

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULAR SCHEDULED WORKSESSION MEETING
Monday, October 10, 1994
7:34pm

The worksession meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman
Jack C. Fox, Supervisor
Bruce G. Horrocks, Township Manager
George C. Egly, Chief of Police
Tom Buzby, Director of Public Works
Warren Nace, Zoning Officer

Chairman Bennett took a minute to comment on the size of the crowd. He said we did not have a crowd like this is a year. With so many people in attendance Chairman Bennett also took the time to introduce the Board and Chief Egly.

A. APPROVAL OF CURRENT BILLING:

Bills List dated October 10, 1994, to be paid October 11, 1994. Chairman Bennett commented that the bills for this period are unusually high because of two or three special items. The total of the bills is \$235,006.05. This is unusual because we had some annual payments for the police and the retirement fund of \$93,070.00. We also had the non-uniform employees namely the road crew totaling \$26,205.00. This is approximately \$119,000.00. Between \$25,000.00 and \$35,000.00 of that amount is paid by the Pennsylvania Municipal Retirement Fund.

Mr. Horrocks said \$27,800.00 comes from the Township. \$91,400.00 comes from the State of Pennsylvania.

Chairman Bennett said another large sum we pay semi-annually is the Trustees Insurance Fund which is the medical insurance for our employees totaling \$66,915.00. These are the major items. Other than that we have our on going regular bills totaling \$37,591.00.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated October 10, 1994, to be paid October 11, 1994 subject to audit.

B. MANAGER'S REPORT - Mr. Bruce Horrocks, Township Manager -

1. Mr. Horrocks said he has received prices on the installation of three paid telephones located at both parks and one at this Township building. The installation for each one would be \$150.00 maximum and would range somewhere between \$100.00 and \$150.00 for a total of \$450.00 one time charge. Bell Telephone would charge on each phone. Since we would not have the usage required to make it a public phone, there is a total of \$38.00 a

month per phone totaling \$1,368.00 per year in monthly charges. Because of the two parks now getting under way with the potential of games whether it be baseball, softball, or soccer or other things Mr. Horrocks thinks it is crucially important for the liability of the Township to have a pay phone at hand with 911 calls available. By the same token Mr. Horrocks strongly suggests we get one for this building. Even though we will have a phone outside all the phone does is connect you to a County radio and they in turn can get back to a police officer over the radio. Mr. Horrocks suggestion would be that we install all three of these phones as soon as possible. Since this is a non budgeted item Mr. Horrocks would like to have a motion.

Supervisor Fox asked if we had funds for this. Mr. Horrocks said since we are cutting down on phone lines within the Township the phone bills are less so yes, we have funds for it.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to pay the \$450.00 for the three pay phones plus the monthly service charge for 1995.

2. Mr. Horrocks announced he would be handing this week to both Chief Egly and Mr. Buzby budget request sheets. We have everything printed out. After we close out the month of September and are ready to start putting together the 1995 budget Mr. Horrocks would expect the first meeting that we could reasonably talk about the budget would be the worksession in November.

3. Mr. Horrocks announced he had linens this evening for the Miketta Subdivision to be signed.

4. Mr. Horrocks announced again even though it has been advertised that this Wednesday at 6:30pm there is a meeting between the Township Supervisor's and the Hilltown Township Water and Sewer Authority dealing with and only one subject will be discussed, and that will be the rebond of the municipal bonds of 1989. Bids will be accepted that night and possibly awarded.

5. Mr. Horrocks made the Board aware that starting Tuesday we will start to post the zoning notice signs throughout the Township, various Post Offices, and certain sites where residents will notice, dealing with the Zoning Ordinance Hearing on October 24, 1994 at 6:00pm.

6. Mr. Horrocks said that by the October 24, 1994 meeting he would like to have the Board's recommendation on Foreign Fire Distribution for the seven fire companies. November 17, 1994 is the very latest date he has until. He presented to the Board this evening a four year history of how it has been disbursed, how the money was distributed, and Mr. Horrocks has shown with the increase

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equalling that out what it would mean. We are a little different this year because the increase is fairly substantial. The last few years it has been almost the exact same number. We do have to deal with that extra \$4,400.00.

Supervisor Bennington asked when the money has to be distributed by. Mr. Horrocks said November 14, 1994. We have a worksession meeting on that date. This is awfully close for Mr. Horrocks to get them in the mail. He would rather not do this then. He would rather get the decision from the Board on the October 24, 1994 meeting of this month. Once again Mr. Horrocks does need the input from the Board in how to deal with this increase.

Supervisor Bennington said the only problem he has with this is you have advertised for a 6:00 public meeting for the Zoning Ordinance. You say it is probably going to end at 7:30pm. With all the comments we expect the meeting may not end at 7:30pm. You are liable to have a pre meeting go from 6:00pm to who knows when and then have a meeting further into the night and start adding things to the agenda.

Mr. Horrocks said if you desire you could give me your recommendation right now. Supervisor Bennington asked Mr. Horrocks what his recommendation was.

Mr. Horrocks said all he is showing the Board is if you would like to take the \$4,487.00 and divide it equally between the seven fire companies all the seven fire companies will come up with the \$641.00 increase. Mr. Horrocks wasn't sure if the Board was interested in looking at variables.

