

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULE MEETING
Monday, August 23, 1999
7:30PM

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:42PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman
John S. Bender, Supervisor
Bruce G. Horrocks, Township Manager
Kerry L. Trauger, Chief of Police
Jack Wuerstle, Township Solicitor's Office
C. Robert Wynn, Township Engineer
Lynda S. Seimes, Township Secretary

Chairman Bennett announced the Board of Supervisors met in Executive Session prior to this meeting in order to discuss legal matters.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the August 9, 1999 Worksession meeting – Supervisor Bender noted the following correction on page 12, sixth paragraph, which should read “Motion was made by Supervisor **Bennington**, seconded by Supervisor **Bender**, and carried unanimously to approve the request by the developer of Longleaf I Subdivision to revise the final plan approval to install eight smaller trees in a grouping in the open space area, since street trees are not permitted in the PP&L easement, as noted above. There was no public comment.”

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the August 9, 1999 Worksession meeting, as corrected. There was no public comment.

C. APPROVAL OF CURRENT BILLING – Chairman Bennett presented the Bills List dated August 24, 1999 with General Fund payments in the amount of \$21,986.30, State Highway Aid Fund payments in the amount of \$1,696.50, and Escrow Fund payments in the amount of \$122.19; for a grand total of all payments in the amount of \$23,804.99.

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated August 24, 1999, subject to audit. There was no public comment.

D. CONFIRMED APPOINTMENTS: None.

E. MANAGER'S REPORT – Mr. Bruce G. Horrocks, Township Manager –

1. Mr. Horrocks presented six escrows releases, five of which are cash held by the Township, for the Board's consideration:

313 Self Storage, Inc.	Voucher #12	\$ 380.71
Giant Foods	Voucher #01	\$ 380.37
Gray Subdivision	Voucher #10	\$ 145.47
Hipple Subdivision	Voucher #08	\$ 472.87
Leonard Kunkin Assoc. Inc.	Voucher #01	\$ 27,103.50
Leonard Kunkin Assoc. Inc.	Voucher #02	\$ 592.22

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

2. Mr. Horrocks requested that the Supervisors consider the purchase of the Owen and Mary Rice property, utilizing the Bucks County Open Space Funds. Mr. Horrocks explained the site is located on Forest Road, between Rickert Road, Quarry Road, Minsi Trail and Hayhouse Road; and consists of 58.097 acres. This site was reviewed and highly recommended for purchase by the Open Space Committee. The Township has been in negotiations with Mr. and Mrs. Rice for a number of weeks, and has signed off on an agreement of sale. Hopefully, settlement on this property will take place by the end of October, 1999.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #99-24 to utilize the Bucks County Open Space Funds to purchase the Owen and Mary Rice property, as noted above.** There was no public comment.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #99-25 to provide for a friendly condemnation to avoid the 2% Realty Transfer Tax in order to purchase the Owen and Mary Rice property, as noted above.** There as no public comment.

Chairman Bennett advised the purchase of this property is Hilltown's first acquisition, with 75% of the purchase price of \$580,000.00 paid for with funds provided by Bucks County, and the remaining 25% to be paid by the Township.

3. At the last worksession meeting, the Hilltown Fire Company presented a written request for the Township to consider a donation for the requisition of radios. Even though the Township will be putting out a great deal of money for the purchase of

radios for the Hilltown Township Police Department, Supervisor Bennington feels the Township must make a donation in the amount of \$10,000.00 for the Hilltown Fire Company to purchase radios. Chairman Bennett and Supervisor Bender agreed.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to authorize payment of \$10,000.00 to the Hilltown Fire Company for the acquisition of radios from Bucks County. There was no public comment.

4. The Park and Recreation Board has made their recommendation for the color choice for the pedestrian bridge for the Longleaf I Subdivision located on Orchard Road. The color choice number is 2362, a faded olive green.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to approve color choice #2362 for the pedestrian bridge for the Longleaf I Subdivision located on Orchard Road. There was no public comment.

5. Mr. Horrocks commented that the last issue of the News Herald newspaper, published by Montgomery Newspapers, contained a "Welcome to Your Community" section, which listed incorrect meeting dates for Township boards and commissions. For clarification, Mr. Horrocks advised the Board of Supervisors meet on the second and fourth Monday of every month, and the Planning Commission meets on the first and third Monday of every month.

