

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED PUBLIC MEETING
Monday, August 24, 1998
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:36PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman
Charles D. Grasse, Supervisor
Bruce G. Horrocks, Township Manager
George C. Egly, Jr., Chief of Police
Francis X. Grabowski, Township Solicitor
Lynda Seimes, Township Secretary

A. APPROVAL OF MINUTES – Action on the minutes of the July 27, 1998 Supervisor’s Meeting – Motion was made by Supervisor Grasse, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the July 27, 1998 meeting, as written.

Action on the minutes of the August 10, 1998 Worksession Meeting – Motion was made by Supervisor Grasse, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the August 10, 1998 Worksession meeting, as written.

B. APPROVAL OF CURRENT BILLING – Chairman Bennett presented the Bills List dated August 25, 1998, with General Fund payments in the amount of \$40,859.95, State Highway Aid payments in the amount of \$520.48, and Escrow Fund payments in the amount of \$435.15; for a grand total of all payments in the amount of \$41,815.58.

Motion was made by Supervisor Grasse, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated August 25, 1998.

C. CONFIRMED APPOINTMENTS – None.

D. MANAGER’S REPORT – Mr. Bruce G. Horrocks, Township Manager –

1. Mr. Horrocks presented Recommendation #98-5 from the Hilltown Township Park and Recreation Board, which follows:

“At their regularly scheduled meeting of August 13, 1998, the Park and Recreation Board voted to recommend the following -- The Park and Recreation Board recommends that the Hilltown Township Board of Supervisors apply and proceed with the Keystone Grant Application for the trail system proposed in the Township Open Space Plan, as specified by the Open Space Committee for approximately \$130,000.00.

Supervisor Bennington suggested the residents of Pleasant Meadows who are in attendance this evening have an opportunity to speak prior to a vote being taken by the Board.

Chairman Bennett explained this Grant is for funding for a bike and walking trail on the open space currently owned by Hilltown Township and recommended for approval by both the Park and Recreation Board and the Open Space Committee, alike. The estimated cost of the trail is approximately \$130,000.00. Sometime after the trail's installation, the State would reimburse the Township approximately 50% of that \$130,000.00 price.

1) Mr. Joe Wilson of 319 Thistle Lane stated this issue had been discussed with the residents of Pleasant Meadows in the past, and the concerns of those residents have not changed. They do not want strangers in their back yards. There are also wetlands and floodplains in the area under consideration for which the residents do not believe the Township is properly maintaining at present. Mr. Wilson is also concerned about the prospect of vandalism to the area or to the resident's homes by juveniles passing through on the way to the new school in Silverdale.

2) Ms. Beth Hunter of 333 Thistle Lane asked if there is a map of the proposed trail showing it's proximity to the homes in Pleasant Meadows. Mr. Horrocks reminded the residents that the trail's course is not definite at present. Ms. Hunter commented the area in question is home to a great deal of wildlife and plant life that she is concerned will be gone if the proposed trail is constructed. Ms. Hunter suggested funds be used to maintain and improve the existing parks in Hilltown Township.

3) Mr. Rick Lambrecht of 202 Goldenrod Court suggested the Board table this issue in order to schedule an informational meeting in the near future so that residents can review the proposal and express their concerns to the Township.

Unfortunately, Chairman Bennett noted that there is a timing factor involved since the Keystone Grant application must be submitted by the end of October for consideration. Supervisor Bennington reminded the residents that the Park and Recreation Board, Open Space Committee, and even the Pennridge Coordinating Committee held public meetings to discuss this issue, and it has also been mentioned in local newspapers over the past several weeks. Further, the area where the proposed trail would be constructed is and always has been open space owned by Hilltown Township, and therefore it belongs to all residents of the Township.

4) Mr. Frank Adamski of 210 Goldenrod Court noted that none of the Supervisors live in this area, and therefore will not be affected by its construction. Supervisor Bennington disagreed, advising he lives right around the corner from the site on Walnut

Street, and he believes he will have people walking across his private property to the new school as it is.

Mr. Adamski's main concern is the safety and security of his neighborhood, as well as the threat of flooding of the wetlands which normally occurs during any heavy rain.

