

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, January 22, 2001
7:30PM

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Kenneth B. Bennington at 7:32PM and opened with the Pledge of Allegiance.

Also present were: John S. Bender, Vice-Chairperson
Gregory J. Lippincott, Township Manager
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Kerry L. Trauger, Chief of Police

Chairperson Bennington announced that the Board of Supervisors met in Executive Session on January 8, 2001 and January 11, 2001 to interview candidates for the position of Supervisor, and met in Executive Session on January 15, 2001 to review those candidate's qualifications. Further, the Board met in Executive Session prior to this meeting in order to discuss legal issues.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the December 26, 2000 Board of Supervisor's Meeting – Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to approve the minutes of the December 26, 2000 Board of Supervisor's Meeting, as written. There was no public comment.

Action on the minutes of the January 2, 2001 Supervisor's Reorganization Meeting – Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to approve the minutes of the January 2, 2001 Supervisor's Reorganization Meeting, as written. There was no public comment.

C. APPROVAL OF CURRENT BILLING: Chairperson Bennington presented the Bills List dated January 23, 2001, with General Fund payments in the amount of \$119,005.21, State Highway Aid fund payments in the amount of \$9,411.88, and Escrow Fund payments in the amount of \$11,395.20; for a grand total of all payments in the amount of \$139,812.29.

Chairperson Bennington presented two checks, which are donations made by Heritage Building Group for the development on the Orchard Hill Subdivision and the Papiernik Tract Subdivision. One check is in the amount of \$25,000.00 for Silverdale Volunteer Fire Company, and one check is in the amount of \$5,000.00 for the Hilltown Volunteer Fire Company. Chairperson Bennington explained that the Silverdale check is much

larger is because the Silverdale Fire Company will be covering an additional 700 dwellings, plus a business complex in their fire coverage district. The Hilltown Fire Company, once the Berry Brow Farm Subdivision is approved, will receive a much larger donation check than the Silverdale Fire Company received this evening.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to approve the Bills List dated January 23, 2001. There was no public comment.

D. CONFIRMED APPOINTMENTS:

1. Mrs. Betty Snyder – Neshaminy River Conservation Plan Presentation – Mrs. Snyder explained that the Delaware Riverkeeper Network has been working on a Conservation Plan since September of 2000 for the middle and upper Neshaminy River. Mrs. Snyder joined that effort in October of 2000, representing Hilltown Township. There are a number of municipalities participating, all of whom are located in the upper/middle Neshaminy watershed – including Buckingham, Plumstead, Hilltown, New Britain, Northampton, Warrington, Warminster, Warwick, Wrightstown, Newtown Borough, and Newtown Township. They have also invited Hatfield Township, Hatfield Borough, Lansdale and Montgomery Township from Montgomery County to participate. Cahill Associates is providing watershed studies and technical support, along with a number of sub-agencies. Also involved are the Bucks County Planning Commission, and the Delaware River Basin Commission. These groups are hoping to develop projects to restore, enhance, and protect the upper and middle Neshaminy River. If the Conservation Plan is approved by 50% of the municipalities in the watershed area, funding sources can be opened through the Department of Conservation and Natural Resources to implement projects in municipalities to enhance, restore or protect the watershed. In the interest of generating public and municipal interest, the Delaware Riverkeeper Network has created a brief five-minute video, which Mrs. Snyder presented for those in attendance. The video states that a River Conservation Plan can be used by all of the municipalities within the study area, by providing conservation goals, preserving river resources, restoring degraded river resources, and improving recreation access, as well as improving cultural and historical areas. Finally, the Conservation Plan will help to provide a watershed approach to land use planning, which will assist with sustaining groundwater and surface water to maintain their quantity and quality.

Chairperson Bennington and Mrs. Snyder attended the last coordination meeting concerning this issue, and the only other municipality present was Wrightstown. It appears to Chairperson Bennington that there is not great emphasis by other municipalities, besides Hilltown and Wrightstown, on the entire process. Mrs. Snyder noted that Buckingham and Plumstead have also been very active, however she agreed that this last meeting was very poorly attended due to the weather.

Mrs. Snyder pointed out on the map the path of the Neshaminy Watershed through Hilltown, which is mostly south of Hilltown Pike. Mrs. Snyder has a broad list of goals of this group, which includes stormwater management, Zoning Ordinance requirements, pollution impact, etc. A lengthy discussion took place concerning the goals of the Neshaminy Rivers Conservation Plan and what this group hopes to accomplish.

E. MANAGER'S REPORT – Mr. Greg Lippincott, Township Manager –

1. Mr. Lippincott stated that this evening is the last meeting of the Board, prior to the January 31, 2001 deadline regarding the appointment to the vacancy on the Board of Supervisors.