Supervisor Bennington said if you are talking \$6,000.00 he could understand it. You are talking \$641.00 in the fire company which is not going to make or break anyone.

Chairman Bennett said he would like to table this for this evening. He didn't see this until today. He would like to think about it for a little while. Mr. Horrocks said he will bring it back on the October 24, 1994 meeting.

7. Mr. Horrocks has received two quotes from Trustees for the companies that would be the trustee of bond funds during the bond issue. The two quotes are from Union National and First Fidelity. While the numbers are not necessarily written in granite Mr. Horrocks was wondering if the Board would be more in favor of staying local with Union National Bank in Souderton or to transfer that interest to First Fidelity Bank. The cost of savings currently is annually. It would be \$1500.00 from Union National, and \$750.00 from Trustees. As the manager Mr. Horrocks would like to recommend we stay with Union National. The only reason he is

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saying this is because they are a local bank, and if we do have a situation where he has to speak to the trustee and talk to the person we can do this very conveniently at Union National as opposed to driving down to Philadelphia and being bounced around with the big banks. There was unanimous agreement among the Board members.

Mr. Horrocks said we do not need a motion on this because it will be at Wednesday's meeting.

8. At the last meeting a bill was questioned on IACP Net Log Services for \$500.00. The question was whether this bill was an annual fee or not. Mr. Horrocks said the invoice says that it is an annual fee.

9. Mr. Horrocks presented to the Board Resolution #94-31 for adoption. All this resolution changes is one specific section of the miscellaneous fees, building permits, and zoning permit resolution. The only additional change would be a \$50.00 residential use resale fee. In the new Zoning Ordinance that has been advertised there is a resale residential use inspection required. Obviously, without a resolution establishing a fee we cannot charge a fee. This is not the first time in a local area. East Rockhill has apparently been doing this with a \$50.00 fee charge. Basically all that would come into existence would be on a resale of any existing homes.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to adopt Resolution #94-31 as stated above.

10. Mr. Horrocks spoke to the Board with the current update with Dublin and the TCE in the water. Mr. Horrocks had a forty five minute conference call conversation with David Byro and Tom Supplee the manager of Dublin Borough. Dublin and Hilltown are more or less saying the same thing right now. Neither party is objectionable to supplying water to the affected people. But neither party knows specifically how EPA wants to deal with the line and everything else. More or less what David Byro is now going to be doing is presenting to both municipalities (maybe a joint meeting) a preliminary engineers plan on what can be done with those lines and how they suggest we do it. Mr. Horrocks doesn't have specific information yet but Mr. Supplee said the same thing that Mr. Horrocks has said that Dublin would like to see what it is that EPA wants to do.

11. For the Board's review in your packets were two Ordinances that began in Wednesday's meeting that will potentially be adopted. Both Ordinances deal with bond and the re-bonding of that issue. There is one ordinance that is for the Township totally. The other

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Township Ordinance authorizes the Authority to get involved as well. There is also a blank sample of the bid document that will be coming back numbers plugged in it on Wednesday's meeting.

12. Mr. Horrocks said at the last meeting he was also asked about an update on Cash Escrows held by the Township. This is also in your packet to be reviewed. Mr. Horrocks will try to detail this out a little further than it has been so far.

C. CORRESPONDENCE - Mr. Bruce Horrocks, Township Manager -

1. The Township has received a letter from Deborah Oltman, Principal of Margaret E. Seyler elementary school. Ms. Oltman was thanking the Township on behalf of the staff, parents, and students for the new flashing light installed in front of their school building.

2. The Township has received from Florence Ammon Bunny's Animal Shelter her report as of September 30, 1994. The count of dogs on the site is 146 which is three less than it was the last time.

D. CONFIRMED APPOINTMENTS:

1. Mr. Tim Hagey - Telford Borough Authority -

Mr. Hagey said he was here tonight just to put a face to Telford Borough Authority and to be available to any Supervisors for any questions Hickory Northview public sewer with the Telford Borough Authority policy, Central Oaks sewage project. He was at a workshop meeting a few nights ago and the main concern that came up was the financing of the project. The Solicitor had made mention that the Telford Borough Authority could be financing that project and he is here to tell the Board at this time they have not budgeted funds to do this. He is here to discuss this issue so we can proceed with the project. Mr. Hagey is making himself available to the Board.

Chairman Bennett said we do not have the funds either. We will frankly will have to borrow money to do this.

Supervisor Bennington said this is not all together true. You didn't go to the meeting on Wednesday night. The idea was that this whole project is going to be paved for by the people affected by the sewer extension. What Mr. Horrocks told the people that were assembled at that point and time was that it was going to be \$8,200.00 for the entire cost of the sewer expansion per watt. They would either have to come up with the cash or financing through a bank unless. Your statement is basically incorrect. We are not going to borrow a hundred and some thousand dollars to pay the cost of the project. The primary goal is to get the money from

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the people who are affected by the project itself.

Mr. Horrocks said and when you say that we have in essence contracted with the Telford Borough Authority to do the project on behalf of Hilltown Township. Supervisor Bennington said he totally understands this. He was just correcting a statement made by the Chairman.