5) Mr. Jeffrey Bush of 812 Hillcrest Road has "policed" the area of the bridge near Steeplebush Drive, which constantly experiences vandalism and graffiti. Because he polices that area, Mr. Bush's home is often the target of disgruntled teens who have blown up his mailbox or thrown trash on his lawn. Since young people congregate at the bridge now, Mr. Bush believes a bike path will only encourage that to continue. Also, Mr. Bush is sure everyone is aware of the flooding which takes place in the area, and he could provide photographs of the entire 4 acre parcel to the left of the bridge when it is entirely underwater due to flooding.

6) Ms. Pat Friel of 631 Hillcrest Road agreed with Mr. Bush's assessment of the continuing problem of vandalism. Her family is constantly finding beer bottles, condoms and other trash on their property and is convinced that will only get worse if a trail is constructed. Mrs. Friel is also very concerned with the possibility of her basement flooding once a trail is constructed.

Even if the bike path was not proposed behind the homes in Pleasant Meadows, Supervisor Bennington asked what would prevent people from walking through that undeveloped area, as they appear to be doing anyway. Discussion took place. Chairman Bennett commented there are several neighboring municipalities who have developed trails that have been very successful.

7) Mr. Gary Conlin of 311 Thistle Lane is in complete agreement with the comments of the previous speakers, most especially with the issue of trail maintenance and security. Mr. Conlin believes a paved walking trail, after a bad winter with flooding and freezing, will break up and disintegrate in a very short period of time.

8) Mrs. Relda Warner of 300 Thistle Lane was not aware of previous meetings concerning the issue of the walking trail. At present, she feels the Township does a poor job of maintaining the open space area behind her home. Mrs. Warner suggested that anyone wishing to go to the new school could walk or bike along Walnut Street. Supervisor Bennington was appalled by that suggestion since Walnut Street is a narrow, dangerous main highway.

9) Ms. Dottie Kapps of 335 Thistle Lane asked if the grant application is specific to the proposed bike path through Pleasant Meadows only. Mr. Horrocks commented the drawing of the proposed path is an estimate of where the path will be located. Ms. Kapps

asked the difference between open space and park space. Solicitor Grabowski explained open space is land for use by all Township residents with certain specifications. There are active parks, passive parks, etc.. Any open space area can be used for recreational facilities. Ms. Kapps is very concerned about the safety and security of the proposed path.

10) Mr. Jack Fox of 1935 Hilltown Pike empathized with the residents of Pleasant Meadows. When he moved into the area, it was to live in the country and he wanted it to remain that way. Unfortunately, things have changed. At that time, Hilltown Township had 57 dairy herds, however there is only one remaining. Mr. Fox now has people crossing his property constantly as a short cut to the neighboring school. With all the development in the Township, Mr. Fox understands that there must be recreational facilities for all of the residents to use. Mr. Fox feels that a park should have been built on some of that open space area behind the Pleasant Meadows development, many years ago, which was the intent when the developer gave it to the Township.

11) Mr. Ron Allen of 321 Thistle Lane is a member of the Hilltown Park and Recreation Board, however he was not in favor of the construction of this proposed walking path. Mr. Allen commented the Township has no zoning regulations referring to bike trails and therefore, there are no laws designating certain setback requirements or design standards. Mr. Allen suggested the Township consider adopting such an Ordinance so that there could be some sort of standards to comply with. Further, Mr. Allen agreed that other neighboring municipalities do have bike paths and/or walking trails, however they are not without problems. Mr. Allen encouraged Chief Egly to contact those neighboring municipalities police departments to determine what sort of problems there might be. Mr. Allen is very disappointed that the Township is considering paving asphalt runways through wetlands in order to provide this type of path. Chairman Bennett commented the proposed path would be approximately 8 feet wide.

Supervisor Grasse does not feel that this endeavor was ever taken with any selfish thoughts in mind, it was simply considered for the use of the residents of Hilltown Township. A great deal of thought was put into developing walking trails through open space by both the Open Space Committee and the Park and Recreation Board. Consideration was given to preserving wetlands, which are also scenic areas worth protecting and worth sharing with all residents of the Township. Personally, Mr. Allen feels the wetlands should be undisturbed. The area in question has been over-developed in Mr. Allen's estimation.

Ms. Kapps believes the Supervisors should have learned a lesson from the Authority's proposal to construct a sewer plant in this same area several years ago. Ms. Kapps believes the objections of the neighboring property owners should be considered.

Supervisor Bennington reminded Ms. Kapps that he supported the neighboring property owners during the sewer plant proposal, even offering to stand in front of the bulldozer if necessary. Ms. Kapps feels the residents of Pleasant Meadows should have been notified of the bike path proposal.

