

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, February 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 7:33PM and opened with the Pledge of Allegiance.

Also present were: John S. Bender, Chairperson  
Betty P. Snyder, Supervisor  
C. Robert Wynn, Township Engineer  
Francis X. Grabowski, Township Solicitor  
Lynda S. Seimes, Township Secretary

Chairperson Bennington announced the Board met in Executive Session prior to this meeting in order to discuss legal and personnel matters. Further, Chairperson Bennington noted that Mr. Lippincott, Township Manager, would not be present this evening due to illness.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the February 12, 2001 Worksession meeting – Chairperson Bennington noted the following corrections: To page 6, first paragraph, fourth sentence, which should state “Chairperson Bennington suggested that the Comprehensive Plan Task Force **initial** second meeting of the month be held without Mr. Guttenplan, the Township’s profession planner, in attendance to see if it is productive.”

To page 6, last paragraph, first sentence, which should state “While Chairperson Bennington understands the request for funding to keep the Dublin Ambulance Service in operation, he is concerned that the Supervisors will be setting a **precedent** and be expected to provide funding for other area ambulance services.”

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the minutes of the February 12, 2001 Board of Supervisors meeting, as corrected. There was no public comment.

C. APPROVAL OF CURRENT BILLING – Chairperson Bennington presented the Bills List dated February 27, 2001, with General Fund payments in the amount of \$56,069.39, State Highway Aid Fund payments in the amount of \$2,926.45, Escrow Fund payments in the amount of \$5,158.06; for a grand total of all payments in the amount of \$64,152.90.

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

D. CONFIRMED APPOINTMENTS:

1. Mr. John Snyder – Year 2000 Zoning Hearing Board Report and Year 2000 Hilltown Fire Company Special Fire Police Report – Mr. Snyder, chairperson of the Zoning Hearing Board, presented a summary of the ten meetings and hearings held by the Zoning Hearing Board during the calendar year of 2000. One of those hearings, Appeal #2000-05 – Johnson, created many questions concerning the current Zoning Ordinance. The appeal centered on the requirement of previously subdivided lots owned by the same individual(s) to be merged into lots meeting the current Zoning area requirements. Based on case law including case law from appeals in Bucks County, this provision in the Ordinance is most likely unenforceable and any appeals beyond the Zoning Hearing Board would be lost in court. The Zoning Hearing Board requests that Article VI, Section 600, Subsection 3. of the Ordinance be reviewed by the Township Solicitor and the Planning Commission for revision.

Mr. Snyder also presented the Year 2000 Hilltown Fire Company Special Fire Police Report, a copy of which is on file at the Township office.

2. Heritage Building Group – Sprinkler System Concerns – Ms. Beverly Curtin of Heritage Building Group was in attendance to discuss questions that had arisen at the last meeting concerning the sprinkler systems that are currently being installed in residential dwellings. Mr. Paul Abdala, the project manager of Longleaf Subdivision, and Mr. Paul Stevens, the present installer of the sprinkler systems in Longleaf Subdivision, were also present. Chairperson Bennington had received a phone call from a resident in Longleaf I advising of the lack of response from Heritage Building Group to their complaints concerning anti-freeze leaking from their sprinkler heads in their home. Ms. Curtin advised that approximately 15 of the 50 dwellings in Longleaf I were actually sprinklered, because the Ordinance requiring sprinkler systems in residential dwellings did not go into effect until most of Longleaf I homes were completed. Mr. Abdala stated that H.A.S. Protection installed the sprinkler systems in the first phase of the Longleaf Subdivision. To Mr. Abdala's knowledge, there were three sprinkler head leaks in the first phase of Longleaf, of which two took place during normal business hours when Heritage personnel were on the site. Those two complaints were addressed immediately. The complaint Chairperson Bennington received was from an incident that took place on a Sunday afternoon. Mr. Abdala stated that H.A.S. Protection responded to that complaint on Monday morning at 7:00AM. Heritage Building Group normally allows 24-hours for their subcontractors to respond to complaints, however they have since learned that this system is flawed, since this particular homeowner was anticipating a call

back much quicker than 24 hours later. Mr. Abdala noted that Mr. Stevens' company has now implemented a 24-hour per day answering system so that response times to complaints will be addressed in a timelier manner.

Mr. Abdala explained that Heritage Building Group goes through an entire walk-through process with homeowners prior to settlement, where the sprinkler system and other amenities are explained. In this instance, Mr. Abdala believes the leak was a very slow drip that could have been contained with a pan beneath it until repair could be done. Chairperson Bennington asked how many sprinkler heads are normally in a dwelling. Depending on the size of the home, Mr. Abdala replied that there are approximately 35-45 sprinkler heads. Chairperson Bennington noted that this particular homeowner was not aware that there was a shutoff valve to the system. Mr. Abdala advised that he and Mr. Stevens will be meeting with Mr. Stockert of the Hilltown Authority and Mr. Taylor, the Code Enforcement Officer, tomorrow to address the shutoff valve issue, and the sprinkler systems as a whole. Chairperson Bennington is very concerned about the issue of sprinkler systems, since Heritage Building Group has proposed several large developments in Hilltown Township in the future and he does not want this to become a habitual problem. He wants to insure that any complaints are responded to immediately. Discussion took place.

