

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, December 26, 2001
7:30PM

The regularly scheduled 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: John S. Bender, Vice-Chairperson
Betty P. Snyder, Supervisor
Gregory J. Lippincott, Township Manager
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Kerry L. Trauger, Chief of Police
Lynda S. Seimes, Township Secretary

Chairperson Bennington advised that the Board of Supervisors met in Executive Session prior to this meeting in order to discuss personnel and legal matters.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY:

1. Mrs. Marilyn Teed of Mill Road has contacted Mr. Lippincott to review her case of 1996 with regard to employee policy. Chairperson Bennington explained that the matter Mrs. Teed wishes to discuss is not an Agenda item, and advised her to wait until the Public Comment portion of the meeting.

2. Mr. Steve Sterling of 9 Hayhouse Road wished to discuss the proposal for development of the Forest Road open space. Chairperson Bennington advised Mr. Sterling to speak to this issue during the Confirmed Appointment discussion with regard to the Park and Recreation Board presentation.

B. APPROVAL OF MINUTES – Action on the minutes of the December 10, 2001 Worksession Meeting: Supervisor Snyder noted the following correction to page 3, fourth paragraph, which should read: “I. HILLTOWN FIRE COMPANY REPORT”.

Chairperson Bennington noted the following correction to page 5, tenth paragraph, which should read “Motion was made by Supervisor **Bender**, seconded by Supervisor **Snyder**, and carried unanimously to approve Grosse Development Company’s request for a sketch plan review meeting on the Holly Farms Kennel property of a possible Age-Restricted Community, with the submission of a \$500.00 escrow. There was no public comment.”

Chairperson Bennington noted the following correction to page 11, first paragraph, which should read “Many of the residents of Hilltown today only knew Mr. Bennett as a gruff gentleman who didn’t appear to know much about planning and zoning, **however**

Chairperson Bennington advised that he knew a great deal more about planning and zoning than people gave him credit for.”

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the minutes of the December 10, 2001 Board of Supervisors worksession meeting, as corrected. There was no public comment.

C. APPROVAL OF CURRENT BILLING: Chairperson Bennington presented the Bills List dated December 27, 2001, with General Fund payments in the amount of \$198,015.05, Fire Fund payments in the amount of \$3.20, Debt Service Fund payments in the amount of \$6.42, State Highway Aid Fund payments in the amount of \$123,371.19, and Escrow Fund payments in the amount of \$2,568.70; for a grand total of all payments in the amount of \$323,964.56.

Supervisor Bender asked if the bill for Borton-Lawson Engineering for the PACC Water Study was the final payment. Mr. Lippincott advised that it is the last payment for the year, however the study is not yet complete.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the Bills List dated December 27, 2001. There was no public comment.

D. CONFIRMED APPOINTMENTS:

1. Ms. Laura Barrett – Dublin Regional EMS – Ms. Barrett is the Interim Supervisor of the newly formed Dublin Regional EMS, which will replace the Dublin Ambulance Service that will be closing as of December 31st. The physical location of this service will be behind the First Union Bank in Dublin Borough. It is the group's intention to staff the organization with volunteers and career personnel. The station will be in service 24 hours per day, 7 days per week. The Dublin Fire Company generously donated their ambulance to this new organization. Ms. Barrett is seeking a representative of Hilltown Township who would be willing to sit on the Board of Directors of the Dublin Regional EMS. The Board of Supervisors will appoint an individual to the Dublin Regional EMS Board of Directors in the coming weeks. Supervisor Bender encouraged Hilltown residents who live in the Dublin EMS coverage area to send in their subscriptions to support this life-saving organization.