6. Mr. Horrocks announced that Mr. John Gerner, reporter for the News Herald, will be retiring shortly and is attending his last meeting in Hilltown Township as an employee of the News Herald newspaper. The Board of Supervisors congratulated Mr. Gerner on his upcoming retirement and wished him well in the years ahead.

F. CORRESPONDENCE: None.

G. SOLICITOR'S REPORT - Mr. Jack Wuerstle, Township Solicitor -

1. Solicitor Wuerstle presented a Resolution for the acceptance of declaration of easement for the Alff Subdivision, which is located on Minsi Trail.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #99-26 for acceptance of declaration of easement for the Alff Subdivision, as noted above.** There was no public comment.

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

1. Wastewater Facilities Plan (Act 537) – Mr. Wynn advised the Planning Commission recommended approval of the Wastewater Facilities Plan by a majority vote (4:1 with Mr. Beatrice voting no). The Planning Commission's recommendations include the following:

- Future land use plan included within the Wastewater Facilities Plan should be revised to remove the future residential Development District and include a note indicating "No Zoning District boundary revisions are proposed with the exception of the creation of an Agricultural District to preserve farmland in the vicinity of the Village of Blooming Glen."
- Reference to the use of community sewer systems within the Rural Residential District should be revised to clarify that cluster developments and conventional subdivisions within this district will require individual on-lot sewage disposal systems. The purpose of the cluster option should be revised to clarify that clusters are permitted within the Rural Residential District in order to permit development on portions of a tract where soils are adequate for individual on-lot systems.
- Treatment plan size and anticipated flows should be revised to reflect the current proposed connections of approximately 800 EDU's.
- The approximate location of parcels, which are identified as the several small clusters of failing septic systems within the central service area (page 7-2) should be indicated on a map. The extension of public sewer to correct these clusters of failing on-lot systems should be the last option chosen and will be permitted only with a rezoning of the parcels to CR-2.

Mr. Wynn recently spoke with Mr. Glenn Stinson of DEP who has offered to meet with both the Board of Supervisors and the Planning Commission prior to submission of the Act 537 Plan in order to discuss and review the major components of the Plan. Mr. Stinson will then give his opinion of the proposal following review. Therefore, Mr. Wynn suggested the Act 537 Plan review be tabled until a joint meeting with Mr. Stinson, the Planning Commission and the Board of Supervisors can be held to review the approval process for the Act 537 Plan. The Board of Supervisors was in agreement with this suggestion. Mr. Wynn will contact Mr. Stinson to schedule a joint meeting.

2. Zoning Ordinance Revisions – By unanimous vote, the Planning Commission recommended preparation and advertisement of an Ordinance to revise

Zoning Regulations for sheds in accordance with the August 4, 1999 memorandum from Greg Lippincott, Zoning Ordinance, and with the August 11, 1999 correspondence from Jack Wuerstle, Township Solicitor's Office. The Planning Commission noted that within the third paragraph of the August 11, 1999 correspondence from Solicitor Wuerstle, the last sentence "...portion of residential buildings in front yards" should be revised to read "...portion of residential **accessory** buildings in front yards." The Zoning Ordinance Amendment should also include a revision to make Use C-13, Nursing Home, a use which is not permitted within the Rural Residential District. As noted in the July 21, 1999 correspondence from Mr. Lippincott, Use C-13, Nursing Home, is required to be served by public water and sewer.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to authorize the preparation and advertisement of said changes to the Zoning Ordinance, with respect to sheds and nursing homes, and to forward both to the Bucks County Planning Commission for review. There was no public comment.

***8:00PM – Public Hearing to consider the adoption of an Ordinance defining and establishing regulations for discharge of firearms; permitted hunting under the applicable laws of the Commonwealth; designating an enforcement officer and prescribing penalties for violations of same.**

At the last Supervisor's meeting, the Board authorized the Township Solicitor to re-draft the existing Firearms Discharge Ordinance (#95-1). The purpose of these revisions is to bring the Ordinance current with applicable laws and regulations; and to strengthen the Ordinance in light of several recent firearms discharge incidents. Solicitor Wuerstle worked in conjunction with Chief Trauger, the District Attorney's Office, and the PA Game Commission to produce this Ordinance.

The primary revisions include the following:

- Prohibition of any discharge crossing any property line.
- Prohibition of any discharge within 1,000 ft. of a school property line.
- Penalty provisions raised to the maximum permitted under the Second Class Township Code, which is \$1,000.00 upon conviction for violation, or in default of paying the fine, up to 30 days in a County prison.