Mr. Martin Lynch from over on Central Avenue off of Northview Road said today he received a flyer in the mail. He thinks everyone in that area received the same flyer. Mr. Lynch assumes it is from the Delaware Valley Regional Finance Authority. He is not aware if there is a representative here tonight or not but the flyer says residents on Cherry Lane, Hilltown Township were able through the Township to receive the benefit of such low interest financing through Delaware Valley Regional Finance Authority. Mr. Lynch asked if the Board knew anything about this. The Board knew nothing about this and asked to review the flyer.

Supervisor Bennington said he thinks the point that has to be raised here is that this is not a project that is going to be financed by the Hilltown Township Water and Sewer Authority like past projects have been. The Township would have to borrow the money from this organization, pay Telford for the actual activity, and then charge back a fee on a monthly basis or quarterly basis to recoup the funds.

Susan Hatch from Central Avenue said and hopes she didn't do anything wrong in doing this except that she got the idea she should get more people interested because people thought she was the only one interested in some kind of planning. From what she understands Hilltown would borrow from this Delaware Valley Regional Finance. She has all kinds of facts and figures from them that you would receive the money at a interest rate of 3.5%. You can add something to administrate the loan.

Supervisor Bennington said it would be a loan to the Township. The Township would have to borrow thousands of dollars up front. You are talking about twenty two people in an area that there are twelve thousand other people that if someone defaults on the loan then the whole Township is affected by the loan. We would have a lien against your property and trying to collect the lien, because we wouldn't be the first lien holder with your problem. Supervisor Bennington's problem with this is that the Township would be liable and all the residents of the Township the twenty two or twenty five people in the area that have been affected.

Supervisor Fox asked Ms. Hatch what gave her the idea the Township was going to borrow this money.

Ms. Hatch said she didn't get the idea the Township was going to borrow this money. She received the idea on Thursday at the meeting when she thinks Mr. Grabowski said it wasn't possible but she thinks he handled the exact same situation for West Rockhill. Residents of West Rockhill being serviced by Telford Borough Authority. She thinks it was Mr. Grabowski's firm the Solicitor in West Rockhill who secured the loans for the people. Ms. Hatch said she thinks it was done like that on Cherry Road.

Chairman Bennett said the Township did not get involved with that directly. It was the Water and Sewer Authority. It was our own Water and Sewer Authority of Hilltown. West Rockhill apparently sounds like the same thing as here, they were serviced by Telford same as this area would also be serviced by Telford. Ms. Hatch said this is what she understood that West Rockhill although the project was being done by Telford Borough West Rockhill secured the loan for their people.

Chairman Bennett said he thinks that is possible. Chairman Bennett asked Ms. Hatch out of the twenty two or twenty five people does she know how many would want financing. She thinks there are three that are not here tonight. She doesn't know for sure. This obviously has been the hot topic over the weekend. From what she understands for some people we checked with a local bank as we were advised to do. We are looking at 8.25% in interest rate because we cannot get under five years at this point. Ms. Hatch said to her it looks like there would be no cost to the Township. She understands there would be paper work and everything involved. She is assuming no one defaults.

Supervisor Bennington said you are going to have to take that in consideration that if someone defaults on the loan then who is paying. The Township is still responsible. The Township is still making those quarterly or monthly payments back to the bank. So the people who pay the taxes now are going to be subsidizing twenty two or twenty five people. Supervisor Bennington said he doesn't mean to sound cruel but that is the reality of it.

Ms. Hatch doesn't believe it is that many to start with. She doesn't understand why if they can do it in West Rockhill then why can't Hilltown handle it. She believes we are looking at the option of the 6% lien just because there is no other option. She believes it is her understanding that if this is the worst case scenario for both of us for the Township and for us if we are looking at a lien, and then you do not know when you are getting the money either. She would rather sign her name on the dotted line and honestly pay it back.

Chairman Bennett said you heard Mr. Hagey say they are not in a position to finance the project or are not interested. If all the

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residents cannot finance the project it leaves us no other choice except to try and work out something. We haven't looked into this yet. We are not prepared to comment on this yet. We need to know how many people need to be financed because we could receive a better deal as a group than a single individual would receive. Then as Supervisor Bennington says we are hung with it also. Along with those people who wanted the loan we would have no choice but to put a lien on those homes.

Supervisor Bennington said the other problem you have here is Telford cannot start the work until they receive the money and DER has already told us that they are going to start citing these people if the project doesn't start soon. Chairman Bennett said we have no choice we must go forward with this project.

Mr. Horrocks said these people have received a number of letters from the Township concerning the sewer situation coming to their area. If the Board desires we could write another letter without making any offer or guarantee of any offer but trying to find out how many of those people in fact would need financing if it was offered from someone besides their local bank. Right now we do not have any idea.

Ms. Hatch asked is it may a lot of difference the # of residents interested. She knows of maybe ten. She hasn't spoken to everyone. Mr. Horrocks will send out a letter. Supervisor Bennington asked about the percentage rate in the flyer. Ms. Hatch said she received some of this information over the phone when she spoke to Mr. Lucien Calhoun at Delaware Valley Regional Finance Authority. She understood his organization to be specifically deals with municipalities for situations like this.