Chairperson Bennington stated that when the Building Inspector inspects the sprinkler systems, it is done before the drywall ceiling is in place so that he can check the lines and the shut off valves, etc. Mr. Abdala explained that when the sprinkler system is installed, it is pressurized in the rough, which means the system is under pressure before any insulation or drywall goes into the home. The system remains pressurized through the entire construction process. When the Building Inspector comes back for the final inspection, he then checks the sprinkler system gauges. Mr. Abdala noted that sometimes a trim carpenter might puncture a line, however any loss of pressure would be detected by the gauges.

The other concern that was brought to Chairperson Bennington's attention was that when the drywall is put in place, and after the initial inspection is complete, the drywall may be too tight on the sprinkler heads, which may cause them to malfunction. Mr. Stevens explained that the system is pressurized to 89 lbs. before the drywall is installed. After the sheetrock is installed, the system is tested again at 89 lbs. and water is then on for one night, so that the system is basically tested three times, before the anti-freeze is put into the lines. When the water is drained out, the anti-freeze goes in and the system is energized. Sometimes if the sheetrock goes against the sprinkler heads, Mr. Stevens advised that the heads do not become loose, but the glass ball may break, which would cause a leak. Mr. Stevens noted that the sheetrock does not constrict the sprinkler head at all. He presented an actual sprinkler head for the Board's review. Discussion took place.

Chairperson Bennington wished to clarify that the sprinkler heads installed in the fifteen dwellings in Longleaf I were installed by a different company than Mr. Stevens', and asked if the warranty is still valid from the first installer for those fifteen homes. Mr. Abdala replied that it is.

For continuity sake, Mr. John Snyder, a fireman with the Hilltown Fire Company, suggested that the shut-off valves for the sprinkler systems be uniform in their location in the houses constructed by Heritage Building Group in order to facilitate emergency services.

Chairperson Bennington requested that a report be provided to the Board of Supervisors as to what transpires at tomorrow's meeting between Mr. Abdala, Mr. Stevens, Mr. Stockert and Mr. Taylor.

With regard to Longleaf I Subdivision, Mr. Wynn noted that there was a requirement that the escrow be increased pursuant to the Agreement, however that has not been accomplished. Ms. Curtin will bring this matter to the attention of Mr. Bob Bender of Heritage Building Group. Also, individual lots in Longleaf II are still missing implementation of tire cleaners, which has been a consistent problem. Mr. Abdala replied that it will be accomplished by Friday, March 2, 2001.

E. MANAGER'S REPORT –

1. At the direction of the Board of Supervisors at a previous meeting, Mr. Wynn visited the MacConnell property located at 37 Narothyn Road concerning recent stormwater drainage complaints made by the property owner. Mr. Wynn's investigation is documented in his review dated January 22, 2001.

2. Supervisor Snyder will be attending the PSATS Convention in Hershey from April 22<sup>nd</sup> through April 25<sup>th</sup>. At a previous meeting, when there was still a vacancy on the Board of Supervisors, Mr. Lippincott had been appointed the voting delegate, however now that Supervisor Snyder will also be attending the convention, Mr. Lippincott requested that she be appointed the voting delegate for Hilltown Township for the PSATS Annual Convention.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to appoint Supervisor Betty Snyder as the voting delegate for the PSATS Convention in Hershey, Penna. There was no public comment.

3. The site visit for the Berry Brow Farm property has been scheduled for Saturday, March 3, 2001 at 8:00AM. Mr. Lippincott has notified the Park and Recreation Board, the Open Space Committee, and the Planning Commission of this visit. Keith

Miller, Jack Fox, Betty Snyder, and possibly Ken Beer and John Kachline will represent the Planning Commission.

4. There are four Escrows for the Board's consideration this evening:

Frank Eckert Land Development	Voucher #01	\$ 6,419.00
Keystone Estates	Voucher #27	\$ 336.01
Longleaf Estates Phase II	Voucher #53	\$ 557.91
Tall Oaks Subdivision	Voucher #4A	\$ 245.51

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the release of the four escrows as noted above. There was no public comment.

F. CORRESPONDENCE -

1. Correspondence was received from the North Penn Regional Improvement Association, Inc. seeking a pledge of funds in the amount of \$3,000.00 for the support of the Liberty Bell Trail, and seeking the appointment of two representatives from Hilltown Township. This matter was tabled for further consideration.

2. Correspondence was received from Mr. Dave Hersh of Schiller and Hersh Associates concerning the Township Building HVAC System.

3. The Telford Volunteer Fire Company presented their Year 2000 Annual Report for the Board's review, copies of which are on file at the Township office.