PUBLIC COMMENT:

1. Mr. Harry Mason of 902 Morgan Lane quoted Section 7 of the proposed Ordinance, which states "All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed and, specifically, Hilltown Township Ordinance #91-1 is

hereby repealed in whole.” Further, Section 8 states “If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Hilltown Township Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.” Mr. Mason wondered what the circumstances would be if something were found to be illegal in the proposed Ordinance that would cause the repeal of other Ordinances, and asked if those Ordinances would automatically be reinstated. Mr. Wuerstle replied that it would if the Ordinance in question was not Ordinance #95-1 (the existing Firearms Discharge Ordinance), which is specifically repealed. Therefore, the likelihood that the scenario Mr. Mason described is very slim because the subject matter would be different.

2. Mrs. Jean Bolger of Rt. 152 commented there are a few residents in the Township who own firearm target ranges, such as Mr. Dembrosky, and asked if those individuals would be affected by this Ordinance in any way. Solicitor Wuerstle advised there are legal concepts involved such as non-conforming uses, which some may argue would preempt those residents from this type of regulation. Knowing a bit about Mr. Dembrosky’s property, Solicitor Wuerstle does not believe that the proposed amendments will affect him a great deal. In 1995 when the original Firearms Discharge Ordinance was adopted, Mr. Horrocks noted that Mr. Dembrosky was an active part of the Public Hearing. The only significant change to this Ordinance this evening deals with the discharge of firearms within 1,000 feet to a school property line. Solicitor Wuerstle understands that Mr. Dembrosky’s firing range contains a backstop, and therefore there would be no issue of discharge going onto another property at his particular site.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to **adopt Ordinance #99-7, the Firearms Discharge Ordinance, as amended.** There was no public comment.

***8:10PM – Chairman Bennett adjourned the Public Hearing at 8:10PM and reconvened the regularly scheduled Board of Supervisors meeting at this time.**

H. PLANNING (Continued) -

3. Mr. Daniel Seik – Land Development Waiver Request – The Planning Commission unanimously recommended approval of a land development submission waiver for construction of a 6,300 sq. ft. greenhouse and 2,464 sq. ft. “head” building (utility building) on the 13.5 acre parcel located on the southeast side of Upper Church Road and Broad Street. The present use on the site is Nursery and there are no retail sales at the site.

Mr. Todd Savarese, attorney for the applicant, was in attendance along with Mr. Daniel Seik to present the plan. Mr. Savarese advised there are two residential buildings, a silo, and an existing barn on the property. Earlier this year, Mr. Seik, not recognizing that a greenhouse being a non-residential building required municipal approvals, began to assemble a greenhouse in the location where another building that was destroyed by fire once stood. The Zoning Officer issued a Stop Work Order on May 24, 1999, at which time all activity ceased. In addition to the greenhouse, which is a structure measuring approximately 6,300 sq. ft.; a head house is also proposed to be connected to the greenhouse to store various nursery equipment. When the enforcement notice was issued, the head house had been partially framed and the green house was framed, however construction ceased immediately at that time.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to grant waiver of land development for Mr. Daniel Seik, as noted above. There was no public comment.

4. Mr. David Beller – Land Development Waiver Request – The Planning Commission unanimously recommended approval of a land development submission waiver request from David Beller for a proposed 11,200 sq. ft. indoor riding arena (pole building) to be located on his residential property at 5 Chelfield Road. Mr. Beller testified that the indoor riding arena will be for his personal use only and will not include a riding academy, lessons, or boarding of horses.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to grant land development waiver for Mr. David Beller, as noted above. There was no public comment.

5. McCauley/Good Shepherd Lot Line Subdivision – This lot line adjustment subdivision located on Hilltown Pike was unanimously recommended for approval by the Planning Commission subject to the following conditions:

- As required by Section 404.7 of the Subdivision Ordinance, the record plan must include acknowledgement blocks for signatures by the owners, Township, and Bucks County Planning Commission. The format of the submitted subdivision includes these items on a second sheet. Plan must be revised to include acknowledgement blocks on sheet 1 of 2, record plan. Additionally, the location map and Zoning Ordinance information contained on sheet 2 of 2 must be included on sheet 1 of 2 and the plan set revised to a one-sheet submission. Section 402.2.A permits the plan to be drawn at a scale of 1" = 100' if necessary to permit the location map, required acknowledgements, and other information to be contained on one sheet.