12) Mr. Nick Lupinacci of 804 Upper Stump Road, chairman of the Park and Recreation Board, as well as member of the Open Space Committee, has heard the concerns presented by the residents this evening and is sure they are very genuine to each and every one of them. However, Mr. Lupinacci feels that the Board must realize that many of those concerns will still be in place, with or without the construction of a walking/biking path. It was the intention of the Park and Recreation Board to make use of Township owned open space so that all of our residents will have access to it. In 1996, a park and recreation survey was conducted, and the overwhelming response for increased recreational facilities was for hiking/biking/walking trails.

13) Ms. Maureen Purcell of 2203 Hilltown Pike, chairperson of the Open Space Committee, stated that the Open Space Committee had no intention of pushing this proposal through without having a public forum for discussion. There are plans to schedule a town meeting with the residents who live along the proposed trail in order to discuss the options with them.

14) Mr. Scott Simons of 208 Goldenrod Court believes wildlife in the area is being pushed out due to the extensive development along Orchard Road. Mr. Simons suggested that a gravel nature path, instead of a paved path, be considered

15) Mr. Robert Cable of 218 Goldenrod Court felt that a safety and security survey should be conducted as to the impact on the residents, not only those in Pleasant Meadows, but those residents who live near the new school as well. If the Keystone Grant application is approved and a path is constructed, Mr. Cable suggested consideration be given to constructing a natural buffer between the proposed path and the existing dwellings. Discussion took place.

*8:30PM – Chairman Bennett called for a 15 minute recess. The regularly scheduled Supervisors Meeting of August 24, 1998 was reconvened at 8:43PM.

Based on the recommendation of the Park and Recreation Board, Chairman Bennett advised it was the consensus of the Board of Supervisors to proceed with the Keystone Grant and to recommend that the Park and Recreation Board hold an informational meeting for residents near the proposed trail on September 10, 1998 at 7:30PM here at the Township building.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to proceed with application for the Keystone Grant; with the stipulation that an informational meeting be held with the Park and Recreation Board on September 10, 1998 at 7:30PM at the Township building.

*Chairman Bennett called a 5 minute recess at 8:45PM. The regularly scheduled Supervisor's meeting of August 24, 1998 was reconvened at 8:50PM.

2. Mr. Horrocks presented two escrow releases for the Board's consideration, both of which are bank held letters of credit:

Tall Oaks Subdivision	Voucher #12	\$ 200.12
313 Self Storage (Silverman)	Voucher #03	\$ 408.29

Motion was made by Supervisor Grasse, seconded by Supervisor Bennington, and carried unanimously to release the two escrows as noted above.

3. Several months ago, the Board gave consideration to acquiring a new accounting software program for the Township. Mr. Horrocks recommended that the Board authorize the purchase of CompuData modules dealing with accounts payable, payroll, general ledger, and system manager in the amount of \$5,380.00 plus some training costs, which will be shared with the Hilltown Authority. Discussion took place.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to authorize the purchase of CompuData accounting software in the amount of \$5,380.00, as specified above.

4. Mr. Horrocks presented Resolution #98-34, which is an application to permit the installation and operation of a flashing warning device on Green Street, on the southbound lane north of Fairhill Road.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse and carried unanimously to **adopt Resolution #98-34, which is an application to permit the installation and operation of a flashing warning device on Green Street, on the southbound lane north of Fairhill Road.**

5. Correspondence has been received from Mr. Jim Groff, Operations Manager of the Hilltown Authority, recommending that Mr. Keith D. Weiss be appointed to fill the vacancy on the Hilltown Township Water and Sewer Authority.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to appoint Mr. Keith D. Weiss to fill the vacancy on the Hilltown Township Water and Sewer Authority, with the term to expire on December 31, 2001.

6. Mr. Horrocks is seeking Board authorization for the attendance of Mrs. Lorraine Leslie and himself to attend evening classes at Temple University for "Introduction to Excel '97" with a cost of \$175.00 per person.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to authorize the attendance of Mrs. Leslie and Mr. Horrocks at evening classes at Temple University, as noted above.

D. CORRESPONDENCE – Mr. Bruce G. Horrocks, Township Manager –

1. The Township has received a letter of appreciation from Mrs. Joan Santos regarding the Township's position through her legal battle with a neighboring property owner.