Supervisor Bender advised that one of his thoughts 21 months ago, prior to his decision to run for the position of Supervisor, was that it was becoming very difficult to find individuals to fill vacancies on the various Township boards and commissions, and to find individuals to work the polls on Election Day. However, it has become apparent that the situation has obviously changed for the better, with eight candidates applying for former Supervisor Parks' vacancy on the Board of Supervisors. Those individuals include Joe Wilson, Betty Snyder, James Huratiak, Chuck Kulesza, Daniel Kell, Bruce Knipc, Barbara Salvadore, and John Snyder. Some of these candidates were relatively new to municipal involvement in Hilltown Township, yet all came with unique educational, career and community experiences. Some of the other candidates were not new to public service in Hilltown Township, currently serving on other municipal boards, commissions, task forces, committees, and other civic organizations. Supervisor Bender noted that many of the candidate's dedication did not stop there; they also serve the public through volunteer emergency services – the local fire companies, fire police, ambulance services; or through school programs, coaching of sports teams, etc. These people, without a doubt, contribute their most valuable currency – their time. Supervisor Bender commented that two attributes came across from all the candidates during the interview process, which is the obvious appreciation of Hilltown Township quality of life and the desire to help. Each person said, regardless of whether they were selected to fill the Supervisor vacancy or not, that they would be willing to help in any capacity. Personally, Supervisor Bender is proud to reside in Hilltown Township, where there are so many talented, unselfish residents who are always willing to give of themselves. Supervisor Bender wished all eight candidates continued success with present and future endeavors.

Supervisors Bender and Bennington interviewed candidates on Monday, January 8th and Thursday, January 11th, asking each the same set of questions. The Supervisors then met again on Monday, January 15th to discuss the interviews and finally, a brief phone conversation on Friday, January 19th to finalize their decision.

Chairperson Bennington stated that several individuals indicated to him that they thought the entire interview process for this vacancy was a sham. Chairperson Bennington advised that the interview process was not a sham, that there was no leading candidate going into the process, and that both he and Supervisor Bender spent a great deal of time and effort going through this process to be fair and consistent with all eight candidates. While Chairperson Bennington understands that seven of the eight candidates will be disappointed, both he and Supervisor Bender chose who they felt was the best candidate for the job.

Motion was made by Supervisor Bender, seconded Chairperson Bennington, and carried unanimously to appoint Mrs. Betty P. Snyder of 1110 Mill Road to fill the vacancy on the Board of Supervisors created by the departure of E. Diane Parks. There was no public comment.

Mrs. Snyder thanked the Supervisors for the appointment and stated that she is dedicated to work hard and do the best job that she can possibly do for this Township.

Chairperson Bennington announced that Mrs. Snyder will be sworn in at 9:00AM tomorrow morning here at the Township building and will participate in her first Supervisor's meeting on Monday, February 12, 2001.

2. The PSATS Convention in Hershey will be held on April 22nd through 25th this year. Mr. Buzby, Mrs. Leslie, Mrs. Seimes and Mr. Lippincott are scheduled to attend. There is a Supervisor's meeting scheduled for Monday, April 23, 2001. Mr. Lippincott asked if the Board would like to reschedule that meeting for Monday, April 30, 2001 so that the staff will be available to attend.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to authorize the advertisement of the change in Supervisor's meeting date from Monday, April 23, 2001 to Monday, April 30, 2001. There was no public comment.

3. A voting delegate from Hilltown Township must be appointed for the PSATS convention. All resolutions to be voted upon at the convention will be forwarded to the Supervisors prior to the convention so that they can determine how to vote on various issues.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to appoint Mr. Greg Lippincott, Township Manager, as the voting delegate to the PSATS convention in Hershey, PA. There was no public comment.

4. Mr. Guttenplan's work status reports for the months of December and January have been submitted. The first public meeting concerning the Comprehensive Plan update was held on December 6, 2000, with approximately 50 residents in attendance, in addition to the Task Force members.