- No request for modification of Subdivision and Land Development Ordinance requirements has been received, however cartway widening, curb, and sidewalk as required by Section 505, 506, 512, and 513 of the Subdivision Ordinance is not proposed. The Planning Commission unanimously recommended waiver of these requirements conditional upon receipt of a written request for Subdivision Ordinance waiver by the applicant.
- The ultimate right-of-way of Hilltown Pike must be offered for dedication to the Township.
- Existing/proposed property monumentation must be identified for all property corners, and at the intersection of property corners and the ultimate right-of-way of Hilltown Pike. Wherever property corners do not currently exist, concrete monuments must be installed and certified in writing by the responsible surveyor prior to plan recordation.
- Driveway/proposed easement shown across lands of Church Foundation to provide access to Lot #2 (existing driveway) must be resolved in a manner satisfactory to the Township and Township Solicitor.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to grant approval to the McCauley/Good Shepherd Lot Line Subdivision, pending completion of all outstanding items as noted above. There was no public comment.

6. McCauley Minor Subdivision – This minor subdivision plan was granted preliminary approval by the Board of Supervisors at the July 26, 1999 meeting, and was unanimously recommended for final plan approval by the Planning Commission conditional upon the following:

- The McCauley/Good Shepherd Church Lot Line Adjustment Subdivision Plan must be executed and recorded prior to execution and recordation of the minor subdivision plan.
- The driveway access easement proposed across adjacent lands of Good Shepherd Church for the benefit of Lot #1 for the existing driveway access to the dwelling must be resolved in a manner satisfactory to the Township and the Township Solicitor.
- In accordance with the preliminary plan approval action of the Board of Supervisors, a waiver is granted from stormwater management

requirements of Section 516 of the Subdivision Ordinance conditional upon receipt of a capital contribution to the stormwater management fund as provided by Section 516.3 as amended by Ordinance #99-4. As one new building lot is proposed, the contribution requirement is \$500.00.

- Verification of approval of the proposed driveway for Lot #2 must be received in writing from PennDot.
- Verification of approval of proposed erosion and sedimentation control measures must be received in writing from the Bucks Conservation District.
- Sewage Facilities Planning Modules must be approved by PADEP. Additionally, an Individual Residence Spray Irrigation Permit and maintenance agreement are required pursuant to Ordinance #96-4.
- Property monumentation as shown on the plan must be installed and be certified in writing by the responsible surveyor prior to plan recordation.
- The ultimate right-of-way of Hilltown Pike must be dedicated to the Township as an easement.

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

7. Longleaf II Subdivision – Ms. Beverly Curtin was present at the last Planning Commission meeting requesting final plan approval. The Planning Commission, however, noted that planning module approval had not yet been received and that approval for connection to public sewer has not been received from the Pennridge Wastewater Treatment Authority or HTWSA. Ms. Curtin was advised that the Planning Commission was required to take action on the plan in accordance with the Municipalities Planning Code unless an extension is received in writing from the applicant. The Planning Commission unanimously approved a motion to deny the plan due to non-compliance with preliminary plan requirements as outlined in the July 7, 1999 engineering review, unless a written extension is received from the applicant.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to deny the Longleaf II Subdivision due to non-compliance with

preliminary plan requirements at outlined in the July 7, 1999 engineering review, unless a written extension is received from the applicant by September 19, 1999. There was no public comment.

8. Callowhill Road Subdivision – This preliminary subdivision plan was recommended for approval by a majority vote of the Planning Commission (4:1, with Mr. Beatrice opposed) conditional upon the following:

- Completion of all outstanding items contained within the August 9, 1999 engineering review.
- Partial waiver of Section 513, which requires sidewalks along the proposed cul-de-sac street and along the frontage of Callowhill Road. By a unanimous vote, the Planning Commission recommends sidewalk be required on the south side of the proposed cul-de-sac street to the driveway on Lot #6. The sidewalk should terminate at the southern radius at the intersection of the cul-de-sac street and Callowhill Road. Additionally, sidewalk should extend along Callowhill Road from the cul-de-sac street north across the frontage of former Lot #1 of the Wisler Subdivision.
- The applicant requested modification of cul-de-sac right-of-way/street requirements. The Planning Commission unanimously approved a motion recommending that the street width be reduced from 32 ft. to 28 ft. (with curb), provided that the open space proposed at the cul-de-sac turnaround area be owned and maintained by a Homeowner's Association in a manner acceptable to the Township.
- Proposed grading within the Callowhill Road right-of-way is shown with a slope of 2 to 1 in non-compliance with Section 517.1 of the Subdivision Ordinance which limits slope to 3 to 1 or flatter. The Planning Commission unanimously approved a motion to waive the slope requirement of Section 517.1 due to the presence of rock and subject to approval by PennDot.