Mr. Horrocks said when they have funds available their rates are very low but they float. The other catch is if the funds are there.

Ms. Hatch said they told her the funds were available. Between two hundred and two hundred fifty was available at a rate of 3.5%. It is a floating rate.

Supervisor Bennington said if it is a five year rate it is going to float back and forth depending on the interest rate. Ms. Hatch said there is no prepayment penalty if it would start to go up.

Supervisor Bennington then said who is going to make the prepayment. Again it falls back on the Township to make the prepayment. We are so caught up with economics that we had to lay three people off at the beginning of this year just to make our 1994 budget. It is not like we have excess funds here. That is the reality of life.

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Sam Flarety is also a resident in the area. He just wanted to point out that he doesn't think the Township's liability will change whether the Township helps to finance the project or not. Mr. Flarety said if these people are not going to be able to get loans then you will have to put liens on the properties anyway. Your going to have the same liability. If you can help them in getting low interest loans more people should be able to pay the loan and potential decrease your liability.

Supervisor Bennington said so what you are telling me from what you understand they have money available at whatever rate it is right now but this rate is a floating rate and could go up to 8% again which is what the banks have right now but you can't get the loans at for at this point and time. Supervisor Bennington said that was a good point that Mr. Flarety made. So if we lien their house we have to pay anyway.

Ms. Hatch said if we take a five year loan at least their is an end in site for us paying it back. If there is a lien on our home we are looking at when we sell our home.

Supervisor Bennington said have we determined whether it would be a five year or three year loan. Mr. Horrocks said we haven't determined anything at this point. Generally a five year is about the longest anyone even wants to talk about. Mr. Horrocks said if we so desire he will write a letter and do some investigating into the possibility of it.

Chairman Bennett said there are two pieces to this thing. The line itself coming in. Then there is going to have to be individual hook ups and whether this should be included as far as the loan is concerned. Chairman Bennett said it is his understanding that hook ups can run in the range of \$1500. to \$2500.

Supervisor Bennington said Telford is not concerned with the plumbing. If we would take out a loan it would be to pay Telford to start the work. He's not talking about a plumbing loan too. He's getting carried away here. He's not fiscally conservative. Chairman Bennett is the fiscal conservative. He's the one that is more liberal and he's talking like a fiscal conservative.

Chairman Bennett said he is sorry that Telford didn't see their way to do anything, but on the other hand you all are Hilltown residents.

A concerned resident said if Telford Borough were to put the sewers in, Hickory Road and Northview Road are stone roads and he was told that they would black top. My question is why not put the road back the way the road was.

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Mr. Horrocks said Hilltown Township said we would pave the road. Then, my question to you is why would we do that when we have had it stone for twenty seven years. We can maintain it ourselves in the condition it is right now. Black top we can't.

Mr. Horrocks said he would venture a guess that if the Board did not desire to pave that road they would not. This was done as an improvement service for the community. That was the only reason why it was done. My question is if you were to put a road in does that constitute you will dig the road out. Mr. Horrocks said we will contract with an outside contractor to pave the roads. There would not be a base put in there. Those roads would not be suitable to dedicate to the Township. Then, my request is that it remain stone.

Supervisor Fox said get a petition signed from everyone on your street, and if the majority of them do not want their driveways paved then this Board might feel we could use the money.

Chairman Bennett said this is something we will take into consideration at the proper time. Mr. Horrocks said he would send out a questionnaire including a couple of these questions.

Mr. Evan said he lives at Central Avenue. He has two lots, one is where the residence is located and the other lot has nothing on it. He asked if she was going to get soaked \$8200. for both.

Mr. Horrocks said what was said on Thursday night was each parcel is one EDU. Each parcel will pay their share of the cost of the project.

Mr. Horrocks suggested to Mr. Evan to get rid of the line and subdivide it back so that he has only one lot. Mr. Evan said he can't do that within a couple of weeks.

Supervisor Bennington said how long would that take. Supervisor Fox said about a month and a half.

Mr. Horrocks said at the earliest he thinks construction would not start before the fall and in all probability you heard on Thursday night it would be spring. Mr. Evan will check into this.

Chairman Bennett said he suspects quite a few of the people came here tonight because of the interest in this particular subject so we will take a one minute recess.

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2. Mr. Lou Torres - Sterling Knoll Basketball Court -

Mr. Torres is a resident of Hilltown Township of the Sterling Knoll Subdivision. On behalf of the residents of Sterling Knoll I and II in Deerfield Circle for the opposition of the proposal for construction of a regulation size basketball court to be located in the rear of Sterling Knoll. We have some concerns that we want to discuss at this meeting. (1) One of them is the danger to the children in the community with the probability of an increase in the flow of traffic. A large number of children along the back end of Sterling Knoll are under the age of ten. There is about twenty one children right now in about ten of the houses. This is a real big concern of ours because we do not get a lot of traffic back there. (2) We have a site impaired child that lives directly from the proposed sight. She is legally blind by law. This is also a major concern with us. (3) Another concern is also the possibility of future problems because of the loitering after games.