2. Mr. Nick Lupinacci and Mr. Jon Apple – Park and Recreation – Mr. Lupinacci, outgoing chairperson of the Hilltown Park and Recreation Board, and Mr. Jon Apple, incoming chairperson of the Hilltown Park and Recreation Board, were in attendance to present a recommendation (Recommendation #01-5) to the Board of Supervisors for the cost of the continued planning of the Forest Road open space

property. Recommendation #01-5 is to contract the services of Spotts, Stevens, and McCoy, Inc. for Item A. – Overall Design Plan for the entire site at a cost of \$5,800.00, and Item B. – Opinion of costs and phasing plan at a cost of \$4,700.00 as submitted to the Township Manager in the letter of November 8, 2001 from Spotts, Stevens, and McCoy, Inc. The firm of Spotts, Stevens, and McCoy was secured in the year 2000 for the initial planning stages of the Forest Road Park.

In 1999, Mr. Lupinacci explained that the Open Space Committee made a recommendation to the Board of Supervisors that the Forest Road property should be considered for purchase through the Bucks County Open Space Purchase Plan, in which the County would supply 3/4ths of the funding, with remaining funds coming from Hilltown Township. This site was one of three properties recommended for consideration. The property was purchased in late 1999/the beginning of 2000. After that time, the Park and Recreation Board began interviewing recreational planning firms, who would be providing ideas and concepts for the development of the park. In addition to the results of the 1996 Park and Recreation Board survey, the results of the 2000 Comprehensive Plan Task Force questionnaire was also considered. The areas of passive and active recreation most sought after by residents of Hilltown Township were then incorporated into the plans submitted to Spotts, Stevens, and McCoy. The plan includes walking trails, natural or passive recreational areas, as well as areas of active recreation. At their December meeting, the Park and Recreation Board discussed sending invitations to neighboring residents of the proposed park for further discussion at their February, 2002 meeting. Several local organizations have approached the Park and Recreation Board about the possible inclusion of specific playing fields at this location. For instance, Sacred Heart/St. Agnes has approached the Park and Recreation Board for consideration of a softball field, and the Deep Run Valley Sports Association has requested fields for potential use of baseball, soccer, and softball. All of the suggestions and requests have been considered by the Park and Recreation Board, who has attempted to incorporate it, along with everything else that had been suggested by Township residents.

The matter of funding to develop the park is the biggest hurdle to be faced. Mr. Lupinacci understands that perhaps some funding could become available in 2002, both through park and recreation fees-in-lieu-of in the amount of \$1,500.00 per lot for new developments, and possible donations from the proposed Home Depot and other local businesses.

Chairperson Bennington commented that the diagram presented to the Board of Supervisors and the public by the Park and Recreation Board several months ago was a tentative, draft proposal for the site. The diagram does not represent a final plan, rather it incorporates the Township resident's "wish list" with regard to recreational activities, as determined by the 1996 and the 2000 questionnaires. With these survey results, the Park

and Recreation Board took into consideration all of the recreation uses, both active and passive, as suggested to prepare a draft plan for the Forest Road open space site, which includes a softball field, baseball field, soccer field, playing areas, passive areas, a walking trail, and ample parking. At this time, there is no final plan and there is also no plan to light the playing fields at this location. The surrounding neighbors of the Forest Road site will be invited to discuss and review the proposed draft plan at the February Park and Recreation Board. Mr. Lupinacci explained that the Forest Road Park has been earmarked for active recreation since its conception in 1999. When it was first purchased, there was debate as to whether the site should remain unimproved open space or whether it should become a park with active and passive recreation areas. The Park and Recreation Board came to a resolve that there will be both passive and active recreation areas, including a number of ideas that are not normally associated with recreation, such as a peaceful reading area, etc. It is the Park and Recreation Board's hope that possibly by the end of 2002, some earth moving will take place on the site, even though they are aware that a completed, fully operational park may be years and years in the making.

Mr. Lupinacci advised that the Forest Road open space was discussed at many public meetings, including those of the Board of Supervisors, Open Space Committee, and Park and Recreation Board, as well as notification in the Township Newsletter and local newspapers. The Park and Recreation Board also held a "Name the Park" contest within the past year and a half. Mr. Lupinacci invited any area residents to attend the Park and Recreation Board meetings, which are held on the second Thursday of every month and are open to the public.