The applicant's engineer, Mr. Tim Woodrow, was in attendance to present the plan. Mr. Woodrow noted one of his initial concerns regarding this site was the safe access to Callowhill Road. Recognizing that fact, two meetings were held with PennDot to view on-site conditions, available sight distance, and other required improvements. The applicant is now fairly confident that the design as presented meets Penn Dot's requirements and has their approval. The applicant has also requested a waiver of sidewalks.

Mr. Wynn noted the Planning Commission recommended a partial waiver of the requirement for sidewalks along the proposed cul-de-sac street and along the frontage of Callowhill Road. The Planning Commission recommends that sidewalks be required on the south side of the cul-de-sac street to the driveway on Lot #6. The sidewalk should terminate at the southern radius at the intersection of the cul-de-sac street, and Callowhill Road. Additionally, the Planning Commission feels sidewalks should extend along Callowhill Road from the cul-de-sac north across the frontage of the former Lot #1 of the Wisler Subdivision. Mr. Woodrow commented the applicant's hope was to keep a rural feel on this roadway without sidewalks. Since there are only six lots proposed, the applicant does not feel that a great deal of traffic will be generated by the sidewalk itself, and it does not appear that the cul-de-sac street, at this time, will be extended to service other lots. Mr. Woodrow agreed with the Planning Commission's recommendation that sidewalk be required along one side of the cul-de-sac street up to the proposed bus stop on Callowhill Road. The applicant is also concerned about the viability of sidewalk along Lot #1 of the former Wisler Tract, which is located to the northwest of the site, and wondered what purpose it would serve since the sidewalk would not connect to any other sidewalk. Discussion took place concerning the extent of sidewalk that should be required for this development.

The applicant has also requested that requirements for cartway width and right-of-way be waived. On this type of subdivision, Mr. Wynn stated the Ordinance specifies a 56 ft. wide right-of-way and a 32 ft. wide cartway. The Planning Commission recommended reducing that to a 50 ft. wide right-of-way and a 28 ft. wide cartway, conditional upon the open space area being owned and maintained by a homeowner's association, not by the Township. Mr. Wynn believes the Planning Commission's logic was that there would be very little traffic into this 6-lot subdivision, unless there was Township-owned open space available to all Township residents. To Mr. Wynn's knowledge, the Park and Recreation Board has not had the opportunity to review this plan's open space proposal.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to grant preliminary plan approval to the Callowhill Road Subdivision, pending completion of all outstanding items as noted above, and pending receipt of a recommendation from the Park and Recreation Board with regard to open space. There was no public comment.

9. Robinson Subdivision – Mr. Wynn advised a written extension has been granted by the applicant. No action required at this time.

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

1. Phillips IRSIS – At the time of this IRSIS approval, the lot in question was fairly wooded with some large trees, and Mr. Wynn explained the applicant proposed a spray field in the wooded area. Because of the existing trees and vegetation, the applicant requested a waiver of buffer plantings. At their meeting of October 27, 1997, the Supervisors denied that waiver request, while noting that if the existing trees along the perimeter of the site were saved during installation of the IRSIS, the Board would reconsider and possibly reduce the number of required plantings. Correspondence was recently received from Randy and Jill Phillips with reference to the escrow currently held by the Township for buffer plantings for the IRSIS at their site located on Spring Hill Lane. The installation of the IRSIS is complete and has been approved by the Bucks County Department of Health. A significant number of existing trees have been saved. As a result, the applicant is requesting that the number of additional plantings be reduced to six evergreens to be planted in the buffer area along Spring Hill Lane, as recommended by Mr. Wynn following his inspection of the spray field. Mr. and Mrs. Phillips are also requesting release of \$2,800.00 of the total escrow of \$3,410.00. This would allow a balance of \$300.00 to cover the installation of six Norway spruce trees at \$50.00 each. Mr. Wynn recommended that the applicant's request be granted.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to grant the applicant's request to reduce the escrow by \$2,800.00 to leave a balance of \$300.00, and to plant the six Norway spruce trees along Spring Hill Lane for the Phillips IRSIS system. There was no public comment.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT:

1. Mrs. Alice Kachline of Mill Road presented documentation concerning the suggestion to widen Township roadways to accommodate walking/biking paths along the sides of the roads. Mrs. Kachline noted this type of system is being considered in other parts of the country, such as Madison, Wisconsin and the state of Delaware. Mrs. Kachline feels strongly that if the Township considers this undertaking, any resident who objects to a walking/biking path in front of their home, should not be required to do so. Discussion took place.