5. The Township's Traffic Consultant, Andy Heinrich, has completed a multi-way stop sign warrant evaluation for the intersection of Diamond Street and Rickert Road during the week of December 11, 2000, as requested by the Board at a previous meeting. The counts reveal that Diamond Street is carrying approximately 3,200 to 3,800 vehicles per day in both directions, while Rickert Road carries approximately 1,250 vehicles per day in both directions, north of Diamond Street, and approximately 600 vehicles per day in both directions, north of Diamond Street. Mr. Heinrich notes that multi-way stop signs should ordinarily be used only where the volume of traffic on the intersecting roads is approximately equal, and that the criteria for installation of multi-way stop signs at the intersection of Diamond Street and Rickert Road is not satisfied, unless there has been an accident problem at the intersection. An accident problem is indicated by five or more reported accidents, of a type susceptible to correction by installation of multi-way stop signs, occurring within a 12-month period. Mr. Lippincott commented that at this time, this intersection does not meet the warrant to be considered "an accident problem." Mr. Heinrich is still investigating the possibility of a speed reduction for the entire length of Diamond Street.

6. The Park and Recreation Board, via Recommendation #01-1, unanimously recommended that Mr. Jon Kutzner be appointed to the vacancy created by the resignation of Bea Waite, with the term to expire on December 31, 2005. Chairperson Bennington commented that both candidates who had been interviewed by the Park and Recreation Board for this vacancy have done a great deal of work in recreational areas.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to accept the recommendation of the Park and Recreation Board (#00-01) to appoint Mr. Jon Kutzner to the vacancy on the Hilltown Township Park and Recreation Board, with the term to expire on December 31, 2005. There was no public comment.

7. Mr. Dave Hersh was present to discuss the status of the repair of the Township building's HVAC system. During the past month, the five air conditioning units were thoroughly checked and the following was accomplished:

- AC-1 – Serving the Main Office
 - a. Heating coils #4, #5, and #6 were not operating properly. Mr. Hersh discovered that the operator for the control valves had been

replaced at some point. The control dip switches were not set correctly and the wiring was incorrect. The dip switches were changed and the wiring corrected. The coils are now operating properly and the space temperatures are comfortable.

- b. Heating coil #6 still has the original motor. The linkage was found disconnected, repaired and is now working properly.
- c. The outside air damper motor is not working and still needs to be repaired.

- AC-2 – Serving the Meeting Room.

- a. The control for the meeting room was removed from the control system and a separate thermostat with a remote sensor installed. The thermostat only allows the heating coil control valve to operate either fully open or fully closed – it is designed to modulate. The outside air damper is not being controlled and is completely closed. This system needs to be corrected.

- AC-3 – Serving the Lobby.

- a. This unit has the same problem as AC-2. In addition, the wiring to Heating coil #1 (HC-1) was incorrectly wired and corrected. The control valve to HC-2 was changed some time ago and the dip switches have been reset and the wiring corrected. The valves for these reheat coils only operate at either fully open or fully closed. This entire systems needs to be corrected.

- AC-4 – Serving the Police (Rear) Area.

- a. This unit has the identical problem as AC-3.

- AC-5 -- Serving the Police (Front) Area.

- a. HC-10 was found to be operating properly.
- b. HC-11 was not operating properly. We discovered that the operator for the control valve had been replaced at some point. The control dip switches were not set correctly and the wiring was incorrect. The dip switches were changed and the wiring

corrected. The coil is now operating properly and the space is comfortable.

All safety controls were tested and found to be operating properly. The damper motors on all the units except AC-1 were tested and found to be operating as designed. However, AC-2 and AC-3 are not interlocked to the damper control that needs to be corrected.

Mr. Hersh indicated that there are no filters on AC-4. Arrangements have been made to have a filter section installed and the coils completely cleaned, all at no cost to the Township. This work should be completed within the next two weeks. Mr. Hersh is obtaining costs to make the corrections to AC-2, AC-3, and AC-4, and will attempt to have this work done without cost to the Township.

The Supervisors thanked Mr. Hersh for all his hard work.

8. There are twelve escrow releases for the Board's consideration this evening, three of which are cash held by the Township:

Bricks Villa Phases I & II	Voucher 14A	\$ 41.28
Hilltown Hunt	Voucher #2A	\$ 26.80
Kunkin Truck Terminal	Voucher #03	\$ 239.10
Longleaf Est. Phase I	Voucher #50	\$ 62,818.20
Longleaf Est. Phase I	Voucher #51	\$ 842.36
Longleaf Est. Phase I	Voucher #52	\$ 37,174.50
Longleaf Est. Phase II	Voucher #08	\$ 2,779.24
Longleaf Est. Phase II	Voucher #09	\$293,094.81
Longleaf Est. Phase II	Voucher #10	\$ 68,624.91
Lynrose Estates	Voucher #11	\$ 256.60
Pileggi Land Development	Voucher #02	\$ 734.76
Pileggi Land Development	Voucher #03	\$ 37,521.90

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to authorize the release of the twelve escrows as noted above. There was no public comment.