Mr. Apple stated that the Park and Recreation Board had compiled a "wish list" for the design aspect of the park, always being mindful and sensitive to the existing surrounding neighborhood. The proposed active recreational areas were placed away from existing adjoining residential properties.

Chairperson Bennington asked if there is a second access proposed on Hayhouse Road. Mr. Lupinacci replied that the Park and Recreation Board considered every option available to them, including a second access. At this point, there is still some consideration for a possible second access to the park from Hayhouse Road with a small amount of parking, which is the area that has been earmarked for passive recreation. There is a small stream that separates the largest portion of the property from the smallest of 3 to 4 acres, which is being considered for the passive recreation area of the park. Chief Trauger was also contacted to determine his ideas as to how the park would obtain accessibility, and his suggestions are still being considered. It was brought to the Park and Recreation Board's attention that several residents were opposed to a second access from Hayhouse Road.

Supervisor Bender asked for an estimated time frame for development of the park. Mr. Apple replied that if funds were readily available, the park could be completed within one year, however it appears that funding sources through donations and fees-in-lieu of recreational facilities from developers will be the only resources available, and therefore, completion could be up to ten years or more in the future. The Park and Recreation Board is now merely seeking authorization from the Supervisors to continue working with Spotts, Stevens, and McCoy in preparing a detailed draft plan.

Discussion took place concerning the existing and proposed recreational facilities in the Township, including those to be provided by future proposed developments, including fields on Telegraph Road in connection with the Orchard Hill Subdivision.

Public Comment:

1. Mr. Steve Sterling of 9 Hayhouse Road, a neighbor of the Forest Road site, is very concerned about the proposal for an active recreation park at the site. Mr. Sterling read a list of questions for the Board's review and eventual response; a copy of which is attached to these minutes.

Chairperson Bennington noted that the Park and Recreation Board will hold a public meeting to discuss all aspects of the park proposal at their Thursday, February 14, 2002 meeting, and encouraged all interested residents to attend.

2. Mr. Andrew Napolitano of 104 Hayhouse Road, is a neighbor of the Forest Road site, and lives directly across the street from the possible second access to the park. Mr. Napolitano strongly supports the construction of additional play fields and active recreation at the Forest Road site.

Mr. Lupinacci wished to make it clear that there were no restrictions or requirements of Bucks County when the Forest Road property was purchased, that this site be specifically used as simply a passive open space area, with no active recreation. Any opportunity for the needs of the Township residents were considered when this plan was first discussed. It is very surprising to Mr. Lupinacci that neighbors of this site were not aware of the proposal, due to the great amount of publicity within the Township Newsletter and local newspapers, as well as discussion at various public meetings of the Park and Recreation Board, Open Space Committee, and Board of Supervisors.

3. Due to the obvious controversy involved with this parcel, Mrs. Jean Bolger of Rt. 152 suggested that neighborhood informational meetings be held whenever any proposal is before the Supervisors that will affect certain neighborhoods of the Township.

4. Mr. Chuck Kulesza of Diamond Street questioned when the neighbors of the Forest Road open space could expect to receive their letter of invitation to the February 14, 2002 meeting. Mr. Lupinacci advised that letters will be sent in January of 2002.

Chairperson Bennington asked if the Board was willing to consider tabling a response to the recommendation by the Park and Recreation Board until the February 25, 2002 meeting, following the Park and Recreation Board's informational meeting with area residents. A lengthy discussion took place.

Motion was made by Supervisor Bender to move forward with the Spotts, Stevens, and McCoy proposal as recommended by the Park and Recreation Board. There was no second to this motion. Motion failed.

The Supervisors agreed to table the request for approval of the Spotts, Stevens, and McCoy proposal for the Forest Road Park planning, until the February 25, 2002 Supervisor's Meeting, when the request will be considered once again.

Supervisor Snyder supports the efforts of the Park and Recreation Board for the last three years, noting that all discussion concerning this proposal have been made available to the public in every way possible. She believes that the Park and Recreation Board has done a terrific job of trying to consider the concerns of the neighbors of the Forest Road property, and hopes that a two month delay for consideration of the Park and Recreation Board's recommendation is not too much of a hardship.