Mr. Torres said he plays a lot of ball in the area. He has talked to a lot of the folks who have an association in Silverdale and have voiced a lot of their concerns. According to them they have had a lot of problems from Sterling Knoll I. There is a tot lot section there and a play area. Mr. Torres said they have had constant problems and constant vandalism. Mr. Torres commented that a year ago Silverdale had a vote to increase the amount of equipment back there since a good many Silverdale residents in that area own part of it. It was knocked down because of all the problems they have had in the past. This is just a comment to bring into this because we are joined with Silverdale and all of us essentially will be allowed to use the basketball courts. (4) The vandalism of the Township and the property of homeowners surrounding in the area once again the probability of something happening is there. We need to look at this, it may be a major concern. (5) Right now the grass is cut every two to three weeks while a lot of the homeowners do maintain the open land just because we do not want stuff blowing around. (6) Increased activity back there would bring on refuge. There is also a set of woods right there which could create a problem. (7) The big thing would be the use of profanity. There is a lot of small children in the area. This is a big problem in front of Sterling Knoll, and others would be able to use that facility at any time. We mainly have to look after the welfare of our children. (8) We want to encourage more people to keep walking their dogs. This is a big problem in Sterling Knoll. This will only increase the amount of dogs they bring down there.

People have already gotten their assessed value on their homes. Having a park there and what it would eventually lead into a walking facility back there, a tennis court, or whatever may happen

and it is a concern of ours. As a resident of the Township and a taxpayer and coming from living in the big city and thinking things would be fine, and not worrying about everything being built up again. Mr. Torres doesn't look forward to the thought of having to contend with people leaving their trash, cutting through your yard and having everything built up again like it was in the city. Myself and many others have shown a lot of concern over this.

Mr. Torres said there was an article back on September 14, 1994 in the News Herald which makes reference to between ten and twenty portable basketball hoops that are pretty much in the area of Silverdale, Hilltown. Essentially there are fifteen stationery hoops that are in peoples driveways and cemented into the ground. There is two in Deerfield Circle that are portable, one in Hilltown Township, and two in Silverdale. The number various quite a bit from what is in the three developments. It is not that we have had a large turn out of people in opposition of the proposed site and like Mr. Torres said they are looking down the road and at the trouble it could bring.

Chairman Bennett said that land is owned by the Township. The land was dedicated to the Township for parks and recreation. Chairman Bennett asked for a show of hands for the amount of people that were behind Mr. Torres in opposing this project.

Supervisor Bennington said we have to be very careful here. Initially we had no parks and recreation facilities in Hilltown Township. We have a Park and Recreation Board which is headed by Les Lombardi the Chairman. A whole group of people came to this board before from Sterling Knoll to request a basketball court. You are asking for a group of hands in opposition when you also had a group of residents from Sterling Knoll that came first in favor of the basketball court.

Chairman Bennett also asked for hands in favor of the basketball court. Both sides were represented.

Mr. Les Lombardi, Chairman of the Parks and Recreation commented on the situation. Mr. Lombardi said he appreciated everyone's concern but he would like to start off by giving some history in how we got started and have gotten to this point. Mr. Lombardi said approximately eleven months ago three families received citations and letters in reference to illegal portable basketball units at the curb side in the Sterling Knoll Development. As a result of those citations, those individuals came to a park and recreation meeting. The Park and Recreation Board meets twice a month. We will be meeting this Thursday October 13, 1994.

After meeting with those individuals we went and surveyed the area. Mr. Lombardi said he lives in Blooming Glen. He also had the same

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concerns that you do. First of all Blooming Glen is located right near woods and we haven't had a problem. The second thing is we do not even have trash receptacles there. There is never any trash there. Mr. Buzby who is in charge of our Public Works can vouch for this. We have excellent usage of it. Mr. Lombardi's concern was also profanity. It is a little different situation but groups of people go in to play and actually have organized activity. We brought in Karen Whitney who is the director of Parks and Recreation for Warminster Township for twenty two years. We took her throughout the Township. Just riding through that location Ms. Whitney was impressed with the number of use. Because of the population density and because of the fact that we own that property and the interest expressed by the citizens who came to our meeting Ms. Whitney suggested we put a court there. We have been engrossed for the last eighteen months with building Hilltown Civic. As you know we are putting a basketball court in there along with tennis courts. Because of the concern of the people who came to that meeting we allocated up to \$10,000.00 to do some improvements in your area. Mr. Lombardi said he knows how you feel some people in this room know he is definitely prejudice against basketball seeing he coached it for many years and started the program at Deep Run. His concern was their concern, the safety of the children playing in the streets at these portable basketball courts at the beginning of the one subdivision. Another concern was to do a progression of different activities, whether it be a basketball court, tot lot or in that area. One of the concerns of the people who attended the meeting was they really felt with a developed park it would increase the value of their homes. So this is another questionable thing. This was not a spear of the moment decision. It took a lot of consideration. Mr. Lombardi said he actually had another visit to that area when we did our park inspections which was done in the spring. Mr. Lombardi told the residents he knows what they are saying and he hears them. Mr. Lombardi's suggestion would be to address it at the Park and Recreation Board Meeting. He said a lot of thought and development went into this project. Our basic concern was for the kids safety. You will always have the possibility of having loitering and littering and all those things. On the other hand you have to weigh the advantages and the disadvantages.