F. CORRESPONDENCE – Mr. Greg Lippincott, Township Manager –

1. Correspondence was received from Berkheimer Associates with two original Tax Collection Contracts that must be executed between Hilltown Township and Berkheimer for the collection of the Open Space Earned Income Tax. Along with the executed contracts, there are three Resolutions for adoption this evening – one Resolution

is to appoint Berkheimer Associates as Tax Collector in compliance with Section 9 of the Contract; one Resolution is to appoint Berkheimer Associates as Hilltown Township's Tax Hearing Officer for those local taxes that Berkheimer is appointed to collect; and one Resolution is to designate the Township Manager to serve as an authorized representative to communicate all tax information.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to **adopt Resolution #2001-10, to appoint Berkheimer Associates as Tax Collector in compliance with Section 9 of the Contract.** There was no public comment.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to **adopt Resolution #2001-11, to appoint Berkheimer Associates as Hilltown Township's Tax Hearing Officer for those local taxes that Berkheimer is appointed to collect.** There was no public comment.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to **adopt Resolution #2001-12, to designate Mr. Gregory Lippincott, Township Manager, to serve as an authorized representative to communicate all tax information for Hilltown Township.** There was no public comment.

2. Notification has been received from the Board of Elections advising that Primary Election will be held on May 15, 2001, and the General Election will be held on November 6, 2001.

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

1. Prior to this meeting, Solicitor Grabowski advised that the Supervisors held a Conditional Use Hearing at 6:30PM for S.B.A. Properties for the installation of a cellular telephone tower along Rt. 309, near Swartley Road. The Board, by a vote of 2:0, approved the application with certain conditions.

2. Solicitor Grabowski presented Resolution #2001-13, a Declaration of Easement for Hilltown Baptist Church/PECO Subdivision for the Board's consideration.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to **adopt Resolution #2001-13, accepting the Declaration of Easement for Hilltown Baptist Church/PECO Subdivision.** There was no public comment.

3. Solicitor Grabowski presented the Hatfield Township Maintenance Agreement for the Orvilla Road/Rt. 309 traffic signal. Solicitor Grabowski explained that this entire traffic signal system was installed at the expense of the Hilltown Crossings Shopping Center developer, who is reimbursing the Township for maintenance costs of this traffic signal. In the event that development of the parcel on the opposite side of Rt. 309 in Hatfield Township takes place, an agreement has been drafted by Hatfield Township for Hilltown Township's consideration. The only stumbling block is paragraph 9 of the Agreement. Both parties now agree to execute an Agreement. In the event of future development in Hatfield Township adjacent to the Orvilla Road intersection, which may necessitate any replacement or upgrade of the existing signalization equipment, that such upgrade or replacement shall be the responsibility of Hatfield Township. Hilltown Township would then, in turn, agree to ultimately accept ownership of any replaced or upgraded signalization equipment, however the on-going maintenance and repair of such upgraded or replaced equipment shall then be shared by Hatfield Township and Hilltown Township in an equitable manner, based upon an engineering formula to be determined. In the absence of any engineering agreement, it will then be shared equally between the two municipalities.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to accept the Maintenance Agreement for the Orvilla Road/Rt. 309 Traffic Signal, in conjunction with Hatfield Township. There was no public comment.

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

1. Negley Subdivision (Minor) – At their meeting of January 15, 2001, the Planning Commission unanimously recommended preliminary/final plan approval of the two-lot subdivision located on Blooming Glen Road/Dublin Road, conditional upon the following:

- The existing house on Lot #1 currently contains three dwelling units. Verification should be received from the Zoning Officer confirming that the converted single-family structure is a lawful non-conforming use, and that the apartment uses have been registered in conformance with tenant registration requirements.
- In lieu of street light installation as required by Section 526 of the Subdivision Ordinance, the Planning Commission recommends installation of a driveway lamppost on proposed Lot #2.
- Verification of approval should be received from PennDot for the proposed driveway access for Lot #2 onto Blooming Glen Road.

- Planning Modules for proposed on-lot sewage disposal system for Lot #2 should receive approval from the Bucks County Department of Health and PADEP.
- A Development/Financial Security Agreement should be executed between the applicant and the Township to guarantee construction of the flow attenuation swales for stormwater management.
- Erosion and sedimentation control approval should be received in writing from the Bucks Conservation District.
- Property monumentation should be installed and be certified in writing by the responsible surveyor.
- Drafting issues included in the November 30, 2000 engineering review should be addressed on the plan.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to grant preliminary/final plan approval to the Negley Subdivision, pending completion of all outstanding items as noted above. There was no public comment.