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

1. Solicitor Grabowski presented Resolution #98-35, which is a Declaration of Easement for Reliance Road for the Lederach Subdivision.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to **adopt Resolution #98-35 to accept the Declaration of Easement for Reliance Road for the Lederach Subdivision.**

2. Solicitor Grabowski presented the Sewage Agreement for the Amspacher property, allowing for the construction and installation of a small flow treatment facility which will provide on-site sewage treatment to an existing home at Green Street and Hilltown Pike.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to accept and authorize the execution of the Amspacher Sewage Agreement.

3. Solicitor Grabowski presented the County Line Plaza Shopping Center Land Development and Financial Security Agreements for Board authorization.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to authorize the acceptance of the County Line Plaza Shopping Center Land Development and Financial Security Agreement.

4. The developer for Orchard Glen Subdivision has presented a substitution bank for their letter of credit. The developer will now be using Wilmington Trust of Pennsylvania, instead of Bank United.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to accept the agreement of substitution of Wilmington Trust of Pennsylvania for Orchard Glen's letter of credit.

5. Solicitor Grabowski suggested the Calvary Church Land Development and Financial Security Agreements be tabled for approval until they are returned to his office for execution. The Supervisors were in agreement.

F. PLANNING: None.

G. ENGINEERING: None.

H. MYLARS FOR SIGNATURE:

1. Wagner/Walker Subdivision

I. PUBLIC COMMENT:

1. Chief Egly commented the community phone directory insert in a recent issue of the News Herald, which has been taken over by Montgomery Newspapers, is incorrect. The directory has "911" listed for fire non-emergency, police non-emergency, and ambulance non-emergency.

2. Chief Egly referred to a discussion that took place at the last Supervisor's meeting concerning a supposed incorrect and non-posted street address for a property on Minsi Trail that caused difficulties during a recent emergency call. Chief Egly advised that there had been some confusion in dispatching rescue units for an emergency call (chest pains) on Elephant Road in Bedminster Township and for an emergency call (fainting victim) at 630 Minsi Trail at the same time. Chief Egly noted the proper address for Minsi Trail was indeed given and that the street address is properly posted at the residence.

3. Mr. Jack Fox asked the outcome of the Azarik vs. Santos lawsuit. Solicitor Grabowski advised the Santos/Hilltown Township appeal was successful. The Azarik's did not appeal this case to the Commonwealth Court.

J. SUPERVISOR'S COMMENTS:

1. Supervisor Grasse is pained by the fact that there is such a great deal of adversity to the hard work that has been done by the Open Space Committee and the Park and Recreation Board with regard to the proposed trail. Supervisor Grasse believes the entire Township is committed to preserving open space and feels it is very important that the Supervisors continue along in a strong mode to make happen what should happen with the open space.

2. Supervisor Bennington apologized to the residents of the Township, particularly those residents from Pleasant Meadows who were present this evening, for his confrontational attitude concerning the bike path proposal in the open space area. The residents were complaining about young people congregating behind their homes, and Supervisor Bennington was upset because he feels those young people they spoke of were their own children. Supervisor Bennington does not believe that the proposed bike path would attract any more young people than it presently does. Chief Egly stated the resident's concerns appear to be based on the vandalism that has previously taken place on the Pleasant Meadows bridge. Supervisor Bennington believes the residents do have a valid point in that the Supervisors have a tendency not to discuss such issues with concerned residents prior to making an important decision that may affect certain areas of the Township. In the future, Supervisor Bennington suggested that every effort be made to consider resident's concerns when a decision may affect particular portions of the Township. Discussion took place.

Mr. Horrocks noted that the proposed trail passes by more than just the Pleasant Meadows development, yet there were no residents present from the Orchard Station and the Orchard Glen developments to express their views. Further, Supervisor Grasse stated the proposal is a regional, community endeavor, not just something that will impact on Hilltown Township. From the concerns voiced by residents this evening, Solicitor Grabowski got the perception that the residents feel the open space area belongs to Pleasant Meadows only, when in fact that open space area is to be enjoyed by all residents of Hilltown Township. Solicitor Grabowski commented the residents living in the Pleasant Meadows development could form a homeowner's association and offer to purchase the open space from the Township.

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

L. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously, the August 24, 1998 Board of Supervisor's meeting was adjourned at 9:10PM.

Respectfully submitted,



Lynda Seimes
Township Secretary