Ms. Donna Geiger who lives at 146 Sterling Drive directly across from where the basketball court is proposed. Ms. Geiger has a visual impaired child and this is one of her big concerns. We put a basketball court in our driveway so that our children could be supervised and play at their own times. She thinks the amount of basketball courts that are up in the development that are permanently installed are not in use every single day or during the weekend. These people who were cited for having portable courts in the street use to have them in their driveway. Because they felt that it was free to put them into the street they did so and

they are the ones causing the problems. Out of the three subdivisions Sterling Knoll I and Sterling Knoll II and Deerfield there are only five portable basketball courts. Ms. Geiger said those people who have them in the street should not be having them in the street and should be forced to put them back into their driveway and keep them there. Ms. Geiger is mixed about having that basketball court there. The people that have approached you to put a basketball court there are not in that back section. Everyone who is here is in that back section. We did go around to the residents in Sterling Knoll and Deerfield as best as we possibly could with a petition. Ms. Geiger also gave them a copy of the article from the News Herald and asked them if they wanted to read the article they were more than welcome to do so. There decision would be their decision. Ms. Geiger said she thinks if you look at the petition it clearly shows and she doesn't know how many people approached the Parks and Recreation Board for this but they are not the ones that will be living across the street from it. They are not the ones back there making sure that their children are monitored and watched and played properly. Ms. Geiger said she is. Ms. Geiger doesn't feel she should be the one who has to police someone else's child.

Mr. Lombardi said he is he is not going to get in a debate but can appreciate all your sentiments. Mr. Lombardi said nothing is written in stone and it is not built yet so the timing is opportune. The second thing is if the court is put there, there will be an ordinance and which prohibits profanity, littering, and loitering which will be enforced by the police department. It will make it an area for an enforceable ordinance. The way it exist now it is not a park and will not be an enforceable ordinance. We suggested nine months ago that the homeowners that wanted the courts go to the homeowners in that area and see how they feel about it. They got all of their feelings. Supervisor Fox and Mr. Horrocks were present at that meeting. It wasn't like it was our intention to avoid your input.

Mr. Lombardi said all the meetings are open and this has been discussed for the last seven meetings.

Ms. Joan Finno said she had a question about something that was on the plan of the subdivision. Under the note it says that the open space land may not be separately sold nor shall such land be further developed or subdivided. She was wondering what the definition of developed was since those structures would be permanent structures.

Supervisor Fox said open space can only be used for recreational use. You can't build buildings or houses. We accept open space. It is under the law. We accept it for the use of recreation only.

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Ms. Finno said does this mean potentially at a later date they could build pavilions and that sort of thing and be further developed in this way.

Supervisor Fox said he doesn't know anything about pavilions, we are not speaking about an amusement park. We are speaking about perhaps baseball diamonds, and soccer field eventually.

Chairman Bennett said this sort of thing would not be considered developing.

Supervisor Fox said we accepted it for recreational purposes. Your in an area that is building and as soon as things get better we are going to have most of our building around you. There are a lot of people and a lot of children and they won't have any place to play.

Ms. Finno said they were mislead when they bought their property. The residents on Sterling Knoll all paid a premium of \$3,000. to have the lot sizes. We were under the impression we were strictly going to have open space in Hilltown. This is why we are all upset about this.

Mr. Lombardi suggested the residents come to the next meeting on Thursday where they can discuss this issue more. In the meantime he suggested they go look at the park on Blooming Glen. Mr. Lombardi said he was available at work during the day at 257-5459 and his home phone is 257-3908. We are all Township residents and it was our intent to help you. Seriously

The one thing that we really felt good about and the reason we gave your area priority is because of the density of the population. The ability to walk to it where you wouldn't necessarily have to have people driving through the whole subdivision to get there and then the number of youths in that area. This is what gave us the push to give you priority.

Another problem is you do not have an association. The developer at that time gave the Township this piece of property. We have a bond with about \$140,000.00 left and we are trying to get the most out of this to serve the whole Township. A lot of this has gone into Hilltown Civic and we have spent some at Blooming Glen. On the other hand we thought because of the density of where you are we were doing the right thing by putting in the park. Mr. Lombardi said you were misinformed because right from the beginning that property was turned over to the Township for recreational use. Mr. Lombardi said he thinks if the park is done in a professional manner, and if you look at what we have done at Hilltown Civic and at Blooming Glen and if it is done right and it will be Mr. Lombardi feels the park can be an asset to the community.

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Chairman Bennett said he would suggest as he did earlier that the residents come to the Park and Recreation Meeting on Thursday. The meeting is not in this building. It will be a better place to air all these different views. We as Supervisors do listen to the recommendations of our Planning Commissions.

