. Chief Engelhart does not believe it is a matter of sign sizes, he feels it is simply a lack of attention by motorists. He will increase patrols of that area during rush hour.

Chief Engelhart received a draft Ordinance proposal and a petition signed by numerous residents of the area of Fairhill Road/Diamond Street in reference to an ongoing problem with a noisy ATV in their neighborhood. He has reviewed the proposed Ordinance, and felt that most of it would be suitable, however there are portions that are a bit restrictive. Discussion took place. Chief Engelhart and Mr. Lippincott will further review the draft Ordinance.

Speed details have been conducted on Upper Stump Road, Rt. 309, and Callowhill Road, with another planned for later this week. The highest speed recorded on Callowhill Road, between Broad Street and Stump Road, was 82 miles per hour.

Chief Engelhart thanked Comcast, who assisted with Perkasio Borough Electric Company, in re-installing a new rope on the flagpole in front of the municipal building.

Public Comment:

1. Mrs. Marilyn Teed of Mill Road asked if the new turning lanes that have been installed on Rt. 309 have had any impact. Chief Engelhart replied that it is a bit too soon to tell, however there have been instances with vehicles using that turning lane as a third lane.

F. FIRE MARSHAL REPORT – Mr. Jenkins was not present.

G. HILLTOWN FIRE COMPANY REPORT – Mr. Robert Grunmeier, Chief – Mr. Grunmeier read the Hilltown Fire Company Report for the month of July 2004; a copy of which is on file at the Township office.

Mr. Grunmeier thanked the Board for the opportunity to participate in the recent Land Use Summit, which he felt was outstanding.

H. SILVERDALE FIRE COMPANY REPORT – Mr. John Gillespie, Chief – Mr. Gillespie read the Silverdale Fire Company Report for the month of July 2004; a copy of which is on file at the Township office.

I. PLANNING COMMISSION REPORT – No one was present.

J. PARK AND RECREATION BOARD REPORT – No one was present.

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

L. ZONING HEARING BOARD REPORT – Mr. John Snyder, Chairperson – Mr. Snyder read the Zoning Hearing Board Report for the month of July 2004; a copy of which is on file at the Township office.

M. CONFIRMED APPOINTMENTS: None.

N. MANAGER'S REPORT – Mr. Gregory J. Lippincott, Township Manager –

1. A Zoning Hearing Board application has been received from Richard and Lorna David of 307 Jessica Lane to develop their property with an impervious coverage of 14%. The lot is presently non-conforming with a 10.22% coverage area. A second application was received from Calvary Church seeking variances from Table of Use Regulations since the church lies within three separate zoning districts, from parking requirements, from parking in front of the structure, from Table of Use regulations with regard to non-residential accessory buildings, from Steep

Slopes, from Building Height, and from Impervious Surface Standards. Both applications are available for review at the Township office.

2. Mr. Lippincott presented a status report of the proposed Trade Ordinance, as previously requested by the Board. He read an excerpt of the May 2004 Planning Commission worksession meeting minutes as noted below –

- The owner of the business must also own and be the primary resident of the property. The PC would like a lawn mowing service added as a trade to the Ordinance.
- Ken Beer made a motion to change the acres from 5 to 3. The motion was not seconded.
- (2) & (3) - OK
- (4) Denise Hermany made a motion to increase the number of employees from 2 to 4. The motion passed 4 to 2, with Jack Fox abstaining and Chuck Kulesza opposed.
- (5), (6), (7), (8), (9) OK

A motion was made to pass the Ordinance as amended. The motion passed 5 to 1, with Jack Fox opposed.

Mike Beatrice submitted his comments in writing, which are included below in their entirety –

“Trades Business – Description excludes the use of the property in any phase of the trade: does this also exclude warehousing inventory?”

Appears that # of non-relative employees has been established as a substitute for the # of vehicles to limit the size of the business. Some folks have extended families – and perceived families, that are quite large. Are in-laws of third cousins considered relatives? I don't believe this is an effective cap on the business.

I believe one of the best features of zoning is separating residential areas from commercial activities and the truck traffic that accompanies it. This proposed Ordinance encourages the reverse to happen. Permitting storage of materials on the property can result in large vehicles making deliveries to the site.

I'm sure all of us recognize Hilltown has not strictly enforced many Ordinances. To allow commercial activity in residential areas expands the opportunity for people to push beyond the Township's intentions. I strongly recommend the proposed Ordinance be eliminated.”

Discussion took place. Chairperson Bennington took issue with Mr. Beatrice's comments about Ordinances not being strictly enforced in the Township. He recalls that this has been the practice of Hilltown Township, even before he became a member of the Board of Supervisors. Hilltown does not go looking for violations rather the Township waits for someone to make a written zoning complaint before investigating. This practice has not changed in the past 18 to 20 years.

Supervisor Manfredi believes that a Trade Ordinance is a good idea, however he wishes to insure that a trade would not become a commercial enterprise in a Residential District. Therefore, Supervisor Manfredi requested additional information from the Planning Commission. Chairperson Bennington agreed, and commented that he would like to see Mr. Wynn's review of the Planning Commission's recommendations prior to putting this information into Ordinance form.

