

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED WORKSESSION MEETING  
Monday, April 12, 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 7:35PM and opened with the Pledge of Allegiance.

Also present were: George C. Egly, Vice-Chairperson  
Richard F. Manfredi, Supervisor  
Gregory J. Lippincott, Township Manager  
David W. Taylor, Code Enforcement Officer  
Thomas A. Buzby, Director of Public Works  
Christopher Engelhart, Chief of Police  
Lorraine E. Leslie, Township Treasurer

Chairperson Bennington announced the Board met in Executive Session prior to this meeting in order to discuss personnel and real estate. They also met in Executive Session following the March 22, 2004 Supervisor's meeting to discuss the legal issue of H & K Quarry, minus Supervisor Manfredi.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MEETING MINUTES – Action on the minutes of the March 8, 2004 Worksession Meeting – Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to approve the Supervisor's Worksession Meeting minutes of March 8, 2004 as written. There was no public comment.

Action on the minutes of the March 22, 2004 Supervisor's Meeting – Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to approve the Supervisor's Meeting minutes of March 22, 2004, as written. There was no public comment.

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

General Fund Checking	\$ 122,915.13
Payroll Checking	\$ 367.28
General Reserve Fund	\$ 4,626.15
Open Space Fund	\$ 48,432.01
Fire Fund Checking	\$ 32,420.15
Debt Service Checking	\$ 177,296.96
State Highway Aid Checking	\$ 1,664.90
Escrow Fund Checking	\$ 833,065.78
Capital Projects Fund	\$ 76,592.83

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to approve the Treasurer's Report as of March 31, 2004, subject to audit. There was no public comment.

D. APPROVAL OF BILLS LIST – Chairperson Bennington presented the Bills List dated April 13, 2004, with General Fund payments in the amount of \$85,025.90 and State Highway Aid Fund payments in the amount of \$14,045.27, for a grand total of all payments in the amount of \$99,071.17.

Chairperson Bennington questioned the bills for the repair of the Sacred Heart School Flasher on page 10 in the amounts of \$63.75 and \$1,196.98. Mrs. Leslie replied that the flashing light had been damaged in a windstorm.

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to approve the Bills List dated April 13, 2004. There was no public comment.

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

Chairperson Bennington asked the status of Mr. Buzby's concern regarding the condition of the soccer field at the Hilltown Civic Park. Mr. Buzby advised that the ground is very, very wet and is being torn up due to continued use. It appears to Mr. Buzby that there is very little respect for the soccer field, and that many organizations are refusing to postpone or cancel their soccer games due to inclement weather. Mr. Lippincott noted that the Park and Recreation Board, at their last meeting, made a recommendation to close the soccer field for one month due to its current condition. Mr. Buzby is not certain that closing the field at this time will do much good. He believes that the real problem lies with the length of the soccer season, which runs from March through mid-December. Mr. Buzby suggested that consideration be given to "resting" the field more in the spring and in the fall, because the grass seed does not appear to have the opportunity to germinate and establish roots due to the constant play. Supervisor Manfredi suggested that a joint meeting with the Park and Recreation Board and Mr. Buzby be held with all field users to explain the problem and discuss the issues. Chairperson Bennington believes that Mr. Buzby should be charged with closing the soccer field whenever he feels necessary. Discussion took place.

Public Comment:

1. With regard to the soccer field at Rt. 152 and Fairhill Road, Mrs. Marilyn Teed of Mill Road suggested that a French drain be installed in the swale area.

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

Supervisor Manfredi thanked Chief Engelhart for the detail that is being provided in the Police Report.

Chief Engelhart thanked the Board of Supervisors, the Police Department staff and officers, and the Township staff for their support during his attendance at the FBI academy.

G. BUILDING REPORT – Mr. David W. Taylor, Code Enforcement Officer – Mr. Taylor read the Building Report for the month of March 2004; a copy of which is on file at the Township office.