Becka Vanpelt is one of the few residents here tonight who does not live on the circle and opposes the park. She lives on the other side of the street. Her husband and herself totter very athletic in the community and you would think of all people who would want a basketball court there it would be the two of us. All we do is athletics and we do not want it there. The point that you made about cleaning up the parks and who would take care of the basketball courts. Well just yesterday Ms. Vanpelt saw Donna one of the residents sweeping up the leaves and the trees just so the water can flow into the sewers. If you can't clean up the leaves and the trees how are you going to clean up the trash. There are no speed limit signs on those streets yet. People go 35 to 40 miles an hour flying down there. If the concern is the residents let us be concerned with the speed limit signs being 15 maybe 20 miles an hour at the most. Ms. Vanpelt also said fixing the sidewalks that are cracked instead of putting the money into a basketball court, building up the community from the bottom. She feel these residents have a legitimate gripe with being right there but there are also other residents that are opposed. There are at least twenty on my street. She said her husband and herself go to basketball courts and we go to parks. Along our own street we hear profanity, we see the gravity, we see the pot smoking, we see the cigarette smoking, we see the beer cans. Ms. Vanpelt said they are people who are around parks and they see what it brings.

Mr. Lombardi asked Ms. Vanpelt if she has been to Blooming Glen Park. Chariman Bennett thanked Mr. Lombardi and said we think you have been doing a great job on this.

A resident presented a petition with approximately eighty five signatures on it from the community residents. It is kind of astonishing when you look at the amount of Gentry Drive people who have signed in opposition of the basketball court.

Chairman Bennett suggested he turn the petition over to Mr. Lombardi at his meeting on Thursday. The resident continued to say he kind of stumbled into Blooming Glen accidentally when some people he knew was selling their house. He commented on the court and the owner said it wasn't his court it was Hilltown's. The court is open to the public. He said you have to be kidding me. Most people do not know about it so it is not used as often as it probably should be. Again he mentioned the tot lot in the back was also Hilltown property. He thinks this is why it is not frequent

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enough because people just do not know about it.

Chairman Bennett said our whole effort in the Park and Recreation is relatively new in the past few years. We could never get the money until we had a bond issue. We are trying to do a job for the entire community.

The resident said he was a big advocate of basketball. He uses the hoop in his driveway more than his son. He is out there all the time. He is actively involved in sports. It is not that he is trying to essentially take away from the children in the community. Being a resident of the community and seeing how good the area is kept up and the good service we get from Hilltown he doesn't want to see it go down the tubes. We didn't make an investment of that large sum of money to see it go down. Everyone assures me it will be fine and things are going to work out right. When Chief Egly starts getting call after call that people are hanging around loitering and profanity he will get tired of it too he assumes. This is what we are trying to prevent. We just want to do the best thing in everyone's behalf.

Chairman Bennett said we have the message. Another one minute recess was called.

3. Mr. David Young - Radio Controlled Airplane Club -

Mr. David Young is here in response to the complaint that was received some weeks ago regarding the flying near some homes in the Hilltown Township area. The Chief of Police went out a few weeks ago because of a complaint received. In response to that Mr. Young personally went over to Meadow Drive with a sound level meter to just confirm for himself what sort of noise the planes were typically creating. According to Mr. Young's meters the noise level wouldn't even register pass ambition which at the time there were not any motorized devices of any type. In any event Mr. Young is here tonight to say he has reaffirmed that they are trying to meet the original agreement that they arrived at with Hilltown Township back in 1983. More importantly, we want to be good neighbors. We are making every effort to stay away from any homes in the area. Inadvertently Mr. Young supposes people do that but it is unrenounced to the majority of the members. It was my understanding from reading a newspaper article that there were complaints regarding the flying on Monday night and Wednesday night. Within the next couple of weeks Monday night will be discontinued. No one in the club knows of anyone who has ever flown on Wednesday night. Consequently, we have prohibited people from doing this. Mr. Young said they will be making an extra special effort to stay away from the homes and be good neighbors. Beyond that we have lived up to the letter and the spirit of our agreement with Hilltown Township.

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Chairman Bennett asked then what days would you be flying. Mr. Young replied occasionally on Saturday, Sunday, and never before noon. We have road regulations prohibiting our people from starting their engines before noon. Our road rules within the governing organization of radio controlled is the aircraft cannot be louder than 90 DB which is about 10 DB of quieter than sort of the average lawnmower. In any event we enforce that very strictly. We will not let anyone fly in our field that has a loud airplane.

Chairman Bennett said he thinks there is another factor aside from what actually registers on a decibel meter. If you are on a telephone and someone starts a vacuum cleaner up beside you, this can be annoying.

Mr. Young replied you are absolutely right. Mr. young said he spoke with the two neighbors directly west of the individual who complained, the Sunday before last. This was the Sunday the Chief visited us. Both neighbors said in all of the years the Radio Controlled Airplane Club has been there they have never had a complaint. Again we are not discounting the complaint that you received. In any event we are keenly aware of this, and we are not here to argue a point of any sort. We are here to say that we are very aware of the sensitivity of some of the residents. We are going to take extra measures to make sure that we avoid those houses.

Supervisor Bennington asked Mr. Young if he rented Mr. Sensinger's property to fly the planes. Mr. Young replied yes, we do. So there is financial remuneration to Mr. Sensinger from your club. Your club is based in Bucks County. Supervisor Bennington said Mr. Sensinger has twelve acres of property. Mr. Young said he has sixty acres.