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

1. Tall Oaks Subdivision – The 18-month maintenance period for the Tall Oaks Subdivision expires on February 4, 2001 and is guaranteed by a \$5,000.00 cash escrow and \$20,525.88 surety bond. Correspondence dated January 17, 2001 was forwarded to the developer advising of miscellaneous punchlist items that must be accomplished. As noted in that letter, Mr. Wynn recommends the Board of Supervisors advise the developer that the maintenance period is not satisfactory until completion of the punchlist items but not require extension in the surety bond. The remaining items are relatively minor in nature and can be accomplished by the Township, if necessary, with the remaining cash escrow.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to authorize the Township Engineer to advise the developer of the Tall Oaks Subdivision, that the maintenance period is not satisfactory until completion of the punchlist items, without extension in the surety bond; and to declare default under the Escrow Agreement for the Tall Oaks Subdivision. There was no public comment.

2. Longleaf Estates I – In accordance with the Financial Security Agreement, Mr. Wynn recommends the Board of Supervisors approve a motion requiring the

developer to increase the escrow funds for Longleaf Estates I Subdivision by 10% of the balance effective on January 19, 2001. The increase in the required maintenance in the amount of \$31,191.83 (current total balance = \$311,918.34) should be established prior to any further release for construction related items.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to require the developer of the Longleaf Estates I Subdivision to increase the escrow funds for Longleaf Estates I Subdivision by 10% of the balance in the amount of \$31,191.83 (current total balance is \$311,918.34) effective on January 19, 2001. There was no public comment.

3. Grasse Elementary School – The time frame for completion of required improvements at the Grasse Elementary School expires on February 4, 2001. On November 30, 2000, Mr. Wynn provided correspondence to Mr. Denis McCall of the Penridge School District advising of four items that remain to be completed at the site. Item #2 with respect to the replacement of trees that did not meet Township specifications has been accomplished. Item #1 with respect to a drainage problem along Rickert Road, Item #3 regarding line striping, and Item #4 regarding regulatory signage has not been accomplished. Mr. Wynn requests that the Board of Supervisors approve a motion advising the School District that work has not been completed satisfactorily and requesting their schedule for completion of remaining items prior to commencement of the maintenance period. First Union Bank holds the remaining escrow funds in the amount of \$86,448.70 via a direct deposit earmarked in the name of the Township.

Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to authorize the Township Engineer to advise the Penridge School District that the items still remaining on the Grasse Elementary School Land Development punchlist must be completed satisfactorily and to authorize commencement of the maintenance period for the Grasse Elementary School Land Development. There was no public comment.

4. Floodplain Ordinance/FEMA – This matter is on the agenda to advise of FEMA requirements to again update the Township Floodplain Ordinance, which was adopted in May of 1999. Although the Township is unaffected by this Flood Hazard Information, FEMA has re-dated all their maps. Therefore, the Township must revise the Ordinance to reference the new map date. A draft Ordinance must be prepared and sent to FEMA, who will review and approve it. The Ordinance must then be advertised and re-adopted by the Board of Supervisors in order for Township residents to remain eligible for flood insurance. The revised Floodplain Ordinance must be adopted and forwarded to FEMA by June 20, 2001. Mr. Wynn noted that Hilltown Township is eligible for 85% reimbursement by the State for the cost of re-adopting the Ordinance. Discussion took place.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT –

1. Mr. John Gerner, a resident of Perkasic Borough, requested clarification of the discussion that had taken place earlier concerning a private resident's request for a 4-way stop sign at the intersection of Diamond Street and Rickert Road. Mr. Gerner was under the impression that there is a reluctance to install 4-way stop signs to be used as traffic calming devices. Mr. Wynn explained that there are certain State warrants or requirements for installation of a 4-way stop sign, and those warrants or requirements are very difficult to meet. Therefore, there are often requests for installation of additional methods of speed control, which is exactly what they are not supposed to be used for, because they are shown to be ineffective for speed control. Mr. Gerner is aware that 4-way stop signs are very, very difficult to enforce.

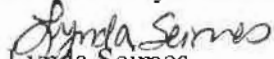
L. SUPERVISOR'S COMMENTS:

1. Supervisor Bender once again thanked all the candidates who applied for the vacancy on the Board of Supervisors, and wished Mrs. Snyder good luck with her new position.

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

N. ADJOURNMENT: Motion was made by Supervisor Bender, seconded by Chairperson Bennington, and carried unanimously to adjourn the January 22, 2001 Board of Supervisors meeting at 8:31PM.

Respectfully submitted,


Lynda Seimes

Township Secretary

(*These minutes were transcribed from notes and tape recordings taken by Mr. Greg Lippincott, Township Manager).