Mr. Taylor had provided a memo to the Board of Supervisors regarding the State Building Code. The final date to opt in is July 8, 2004. Mr. Taylor advised that there would not be sprinkler requirements for residential dwellings in the State Building Code. If the Township wishes to add a sprinkler requirement for residential dwellings, it must be done by separate Ordinance. A lengthy discussion took place. Chairperson Bennington noted that one of Heritage Building Group's developments was in question with regard to sprinkler systems. Mr. Taylor replied that Heritage has four apartment buildings yet to construct. Since those buildings have already been designed and their money has been invested in that project under the original design with the Township's current Building Code, Heritage may continue under those requirements or they may opt to follow the State Building Code. If Heritage opts to following the State Building Code, they would lose their finished basements, which is one of their big selling features with those proposed apartments. Heritage Building Group would have a choice as to which Code they choose to follow for the remainder of that project. Any future projects by Heritage Building Group would be constrained under the State Building Code once the Township has adopted it.

Public Comment:

1. Mr. Jack McIlhinney of Broad Street asked if that meant no one could have a finished basement if the State Building Code is adopted. Mr. Taylor advised that with the State Building Code, if there is finished space below grade, the resident would be required to provide a regular bedroom egress window, a door direct-to-grade, or a bilco-type door in order to provide some alternative exit other than the staircase to the living quarters.

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

Mr. Groff announced that the Hilltown Authority would be flushing waterlines this week beginning tonight between the hours of 9:00PM and 4:00AM.

I. HILLTOWN FIRE COMPANY REPORT – No one was present.

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

K. PLANNING COMMISSION REPORT – Mrs. Denise Hermany, Secretary – Mrs. Hermany presented the Planning Commission worksession meeting minutes of April 5, 2004; a copy of which is on file at the Township office.

Public Comment:

1. Mrs. Marilyn Teed asked who would be invited to be guest speakers at the proposed Land Use Summit. Supervisor Manfredi replied that Mr. Tom Hilton, Mr. Dave Sebastian, a representative from the Bucks County Planning Commission, and a representative of the Natural Lands Trust were all mentioned to be considered for guest speakers during the joint meeting of the Supervisors and the Planning Commission.

L. PARK AND RECREATION BOARD REPORT – Mr. Nick Lupinacci – Mr. Lupinacci presented the Park and Recreation Board Report for the month of March 2004.

The 14<sup>th</sup> annual Easter Egg Hunt was held on April 10, 2004. The Memorial Day ceremony will be held at the Hilltown Civic Park on Monday, May 31, 2004 at 10:00AM.

At the last Park and Recreation Board meeting, discussion took place concerning the soccer field at the Hilltown Civic Park. With all the inclement weather and the constant use of the soccer field, the Park and Recreation Board made a recommendation to close the soccer field for at least 30 days for seeding and germination, at which time it should be reassessed by Mr. Buzby. Chairperson Bennington advised that this issue was discussed earlier during this evening, where it was determined that a meeting would be held with all soccer field users to discuss the issue. Mr. Lupinacci commended Mr. Buzby for the care he provides for the athletic fields. Discussion took place.

Several developers also participated in the last Park and Recreation Board meeting, to discuss items of recreation and open space requirements with regard to the upcoming

proposed developments. Representatives of four different developers including W.B. Homes, the Barness Tract, the Guttman Tract, and the Elliott Building Group were in attendance to present the plans for each of the proposed developments.

Theater Camp will be held this year for two different age groups on two separate weeks following July 4<sup>th</sup>. The Park and Recreation Board is waiting for additional information from the director of Theater Camp before accepting registration.

At the joint meeting, Supervisor Manfredi had suggested the Park and Recreation Board consider planning a music festival or concert. Mr. Lupinacci advised that the Board has been discussing this suggestion for consideration when the Forest Road Park is completed.

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

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

Public Comment:

1. Since the Supervisors have been unable to agree upon a candidate to fill the vacancy on the Zoning Hearing Board, Mrs. Marilyn Teed of Mill Road suggested that all interested applicants fill the vacancy on an alternating basis. Mr. Snyder explained that according to the Municipalities Planning Code, an alternate member does not sit on the Zoning Hearing Board. The only time an alternate would sit on the board is when there is a lack of a quorum. In addition, the Township established the procedure of a Hearing Officer in 1999 or 2000, so that in the event there is a conflict between the sitting Zoning Hearing Board members, the Hearing Officer then makes the decision.