E. MANAGER'S REPORT -- Mr. Gregory J. Lippincott, Township Manager --

1. Mr. Lippincott presented the draft 2002 Fee Schedule for the Board's review. Supervisor Bender made the following recommendations:

- The fee for Residential Additions and Alterations should be \$50.00 plus \$0.15/sq. ft. over 400 sq. ft. (instead of over 100 sq. ft.)
- The fee for Electrical Permits for Residential properties should be \$25.00, instead of \$35.00.
- The fee for Zoning Permits for Residential Additions and Alterations should be \$25.00, instead of \$30.00.
- The fee for Use and Occupancy Permits for Residential Additions and Alterations should be \$50.00, instead of \$75.00 per unit.

- The fee for Annual Licenses for Solid Waste Hauler's should be \$500.00, instead of \$100.00.

The Board of Supervisors will consider Supervisor Bender's suggestions and provide their recommendations for fees to the Manager prior to the January 7, 2002 Reorganization Meeting.

In January, Supervisor Bender would like to revisit the system used for determining the fees and security deposits for Sports Field Rentals.

2. The individuals interested in appointment as the Emergency Management Agricultural Officer for 2002 include Keith Nace and John Wietecha. The Supervisors directed Mr. Lippincott to schedule interviews with the candidates and the Emergency Management Coordinator (Bill Devlin) and Assistant Coordinator (Keith Seifert), so that they can provide a recommendation to the Supervisors for appointment to this position.

3. The Sellersville Fire Company, Perkasio Fire Company, and Souderton Fire Company Fire Protection Agreements will be available for the Board's signatures following this meeting.

4. Ken Beer has applied to continue farming the Forest Road open space property next year, as he has done in years past prior to Township ownership. Mr. Lippincott asked if the Board wished to have this property farmed for 2002 or if it would prefer that it remain passive until construction can begin.

Mrs. Marilyn Teed of Mill Road had heard at a Landowner's Association meeting that open space properties would not be farmed. Mrs. Teed asked if the Forest Road property was made available to all farmers for farming operations, or if the farmers are notified to bid on farming open space properties. Mr. Lippincott advised that there is a fee in the Fee Schedule and an application for farming of Township owned open space. There are several other farmers who currently farm Township open space on a yearly basis, as has always been done in the past. A lengthy discussion took place.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to allow Mr. Beer to continue to farm the Forest Road property for 2002, as he has in the past. There was no public comment.

Supervisor Snyder asked if the Township should be required to advertise the availability of Township-owned open space for farming purposes. Solicitor Grabowski stated the Agricultural Security Preservation Committee has been given the responsibility of reviewing the open space properties and to determine who might or might not be

interested in farming these parcels. Mr. Lippincott noted that it has always been past practice that those farmers who wish to farm open space property must complete an application to do so, and in most recent years, have paid a fee of \$30.00 per acre. In theory, Solicitor Grabowski felt it would be fair to provide an equal opportunity for farmers to farm Township open space if he or she was so inclined. The Agricultural Security Preservation Committee is scheduled to meet on Tuesday, January 15, 2002, and Solicitor Grabowski suggested that they consider this matter at their meeting for the year 2003.

5. On February 22, 1999, the Board of Supervisors authorized an Ordinance to be advertised for adoption, however it was never reviewed by the Bucks County Planning Commission or the Hilltown Planning Commission; and it was never advertised for Public Hearing by the previous administration. The Ordinance was to remove the following sentence from the A2. Nursery Use -- "A landscape business will be permitted as a secondary and incidental use to the nursery." Discussion took place as to whether the A2. Nursery Use language should be sent back to the Hilltown Planning Commission for review and recommendation.

Mrs. Marilyn Teed of Mill Road questioned what action might be taken if this section of the Ordinance is reviewed by the Planning Commission. Mrs. Teed agreed with Mrs. Bolger's earlier suggestion of notifying and involving interested residents in potential decisions concerning issues that may affect them. Supervisor Snyder reminded Mrs. Teed that a Public Hearing would be held before any revision to the Ordinance could be made, and adoption would be based on public input, as well as the recommendation of the Bucks County Planning Commission and the Hilltown Planning Commission.