4. Correspondence was received from New Britain Township, requesting Hilltown's support of their proposed New Britain Township Water Quality and Water Quantity Protection Project through Pennsylvania's Growing Greener Program. A letter of support from the Hilltown Township Supervisors will be executed following this meeting.

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

1. Solicitor Grabowski presented the Sanitary Sewer Service Area Agreement between Hatfield Township Municipal Authority, Hilltown Township, and the Hilltown Township Water and Sewer Authority. In 1999, the Township approached Hatfield Township Municipal Authority about designating a sewer district that would be classified as the Hatfield District. Over the course of time, portions of Hilltown Township have been served by various utility companies, including the Hatfield Authority, Perkasio Borough Authority, Telford Borough Authority, and North Penn Water Authority, with

no districts given to them. This allowed the situation where lines could be extended beyond where they were originally intended, at least by the Supervisors that were in place at that time. Within the past nine months, an Agreement was concluded with North Penn Water Authority, which limits their area of service in the southwestern portion of the Township. Mr. Wynn has prepared a map in conjunction with other staff personnel that have been reviewed by the Supervisors and other Boards, showing an area along the Rt. 309 corridor, including all of the existing customers that Hatfield Township Authority has serviced over the years, along with some infill lots. The Agreement states that Hilltown Township designates the areas attached to the Agreement as Exhibit A (map) as being the collection of treatment area for Hatfield Township Municipal Authority, who is designated as the official and exclusive provider of sanitary sewer service in that particular area. Hilltown Township agrees that any connections to the Hatfield Township Municipal Authority system must be approved by them and must be made with the payment of their appropriate fees.

The second Agreement, which has been requested of Hilltown Township by Hatfield Township Municipal Authority, refers to the Hatfield Treatment Plant that is subject to certain requirements by the Environmental Protection Agency and by DEP, as to the strength of sewage flow that comes into it from customers, especially industrial customers. The E.P.A. requires that industrial customers pre-treat their sewage flow to bring the level of strength down to certain limits, which must be adopted by agreements and Ordinances. Hatfield Township has adopted an Ordinance, which is what is used by Hatfield Authority, who would like Hilltown Township to agree to those same limits that they have agreed to.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the Sanitary Sewer Service Area Agreement with Hatfield Township Municipal Authority, Hilltown Township Water and Sewer Authority, and Hilltown Township. There was no public comment.

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

1. Fairhill Fabricators Subdivision/Land Development – The Planning Commission recommended preliminary approval for the two-lot industrial subdivision with a proposed 78,000 sq. ft. manufacturing facility and associated office with outdoor storage on Lot #1. No development is proposed on Lot #2 at this time. The preliminary approval was conditioned upon completion of outstanding items as contained within the engineering review dated January 25, 2001 and resolution of traffic engineering issues as contained within the Heinrich and Klein Associates review dated January 24, 2001. With respect to the waiver of Subdivision Ordinance requirements as contained within item #2 of the January 25, 2001 engineering review, the Planning Commission recommended waiver of all items with the exception of Item 2.C regarding sidewalk. By a vote of 5:1,

the Planning Commission recommended denial of the request for waiver of sidewalks along the frontage of the site required by Section 513.1 of the Subdivision Ordinance.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to grant preliminary approval to the Fairhill Fabricators Plan, pending completion of all outstanding items as noted in Mr. Wynn's engineering review dated January 25, 2001. There was no public comment.

2. Agriculture Preservation Zoning Ordinance Amendment – Mr. Wynn presented copies of the proposed Zoning Ordinance amendment establishing an Agricultural Preservation Zoning District and regulations, revising environmental performance standards and open space requirements, and revising Forestry Use regulations. The draft Ordinance dated February 16, 2001 includes the latest revisions discussed by the Planning Commission at their February 15<sup>th</sup> worksession meeting. Those revisions are shown in italicized bold print. Mr. Wynn also presented a proposed revised zoning map identifying the AP Zoning District, as well as proposed expansion of the CR-2 Zoning District within the area of Seven Corner Road. The expanded CR-2 District is proposed to partially offset the addition of the Weikel property at the corner of Callowhill Road and Rt. 113 in the AP District. The Weikel property is currently zoned CR-1, but is an active farm. The Planning Commission will provide a final review of the Ordinance amendment prior to the Board of Supervisor's Public Hearing for consideration of adoption.

I. ENGINEERING – None.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT: None.

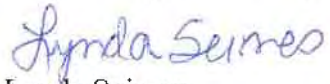
L. SUPERVISOR'S COMMENTS:

1. Upon the recommendation of Mr. Buzby, the Director of Public Works, motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to appoint Mr. Michael Hallmeyer to the Hilltown Township Public Works Department. There was no public comment.

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

N. ADJOURNMENT – Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to adjourn the February 26, 2001 Hilltown Township Board of Supervisors meeting at 8:17PM.

Respectfully submitted,



Lynda Seimes  
Township Secretary