O. CONFIRMED APPOINTMENTS: None.

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

1. In response to the Supervisor's previous request for a cost analysis for requiring developers to submit land development/subdivision plans in a PDF format as well as paper copies, Mr. Lippincott provided the following:

- All costs for this process would be borne by the developer, not the Township.

- This process would assist Township staff by having plans at their fingertips within the computer network. Information flow and work production would increase.
- Residents who do not have time available during business hours to review a subdivision plan could complete their review by e-mail, if available, and would better be able to participate in public discussions regarding the plans.
- Supervisors, as well as any board or commission member with computer access and an e-mail account would be able to review the plans. It is important to note that these plans will be viewed by use of Adobe Acrobat Reader, which is free software.
- The Township will save time by retrieving an already existing PDF file provided by the developer and e-mailing it to interested parties rather than pulling a file and attempting to produce photocopies of numerous pages, most of which are currently too large for our copier.

It is Mr. Lippincott's belief that this is not a cost issue, but rather an issue of public participation. By submitting in paper and electronically, the Township is better able to serve its residents by providing better information in a timelier manner and in various formats, enabling more people to participate in government. The developer would be bearing the cost of these improvements, not the taxpaying residents.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to authorize the Township Solicitor to prepare a draft Ordinance patterned after the Buckingham Township Ordinance for the submission of PDF plans by developers for subdivision/land development plans.

2. Mr. Lippincott asked if the staff should do further research on an Ordinance on the A/B septic systems, which are placed on marginal soils on-lot. Solicitor Grabowski's correspondence dated March 9, 2004 was discussed. At present, there is only one A/B/ septic system with one other proposed at this time.

The Supervisors agreed to table this issue for further discussion and consideration at the April 26, 2004 meeting.

3. Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to hire Mr. Dan Jenkins as the Hilltown Township Fire Marshall/Assistant Code Enforcement Officer to begin employment on June 1, 2004, with the salary/benefit package to be outlined in writing by the Township Manager. There was no public comment.

Chairperson Bennington advised that Mr. Jenkins is a master code professional that has been certified by the International Code Council (formerly BOCA) with 32 categories of inspections and plan examination as a code official. Mr. Jenkins is also certified by the Pennsylvania Department of Labor and Industry in 17 categories of inspection, plans examination as a building code official. He has an AS in Fire Science from the Bucks County Community College and an AS in Construction Code Safety from Harrisburg/Erie Community College, and is also a graduate from the National Fire Academy in Maryland. Mr. Jenkins is currently a Code Official in Warrington Township since 1999. The Supervisors were very pleased to have Mr. Jenkins as Hilltown Township's first Fire Marshall.

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

1. Silverdale Borough has expressed concern with the snow maintenance of the sidewalk on a property located at Noble and Walnut Streets in Hilltown Township, which is used by children walking to school. Silverdale Borough is hoping that the Board may consider adopting a Sidewalk Ordinance for the Township. Silverdale has provided a sample Ordinance with their request. Discussion took place.

Public Comment:

1. Since the Township required that the sidewalk be installed, Mr. Hans Sumpf of Beverly Road suggested that the Public Works Department, in the interest of safety, shovel that sidewalk.

Since Solicitor Grabowski had researched a Sidewalk Ordinance for the Township in the past, Mr. Lippincott was directed to provide that information to the Board for further discussion at the next meeting.

2. The Pearl Buck Foundation is requesting that Hilltown Township consider being an event sponsor for International Day, which celebrates cross-cultural understanding and appreciation. Discussion took place regarding the budget, which Mr. Lippincott advised is very tight at this time. The request was tabled for consideration at the next meeting.

R. ACTION ITEMS:

1. Deep Run Lease – Supervisor Manfredi advised that the Township received a request from Deep Run Valley Sports Association to provide a lease for their exclusive use of the Telegraph Road recreational field properties. A copy of the draft Lease Agreement and correspondence from Solicitor Grabowski dated March 23, 2004 was discussed. Upon review of the draft Lease Agreement, Supervisor Manfredi noted

that there are two issues for further discussion – the length of the lease ( 30 years) and the issue of lighting. Mr. Mark Phipps of Deep Run was present to discuss the issue. He advised that a five-year lease arrangement with a contingency for renewal would be satisfactory. With regard to the issue of lighting, Mr. Phipps explained that Deep Run has no interest in constructing permanent lighting on Township property. However they would want the ability to be able to utilize temporary lighting, though he doubts it would be proposed on the Telegraph Road property. Supervisor Manfredi asked if Deep Run would have any objection to language in the Agreement stating “there shall be no installation, whether permanent or temporary, for usage of lights without a formal request being made to the Township to do so.” Mr. Phipps stated the Deep Run would be agreeable to that language.