3. Mr. Lippincott requested authorization to advertise the Public Hearing for the Zoning Change Request for the Patel property on Mill Road, to change it from PC-1 Zoning District to the RR Zoning District.

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to authorize the advertisement of a Public Hearing to consider the Zoning Change Request for Patel on Monday, September 27, 2004 at 8:00PM. There was no public comment.

O. CORRESPONDENCE – Mr. Gregory J. Lippincott, Township Manager –

1. Correspondence was received from the engineering firm conducting the study for PennDot regarding Bucks County Bridge #21 on Rickert Road, for which PennDot is seeking comments from the Township regarding this proposal. Mr. Lippincott had invited a representative of the engineering firm to this meeting to discuss the issue, however they did not believe a meeting would be productive. Instead, they have forwarded their improvement plans, which is available at the Township office for the Board's review. Lengthy discussion took place.

In order for the Board to make an informed decision, the Supervisors directed Mr. Lippincott to forward correspondence to PennDot advising that Hilltown Township requires additional information about the proposed improvement plan.

2. Correspondence was received with Community Development Block Grant applications for the 2005 fiscal year, showing the remaining balance of the three-year individual allocations for Hilltown Township, which is \$32,600.00. Last year, the Board awarded \$30,000.00 to the Pearl S. Buck Foundation, however due to a discrepancy in

their application, it was rejected. The deadline for receipt of applications is Friday, September 24, 2004.

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 the remaining funds of the Community Development Block Grant for the 2005 fiscal year at the September 13, 2004 Worksession meeting. There was no public comment.

3. At the last meeting, the Board directed Mr. Wynn to obtain a copy of and review Hatfield Township's proposed Comprehensive Plan. Upon further investigation, Mr. Wynn discovered that Hatfield Township is simply adopting (by reference) the current Montgomery County Comprehensive Plan (dated from 1970's) in order to meet requirements to enact a Traffic Impact Fee Ordinance pursuant to Act 209. Discussion took place. Due to the circumstances, the Board rescinded their original direction for Mr. Wynn to review the proposed Hatfield Township Comprehensive Plan.

P. MYLARS FOR SIGNATURE: None.

Q. HILLTOWN AUTHORITY REPORT – Mr. James C. Groff, Authority Manager – Mr. Groff read the Hilltown Authority Report for the month of July 2004; a copy of which is on file at the Township office.

Public Comment:

1. Mr. Bob Grunmeier of 33 Hilltown Pike received information that a public water line is to be run through the village of Line Lexington, and that designated dwellings would be chosen to connect to public water due to the well contamination in that area. He noted that the well monitoring equipment has been removed from the gated/fenced area. Mr. Grunmeier's concern stems from the fact that he installed special equipment in his home to protect the water, and Sunoco had agreed to absorb the maintenance cost for the life of the problem. Mr. Groff commented that the Hilltown Authority does not serve that area, he believes it is the North Penn Water Authority service area. Mr. Groff will contact DEP tomorrow to obtain information regarding the status of the MTBE contamination.

R. PUBLIC COMMENT:

1. Mr. Jack McIlhinney of Broad Street referred to the July 12, 2004 meeting minutes, page 8, item #2 under Manager's Report, concerning the minutes of the meeting of the PA Rt. 113 Heritage Corridor of April 6, 2004 and the Final Report of the Transportation Improvements Plan for the Rt. 313/Rt. 663 Corridor. He wondered why the word "Heritage" is used in this committee's name, which he believes refers to

historical things, not widening of intersections. Supervisor Egly suggested that Mr. McIlhinney direct that question to the PA Rt. 113 Heritage Corridor Committee. Mr. McIlhinney asked if meetings of the PA Rt. 113 Heritage Corridor are announced and open to the public, and Supervisor Egly replied that they are, however the committee does not always take public comment at these meetings. Mr. McIlhinney quoted a section of the minutes, which state "The Township would not be opposed to providing four lanes of travel along Rt. 113 for some portions of the roadway, not for its entire length." Mr. McIlhinney wondered how a four-lane highway could be considered "historic." Supervisor Egly explained that everything with regard to the Rt. 113 corridor is in the design stage, and there are traffic studies and surveys being conducted. It is merely the recommendation of the PA Rt. 113 Heritage Corridor to have four lanes along the Rt. 113 corridor on portions of the roadway through Hilltown Township. Supervisor Manfredi suggested that Mr. McIlhinney contact the Delaware Valley Regional Planning Commission, and the Regional Improvement Consortium for additional information. Mr. McIlhinney advised that he left his name and phone number with both of those organizations at the initial meeting in April of 2004, though neither have kept him abreast of any of these issues. Supervisor Manfredi, as a sitting Supervisor, will get an answer for Mr. McIlhinney in the near future. He explained that the DVRPC is the municipal organization that handles all federally funded transportation issues for this region. Supervisor Manfredi directed Mr. Lippincott to contact Ms. Pam Learned of the Regional Improvement Consortium to forward any information available for public review regarding the Rt. 113 Heritage Corridor Study, as well as the minutes from the last one or two meetings with PennDot.