Mr. Jackson Teed of Mill Road asked how the language had been removed from the Ordinance in the first place. Mr. Lippincott explained that it was removed in error, however the language had been reinserted in the Ordinance once the error was discovered. Mr. Teed believes that someone intentionally removed that language from the Ordinance. Supervisor Snyder disagreed, noting that Mr. Teed has no way of knowing whether it was removed intentionally.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to remand the issue of language in Section A2. Nursery Use in the Zoning Ordinance to the Planning Commission for review and recommendation before any action is taken. There was no public comment.

6. The Township has received \$1,800.00 in donations toward the purchase of defibrillators for Township-based schools. The cost for each defibrillator system is \$3,000.00 to \$3,400.00. Since the Supervisor's packets were prepared, Mr. Lippincott noticed a newspaper article that

states that schools can purchase defibrillators at half the cost that a municipality can. Discussion took place. This matter was tabled until further information can be obtained.

7. The Bucks County Open Space Program gave conditional approval for Hilltown and Dublin's Open Space purchase on December 13, 2001. Since that time, the one outstanding condition has been met and the proposal will be before the Bucks County Commissioners in January, so that the Township and Dublin Borough can settle on the property on February 15, 2002.

8. The Township has received three phone quotes for a new phone system. The prices are as follows: Black Box - \$23,150.00, GST - \$12,925.46, and GALCO - \$7,170.84. Mr. Lippincott strongly recommends purchasing the phone system from GALCO, not only because of the price, but because they offer a better phone system, as evidenced by recommendations from Mr. Groff of the Hilltown Authority, who installed this same system when they moved into their new building last spring.

Before making any decision, Supervisor Bender would like Mr. Lippincott to investigate the date that the model the Township is considering was introduced. The Supervisors tabled this issue pending receipt of additional information.

9. There is one escrow, which is cash held by the Township, for the Board's consideration this evening:

-	Ahold (Giant Foods)	Voucher #15	\$478.56
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Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to release the one escrow as noted above. There was no public comment.

F. CORRESPONDENCE – Mr. Gregory J. Lippincott, Township Manager – None.

G. SOLICITOR'S REPORT – Mr. Francis X. Grabowski, Township Solicitor –

1. Solicitor Grabowski presented the Negley Subdivision Cash Escrow Agreement to the Supervisors for consideration. Mr. and Mrs. Negley subdivided their property on Dublin Road into two lots. One of the lots required some extensive stormwater management improvements to be accomplished. Therefore, the Negley family chose to escrow the money directly with the Township, in the amount of \$2,808.00.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the Cash Escrow Agreement for the Negley Subdivision as noted above. There was no public comment.

2. Solicitor Grabowski explained that the Township received an extension to the agreement of sale for the open space property, for which the grant money is being used in conjunction with Dublin Borough, until February 15, 2001.

3. With regard to the Township's financing with Quakertown National Bank, Solicitor Grabowski advised approval has been received from the Department of Economic Development. Closing is scheduled for January 8, 2002. This will pay off the former loan, will reduce the interest rate, and provide the funding for the proposed maintenance building.

4. The proposed Speed Limit Ordinance for four Township roadways will be advertised for public hearing at the regular meeting of the Board of Supervisors in February of 2002.

H. PLANNING – Mr. C. Robert Wynn, Township Engineer –

1. Prime Properties Subdivision – This is a sketch plan for the former Hager Subdivision site located on Rickert Road, which has been before the Planning Commission at various meetings for the past year. The site was developed with two frontage lots along Rickert Road and a flag lot to be developed with 50,000 sq. ft. lots served by a cul-de-sac street and centralized community water system. Mr. Ed Wild, the applicant's legal counsel, Mr. Scott Irvin of Prime Properties, and Mr. Steve Yates of Del Val Soils, were in attendance to present the plan. The applicant previously presented three sketch plans for development of the tract as attached to his July 25, 2001 correspondence. Essentially, Mr. Wild has proposed that in order to construct a centralized community water system, the site would have to be developed more intensely. The applicant desires to develop the site with four 3+-acre lots, which would be served by a cul-de-sac street and individual on-lot wells.