Currently, there are 1,700 families enrolled in Deep Run's sports programs; of that 1,100 are involved in either the travel or intramural soccer program. Of that 1,100, approximately 700 families are Hilltown residents. Supervisor Manfredi asked if there would be times where the people living in the Orchard Hill development would be able to utilize the Telegraph Road soccer fields. Mr. Phipps replied that there would, and reminded the Board that those fields are all-purpose fields, not strictly for use as soccer fields. Mr. Phipps stated that Deep Run is willing to commit to the complete maintenance of that property, including fertilizing, overseeding, brush hogging the perimeter, trash removal, porta-potty service, etc.

Chairperson Bennington asked if the Township would maintain a calendar of events on those three recreational fields, so that the Township is aware of when there is availability on that field for use by others. At present, Mr. Lippincott explained that the Township does not maintain a calendar of events for the Rt. 152/Fairhill Road site currently being utilized by Deep Run. Mr. Phipps noted that there is a Field Scheduling option on Deep Run's website so that individuals can access the schedules to determine when the site is or is not being used.

Mr. Phipps thanked the Supervisors for their consideration for use of the Telegraph Road properties, noting that the use of the Fairhill Road/Rt. 152 property is greatly appreciated.

Motion was made by Supervisor Manfredi, and seconded by Supervisor Egly, to authorize the Township Solicitor to revise the draft Deep Run Lease Agreement for the Telegraph Road properties to reflect the comments made this evening, and to approve that revised Lease Agreement with Deep Run once those revisions have been made.

Mr. Phipps asked the time frame involved. Chairperson Bennington believes that the proposed changes and revisions to the Lease Agreement could be made prior to the next Supervisor's meeting. Mr. Lippincott suggested that Deep Run provide a certificate of



insurance, at which time they can begin using the Telegraph Road fields until the Lease Agreement is finalized, signed and formalized.

Supervisor Manfredi amended his motion to include the Township's receipt of a certificate of insurance provided by Deep Run Valley Sports Association.

Public Comment:

1. Mr. Nick Lupinacci, on behalf of the Hilltown Park and Recreation Board and the efforts they have made on hearing the residents surrounding parks and playing fields with regard to the lighting issue, suggested that the Agreement language should include, prior to any consideration for lighting, that notice be sent to neighboring property owners for a Public Hearing on the matter. Chairperson Bennington feels that a lighting issue is on a case-by-case basis, such as what transpired at the Rt. 152/Fairhill Road recreational fields. Supervisor Manfredi reiterated that his original suggestion for language was that before any temporary or permanent lights can be utilized, Deep Run must submit a written request, at which time the Supervisors can take whatever means, including a Public Hearing if necessary, to address it. Mr. Lupinacci reminded the Board that the Park and Recreation Board previously took part of the brunt of the responsibility of lighting for Deep Run fields in the past.

Motion passed unanimously. There was no further public comment.

2. Pennridge Senior Center – Chairperson Bennington explained that eight area municipalities have been attempting to come up with a way for funding for construction of the Pennridge Senior Center. The consensus was that the municipalities, if the Senior Center put together a draft Agreement, would somehow guarantee whatever mortgage payments the Senior Center couldn't make in a given year, based upon the premise of \$1.00 per person of population from participating municipalities. East Rockhill Township and Perkasio Borough have provided tentative approval for support for the Senior Center to move forward in their attempt to get a mortgage from a bank. Chairperson Bennington feels that Hilltown Township owes it to the elder residents, as we do to Deep Run and area youth groups. He reminded the Board that if not all eight municipalities are willing to participate; this proposal will go no further.

Motion was made by Supervisor Manfredi to support the progress of construction of the Pennridge Senior Center and is willing to consider guaranteeing mortgage payments for same, provided all eight area municipalities agree, and all final, official financial information is provided by the Pennridge Senior Center to make an intelligent decision. Supervisor Egly was reluctant to second the motion because he is a member of the Pennridge Senior Center, though not an officer or director of that board. Discussion took place. Supervisor Egly abstained from the vote.