Supervisor Bender encouraged Mrs. Kachline to forward this documentation to the Bucks County Planning Commission, since this concept was a topic of discussion during a recent Pennridge Area Coordinating Committee meeting.

2. Mrs. Jean Bolger asked if the Supervisors have any plans for the recently purchased Owen Rice property. Chairman Bennett commented there are no concrete plans at this time to utilize that open space property. It is, however, a very level site with no buildings. The Board is optimistic that within the next ten years, the neighboring quarry may become a lake or a pond that belongs to the Township. Mr. Horrocks commented the Open Space Plan divided the Township into four quadrants. In all four quadrants, one of the priorities of the Open Space Committee and the Board of Supervisors, was to acquire a sizeable piece of land in the amount of 50+ acres. In that regard, Mr. Horrocks noted the Owen Rice property at 58+ acres, does comply with the Open Space Plan.

Mrs. Bolger mentioned the recently approved Callowhill Road Subdivision, where both the Supervisors and the Planning Commission agreed to narrow the cul-de-sac street as proposed, and wondered who would benefit from such a proposal. Mr. Wynn explained it is a very rare occasion that a proposed new road is permitted to be narrower than Township requirements. Mr. Wynn stated that the developer must verify that he meets all the requirements for parking and spillover parking on the lot in order to obtain the street width reduction because the street will not be used for parking. Mrs. Bolger does not understand why the Township will not allow on-street parking. Discussion took place concerning road widths throughout the Township.

3. On behalf of the Hilltown Volunteer Fire Company, Mr. Andy Snyder thanked the Board of Supervisors for their consideration and generous donation toward the purchase of radios.

4. Mrs. Jean Bolger of Rt. 152 questioned whether the rows of chairs that are up against the wall in this meeting room constitutes a violation of the fire code. Mr. Horrocks explained that the BOCA Fire Protection Code permits maximum seating capacity in the Municipal Building meeting room in this format.

5. Mr. Greg Duffy of Beverly Road is aware that the Township is under drought restrictions, however he suggested that the new trees surrounding the Municipal Building be watered. He feels this will save the taxpayers thousands of dollars in new plantings, as opposed to one hundred dollars worth of water.

L. SUPERVISOR'S COMMENTS:

1. Over three years ago, Supervisor Bennington and Jack Fox, who was also a Supervisor at the time, were instrumental in placing an open space referendum on the ballot. Unfortunately, this referendum was defeated in the election by Township voters. Supervisor Bennington noted the open space referendum question can again be placed on the ballot. There are two ways to place this question on the ballot - either the Supervisors

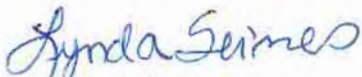
via majority vote can place the question on the ballot, or 5% of the electorate from the previous election can sign a petition to place the question on the ballot. Supervisor Bennington realizes it is a bit early in the preparation phase, however he would like to suggest to the Friends of Hilltown and other registered voters of Hilltown Township that they begin discussing an open space referendum. If a referendum question is placed on the ballot next year, Supervisor Bennington believes the polling places should be staffed with a number of informed people who can insure that the correct information is given to the voters. The last time this referendum question was on the ballot, Supervisor Bennington admitted the Township did not have an approved Open Space Plan, however that is not the case now.

2. When Supervisor Bender was appointed to the Board of Supervisors in late May of 1999, he had indicated that one of his priorities was open space. Thanks to the efforts of the Open Space Committee, the Township Manager, Township Solicitor and the Board of Supervisors, Supervisor Bender commented the first open space purchase was accomplished within a matter of three months. Supervisor Bender hopes this acquisition is the beginning of a lot more activity in this area.

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

N. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously, the August 23, 1999 Board of Supervisors Meeting was adjourned at 9:20PM.

Respectfully Submitted,



Lynda Seimes
Township Secretary