Mr. Wild has advised that the two property owners who reside on the frontage lots continue to use their individual private wells and prefer development of a fewer number of lots to the rear of their dwellings. Apparently, Mr. Wild is confident that the owners who bought pursuant to the prior Hager Subdivision Plan will execute whatever documents might be necessary to eliminate the requirement for centralized community water system.

Although sketch plans are not typically reviewed by the Board of Supervisors, the Planning Commission suggested that Mr. Wild present this information to the Supervisors for direction. No specific Subdivision Ordinance waivers were voted upon at the sketch plan level; however the Planning Commission generally indicated they would prefer the four-lot sketch with a cul-de-sac street in excess of 500 ft. in length, provided the following are accomplished:

- Additional water testing is conducted at the preliminary plan to verify that proposed individual on-lot wells would not adversely affect adjacent water supplies, especially Lots #1 and #2 of the prior Hager Subdivision.
- The four proposed lots must be deed restricted against further subdivision.
- A street easement must be provided to permit extension of the cul-de-sac to adjacent lands in the future if additional development occurs on those properties, and the extension is desired by the Township.

The Supervisors unanimously concurred with the Planning Commission's recommendations on this sketch plan.

2. The Ridings at Hilltown – The applicant has granted a written 90-day extension for further review of this plan.

1. ENGINEERING – Mr. C. Robert Wynn, Township Engineer –

1. Longleaf Estates Phase I – The deadline for completion of improvements within Phase I of Longleaf Estates is January 22, 2002. Many items remain in the August 31, 2001 pre-paving punchlist prepared by Mr. Wynn that cannot be accomplished due to the current weather conditions. Correspondence dated December 12, 2001 has been received from Heritage Construction Company, Inc. advising that improvements will be completed for dedication of Phase I in 2002. Mr. Wynn recommended that the Supervisors authorize extension in the completion date until June 1, 2002, which would provide sufficient time to complete all items remaining on the punchlist. Additionally, Mr. Wynn recommended that the extension include a requirement that the remaining escrow construction balance be increased by 10% as provided for by the Development and Financial Security Agreement.

Motion was made by Supervisor Bender, seconded by Supervisor Snyder, and carried unanimously to extend completion of improvements until June 1, 2002 and to increase the balance of the construction escrow by 10% for the Longleaf Phase I Subdivision. There was no public comment.

2. Orchard Glen Subdivision – The 18-month maintenance period for Orchard Glen Subdivision expires on December 26, 2001. Mr. Wynn inspected the remaining items that the applicant indicated would be completed by this date. There was one item remaining, which was replacement of a street tree. The developer replaced the street tree with a different species than what was used throughout the development. Sometime between last Friday and today, Mr. Wynn noted that the developer replaced

that specific street tree with the correct species. The Financial Security for the maintenance period is guaranteed via an "evergreen" irrevocable Letter of Credit.

Motion was made by Supervisor Bender, seconded by Supervisor Snyder, and carried unanimously to accept completion of the maintenance period for the Orchard Glen Subdivision, pending receipt of any outstanding funds for legal, engineering, or administrative cost the Township might have during this maintenance period. There was no public comment.

3. Deep Run Valley Sports Association – The Code Enforcement Officer received a Zoning Permit application from the applicant, and forwarded it to Mr. Wynn for review.