2. Mr. Harry Mason of Morgan Lane noted that in the past, Mr. Jack McIlhinney had suggested that "Supervisor's Comments" should appear on the agenda prior to "Public Comment" and he agrees with that suggestion. The Supervisors agreed to take this recommendation under consideration.

3. Mrs. Marilyn Teed of Mill Road asked if the Treasurer's Report refers to all accounts of the Township. Mr. Lippincott replied that it does. When a fee in-lieu-of park and recreation land/facilities is provided to the Township, Mrs. Teed asked where those funds are deposited. Mr. Lippincott replied that those fees are deposited into the Escrow Fund, along with stormwater management fees in-lieu-of, basin maintenance fees, holding tank agreements, or other escrows. At the last Planning Commission worksession meeting, Mrs. Teed noted that Mrs. Bush of the Bucks County Planning Commission advised that park and recreation fees in-lieu-of should be placed in a separate account.

4. Mr. Bob Grunmeier of 33 Hilltown Pike commended Mr. Dan Jenkins, the new Fire Marshal, on the fine job he is doing.

Discussion took place concerning the lack of response from some of the servicing fire companies, who are required by law to submit financial information along with signed contracts to the Township on a timely basis, in order to receive designated funding.

S. SUPERVISOR'S COMMENTS:

1. Supervisor Manfredi requested that a study be conducted of the timing cycle of the traffic signals at the County Line Road/Rt. 113 intersection, and at the traffic signals at the various shopping centers along Rt. 113 in Hilltown. He advised that the timing of those signals appear to be very inefficient. Supervisor Egly commented that PennDot determines the timing cycle of traffic signals. Discussion took place.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to authorize Mr. Lippincott to forward correspondence to Mr. Andy Warren of PennDot from the Board of Supervisors requesting a meeting to review this and numerous other safety concerns as expressed this evening regarding several State roads. There was no public comment.

Supervisor Manfredi also expressed concern about traffic congestion at Callowhill Road and Rt. 113 during the morning rush hour, particularly traveling north on Callowhill Road past the Seylar Elementary School while attempting to make a left turn onto Rt. 113. He noted that the same scenario occurs when traveling north on Diamond Street, and attempting to make a left onto Rt. 113. Chairperson Bennington also referred to the congestion when traveling on Rt. 113 through Silverdale Borough, while attempting to make a left onto Rt. 152 north, due to the lack of a left turn lane. He suggested that someone from Silverdale Borough be included in the meeting with Mr. Warren from PennDot to discuss that intersection as well. The remaining Supervisors agreed.

2. Supervisor Manfredi felt that consideration be given to erecting tasteful signs along Rt. 113 at County Line Road as well as at other locations throughout the municipality, advising motorists that they are entering Hilltown Township, Bucks County, noting that perhaps this could be a budget item for 2005.

Public Comment:

a. Mrs. Jean Bolger of Rt. 152 agreed and commented that there is an existing sign along Rt. 113, near its intersection with Bethlehem Pike at the carwash in Hilltown Township that says "Welcome to the Indian Valley," which she believes should be moved onto the Montgomery County side of Rt. 113, past County Line Road.

b. Along these same lines, Mrs. Alice Kachline of Mill Road stated that several new businesses in the Township are also using their servicing post office of Souderton, or

Hatfield, for example, to advertise their businesses, when in actuality, they are located in Hilltown Township. She feels these establishments should be encouraged to use Hilltown Township to advertise their businesses.

Supervisor Manfredi noted that several years ago, the Board of Supervisors held a luncheon for representatives of businesses located in Hilltown, where they were encouraged to use Hilltown Township in the advertising of their establishments. He suggested that perhaps another such luncheon should be considered. Discussion took place.

3. As a follow-up to the recent Land Use Summit, Supervisor Manfredi feels that the next step should be to reconvene the four discussion groups that were assembled that day during a Town Hall meeting at an appropriate time in the future before moving forward with revising the Zoning Ordinance. This would provide additional input before finalizing the draft Ordinance and sending it to the Planning Commission for review. Chairperson Bennington and Supervisor Egly agreed with that suggestion.

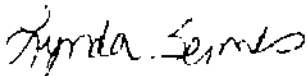
4. Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to appoint Mrs. Jeanne Scanlon-Brickajlik to the vacancy on the Hilltown Township Open Space Committee, with the term to expire on December 31, 2006. There was no public comment.

5. Chairperson Bennington announced that he recently accepted a position with Commerce Bank as a branch manager, and after a lengthy training period, hopes to be assigned to a branch somewhere in Bucks County by the end of the year.

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

U. ADJOURNMENT: Upon motion by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously, the August 9, 2004 Hilltown Township Board of Supervisor's Worksession meeting was adjourned at 8:46PM.

Respectfully submitted,



Lynda Scimes
Township Secretary

(*These minutes were transcribed from tape recordings taken by Mr. Gregory J. Lippincott, Township Manager).