Public Comment:

1. Mrs. Alice Kachline, a member of the Pennridge Senior Center board, wished to clarify that the construction of this building is not only for senior citizens, but for the entire community, since the building can be used for group activities, wedding receptions, banquets, etc. Mrs. Kachline was not aware that all eight municipalities had to participate for this proposal to move forward. Chairperson Bennington explained that the decision was the consensus of all eight municipalities.

2. Mr. Jack McIlhinney of Broad Street noted that at a Pennridge Area Coordinating Meeting approximately 1 ½ years ago, it was presented that the Senior Center had collected approximately \$750,000.00 in donations, with the majority coming from taxpayer generated grants, funds and donations from Townships. Recently, he read that an additional \$150,000.00 from a Federal grant, which is also taxpayer generated, was also received. Therefore, in reality, Mr. McIlhinney believes this is a taxpayer-generated Senior Citizen Center. Chairperson Bennington commented that there are also a great deal of private contributors involved, however there is a large amount of taxpayer money coming from municipalities or via Federal, State and County grants. Mr. McIlhinney asked if the Hilltown Township Board of Supervisors intends to request a detailed analysis of where all the funding has come from over the past three years, so that Hilltown can project, in the future, where additional funding will come from to pay off this mortgage. Chairperson Bennington feels that a complete audit should be contacted before actually starting, to determine where the funding came from and where the Senior Center expects the funding will come from in the future, in order to discover whether or not Hilltown Township will be expected to guarantee \$12,135.00 every year for the next thirty years. A lengthy discussion took place.

3. Mrs. Marilyn Teed of Mill Road read a newspaper article about a very large proposed retirement community to be constructed on Minsi Trail. Mrs. Teed believes that a retirement community of the magnitude that is proposed would have some amenities to it. If that proposed community would be constructing a senior center of their own, Mrs. Teed felt it would be a redundant effort for the Pennridge Senior Center to proceed with construction. Supervisor Manfredi commented that the Supervisors could not proceed based on something that has not yet been formally submitted to Hilltown Township or that the Township itself would have no control over.

Chairperson Bennington seconded motion. Motion passed. There was no further public comment.

S. MYLARS FOR SIGNATURE: None.

T. PUBLIC COMMENT: None.

U. SUPERVISOR'S COMMENTS:

1. On Thursday, April 1, 2004, Supervisor Egly attended the Rt. 113 Corridor meeting at the Indian Valley Country Club. On Tuesday, April 6, 2004, Supervisor Egly and Mr. Lippincott met with the landscape architectural firm of the proposed Rt. 113 Corridor project in reference to development and intersections. Mr. Lippincott and Supervisor Egly suggested that several intersections should be added to their map, including Keystone Drive, Telegraph Road, Blooming Glen Road, and Minsi Trail for further investigation and consideration.


Public Comment:

1. Mr. Jack McIlhinney of Broad Street asked what the Rt. 113 Corridor group is contemplating at these various intersections. Supervisor Egly explained that the basis of the study is to review all of the intersections for the entire length of Rt. 113, from Rt. 611 to the opposite end. They will be studying left and right turns in order to keep traffic flowing properly, and will be studying the architectural views in order to keep shopping centers and developments from taking direct access to Rt. 113, but at the same time keep traffic flowing. Supervisor Manfredi advised that the Regional Improvement Consortium, which is a private organization consisting of business people, has worked with the Metropolitan Planning Organization that handles all Federal funds to this region, which is the DVRPC. One of the projects that this organization has been successful in having funded is a Rt. 113 Heritage Corridor Study. What they are reviewing is the ways to preserve the Rt. 113 corridor itself through intersections, setbacks, etc. in an attempt to keep it looking like it does at present. Every municipality located along Rt. 113 has been approached to participate in the study. Discussion took place.

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

W. ADJOURNMENT: Upon motion by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously, the April 12, 2004 Hilltown Township Board of Supervisors Worksession Meeting was adjourned at 9:16PM.

Respectfully submitted,



Lynda Seimes  
Township Secretary

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