Mr. Bill Renz, the applicant's legal counsel, requested a meeting with Mr. Lippincott and Mr. Wynn to discuss some of the issues in Mr. Wynn's December 18, 2001 review. The Supervisors were agreeable, and noted that there is already an escrow in place to cover costs of such a meeting.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve a meeting with the Township Manager, Engineer, and Solicitor with representatives of the Deep Run Valley Sports Association, as noted above. There was no public comment.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT:

1. Mrs. Marilyn Teed of Mill Road has been reviewing her case of 1996, and she has been told that it is Township policy that the identity of an individual who makes a Zoning Complaint on a property is concealed. Mrs. Teed does not feel this is a good public policy and believes that it is against her Constitutional Rights. She quoted Article 6 of the Constitution that states she has the right to face her accuser. Further, she believes it prevents neighbors from facing each other and working out their differences in a civil manner. Mrs. Teed also believes that using the "informer method" leads to inequality under the law, and creates a great deal of turmoil.

Chairperson Bennington explained that the Township does not accept anonymous tips, and does not accept written complaints unless they are signed by an individual. It appears that Mrs. Teed wants to know who filed a complaint against her and what they said. Mr. Lippincott noted that a person filing a Zoning Complaint Form has the right to be copied on any correspondence to the offending property owner. If that individual chooses to be copied on the correspondence, they would be informed of any

action that the Township takes against the offending property owner. If the individual does not wish to be copied on any correspondence, they would not receive any notification of the Township taking action.

If an individual chooses not to be copied on any violation correspondence, Supervisor Bender noted that at some point, if the matter gets to a legal proceeding, that individual would be called to testify. Discussion took place. Supervisor Bender encouraged input from other residents about this subject, either here at this meeting, via e-mail, or phone calls to the Board of Supervisors.

2. Mrs. Jean Bolger of Rt. 152 asked why Mrs. Teed wanted to know who the complainants were. In Mrs. Teed's particular case, she believes there is "something fishy" going on, but in other instances, she believes there are better avenues to resolve issues with neighbors. Mrs. Bolger commented that those individuals who complain about another property owner may be intimidated or may fear the repercussions that might take place if their identity is revealed. Chairperson Bennington agreed.

3. Mr. Jackson Teed of Mill Road noted that it is his Constitutional right to bear witness to his accuser. He strongly disagrees with the Township policy, and feels that it should not supercede the Constitution.

Solicitor Grabowski believes there are two separate issues involved – one is whether or not all documents of the Township are considered public documents. He feels that Mr. and Mrs. Teed's comments about facing their accusers is taking it beyond the point of a public document. If there is a hearing, and those individuals who complained do not come forth, the accused is not being accused of anything. If those individuals do come forth, the accused has the right to cross-examine them at a public hearing.

Mrs. Teed commented that to get any kind of satisfaction in Hilltown Township, someone must retain an attorney to take the issue to legal proceedings, and she does not feel that is right. When dealing with neighbors and local matters, Mrs. Teed does not understand why an attorney must be involved. Actually, for most Zoning Hearings in Hilltown Township, Solicitor Grabowski advised the majority of residents choose to represent themselves. Mrs. Teed had the choice of retaining an attorney or not for her Zoning Hearing, and she chose an attorney.

4. In order to proceed expeditiously, Mr. Jon Kutzner of Deep Run Valley Sports Association wished to submit updated Zoning Permit application plans for review this evening. Mr. Wynn advised that normally plans are receipted and date stamped administratively at the Township office during normal business hours. Discussion took place. The Supervisors were agreeable to the plans being submitted this evening.

5. Mrs. Dot Tate of 1911 Diamond Street presented a petition signed by 75 neighboring residents requesting that the Township contact PennDot to review and study the Diamond Street/Fairhill Road intersection. Mrs. Tate stated that there was a fatal accident at that intersection within the last week, and she and her neighbors are very concerned with what they feel is one of the most dangerous intersections in the Township.

Mr. Lippincott advised that the Township administration and Police Department has begun identifying areas to be improved in the Township with regard to traffic and safety. To date, stop bars have been painted just prior to the intersections, the addition of reflectors on stop signs have been erected, and "Stop Ahead" signs will be installed. The Township intends to do everything possible to improve intersections throughout the Township. The Township also purchased a sign board this past summer that shows the speed limit of an approaching vehicle this past summer, which has proved very effective in slowing traffic while in use. Additionally, the Police Department is conducting traffic surveys to decrease speed limits on various Township roads, as was mentioned by Solicitor Grabowski earlier this evening.

Mr. Lippincott asked Mrs. Tate to jointly write a letter to PennDot in conjunction with the Township, including a copy of the petition presented this evening. A copy of that correspondence can also be forwarded to State Representative Watson and other local legislators.

6. Mrs. Joan Kulesza of Diamond Street noted that last week's accident was not the first fatality at that intersection, and she fears that it will not be the last, if something is not done immediately. She does not believe it is merely a matter of having the stop sign on Fairhill Road be visible to motorists traveling east or west. Mrs. Kulesza believes there is also a dangerous obstruction of view at the Diamond Street/Fairhill Road intersection. For a motorist attempting to make a turn off of Fairhill onto Diamond Street, it is very difficult to see approaching traffic. Very often, a motorist must proceed almost into the intersection just to make a turn, thereby immediately putting themselves into a dangerous situation due to the speeds that other motorists are traveling on Diamond Street. From the research Mrs. Kulesza has done, it appears that PennDot is very willing to accommodate a multi-way stop sign on a State road, if any one of the following three conditions exist:

- A certain number of accidents – more than three accidents in a one year period that can be attributed to reasons involving the intersection itself.
- The speed of vehicles traveling the roadway.
- Sight distance.

Mrs. Kulesza feels that all three of these conditions exist at this intersection, and urged that the Supervisors take immediate action to request that PennDot begin the process of examining this intersection to determine if a multi-way stop sign is warranted. A lengthy discussion took place.

L. SUPERVISOR'S COMMENTS

1. Chairperson Bennington advised that the Township Reorganization Meeting will be held on Monday, January 7, 2002 at 7:30PM. The worksession meeting for January has been cancelled, and the next meeting will be Monday, January 28, 2002 at 7:30PM.

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

N. ADJOURNMENT: Upon motion by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously, the December 26, 2001 Board of Supervisors meeting was adjourned at 9:37PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

December 26, 2001

Steve Sterling
9 Hayhouse Road
Perkasie, PA 18944
215-453-6697

Hilltown Township Supervisor's Meeting RE

Questions – RE: Proposal for Development of Forest Road Open Space

1. What is the justification for adding fields when the survey done by the township last year indicated only 142 people wanted fields (beating only a daycare center, but clearly beaten by both a golf course – 343 – and a pool – 411)?
2. When did the project move from the Open Space Committee (who recommended the purchase) into the Parks and Rec Committee and why?
3. Minutes of the Park and Rec Committee show that this has been under discussion since at least October of 2000 – 15 months. Why weren't the neighbors of the property notified from the beginning that such a project was being considered?
4. The Township is building fields on Telegraph Road; owns fields at the Civic Association Park on 152 which appear under-utilized, and is entering a joint venture with Dublin Borough to build fields on Frontier Road. How many fields do we need in this township and why?
5. Is the Township entering into a public/private agreement with Deep Run Valley Sports Association? If so, when do they plan on letting the public know?
6. Why does the need expressed by DRVSA enter into the decision making for public Township officials, especially considering that Deep Run services children from more than 7 neighboring communities and less than half their participants are Hilltown Township residents?
7. Aren't you inviting even more population growth by adding services before the population even arrives?
8. Why can land purchased with Open Space grant money (as this land was) be now developed into active recreational space?
9. Given the problem of lights that already exists at Deep Run, and the lights which were vetoed by the Pleasant Meadow residents when you put trails in there, why would you even consider lighting some of these fields, especially when you have not notified neighbors of the potential plan?
10. Will you investigate the reasons so many people responded positively to the idea of walking trails? If people simply want safe places to walk, there are other solutions, such as sidewalks, that should be investigated before spending \$1.5 million on a project like this.

I respectfully request that you table any discussion of spending further money on this project until these questions and any other questions that neighbors of the property or community members as a whole may have, can be investigated and adequately answered.