Supervisor Bennington said his problem here is when you say you will make every effort to avoid flying over the neighbors on Meadow Drive but if Mr. Sensinger has sixty acres Supervisor Bennington doesn't see why the planes can't stay over the sixty acres that Mr. Sensinger owns.

Mr. Young said he is the President of the organization and if he is not out of the country he is virtually always there on Sundays. He said to his knowledge in all the years he has been there he has never seen anyone fly over those houses. Mr. Young said he specifically asked this question to a couple of the neighbors to the west of the complainant. Their response was that they have never seen a plane fly over their houses.

Supervisor Bennington said you said that they have flown on Mondays

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and you are going to stop that. They flew Wednesdays, Saturdays and Sundays. Mr. Young said we never flew on Wednesdays. He doesn't know where this came from. Perhaps someone just simply used our fields. Supervisor Bennington said you weren't there every Monday and every Wednesday and every Saturday and Sunday. Mr. Young said virtually he is. He has been there are a number of Mondays. He is there every Sunday that he is in town. Once again Mr. Young has never seen anyone fly over houses. Mr. Young has seen them fly near them, to near them perhaps, but never over them.

Supervisor Bennington said so you are saying right now tonight that the only time your club is going to fly is Saturday and Sunday after noon time.

Mr. Young said they will fly on Sunday only in the afternoon. Occasionally we may have someone testing of an airplane on Saturday. This would be a very rare occasion.

Supervisor Bennington asked Mr. Young if he would be willing to put this in a written agreement that they would not overfly anyone's property on Meadow Drive. Mr. Young replied absolutely.

Supervisor Fox said he believes there is an agreement now. Supervisor Bennington said it was a verbal agreement. Mr. Young said they would be pleased to put this in writing.

Chairman Bennett said you can't ask for anymore than that. He said he gathered from the conversations that the original agreement was still all right with them. They mentioned the original agreement was for Sundays and expanded plus the flying over the houses. Chairman Bennett said it sounds to me that you are saying you will abide by the original agreement. Mr. Young responded yes.

Supervisor Bennington said let me ask you one more question. If in fact, you are there and a plane flys over one of the neighbors on Meadow Drives property what do you intend to do about it.

Mr. Young said we have warned people on occasion. After a warning we have never seen a reoccurrence. Mr. Young said he can't answer the question, he doesn't know what he would do. If it were lightened? they would be forced to stop flying. Mr. Young said he should add we have a sign up there and we intend to enforce it. Mr. Sensinger specifically enforces it where no one other than club members can fly there. Club members are reminded extensively and frequently not to fly over certain places.

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Supervisor Bennington said now what if you found out someone was flying planes on a night other than the Monday, Saturday, or Sunday and was using your club as there excuse for flying. What would you do.

Mr. Young said he would call the police. Mr. Sensinger usually not always 80 or 90% of the time that we fly there walks down just to sort of supervise things. He does this diligently. He has from what Mr. Young understands had to chase people away who were not members of his club. We have cards and anyone who is asked must identify themselves. If they don't they are obligated to leave. Mr. Young said he is sure Mr. Sensinger would not have any trouble in getting someone to leave if he wanted them to.

Chairman Bennett said he thinks if Mr. Young summarizes these things and sends a letter to Hilltown it might be the end of the problem. Mr. Young said he will do that.

A resident questioned a sign that was in the tree on Mr. Sensinger's property. Mr. Young said we have a sign on the tree that basically says that nobody is permitted to fly there without having an active membership. It was pointed out they could pass through without seeing it, so we are putting up another sign under an overhang.

Mr. Cuff said he was the culprit that brought this to the Board's attention. He thanked Mr. Young for coming out and said he really did appreciate it. Mr. Cuff said he really doesn't want to see the leeway allowed to anything beyond the original agreement which was Sundays. The occasional Saturday can mean three Saturdays a month to them or one. During the course of the summer Mr. Cuff almost has to give up wanting to have a picnic or entertaining people in the backyard. The occasional Mondays that we are talking about is not part of the agreement. Mr. Cuff is not looking for any more than what was the original proposed and accepted and agreed upon by all parties concerned. Sundays from 12pm to 4pm and that is it. As to their ability to recognize whether or not they are even going over our property Mr. Cuff has stood back there. It is difficult to tell. If you are looking at the tree limb you do not know if you are a hundred feet beyond or if you are a hundred feet on the good side. Stay on the good side definitely. Please stay far enough back where you are not pushing the envelope. That is when we really go crazy. Mr. Young is correct, it is not to often that they are flying over Meadow Drive. Meadow Drive is 450 Ft. away from the tree line. They cannot even see our homes let alone Meadow Drive from there. It is when they go just beyond the tree line and they are on over our back yard property. This is when it just becomes intolerable. This is why we finally came to the Board. We were over numerous times. My neighbor Mr. Dewalt is also here and has been over there numerous times himself. Mr. Cuff

thinks their intentions are good and we want to be good neighbors also. Mr. Cuff would like to be a good neighbor to Mr. Sensinger. He has been there forever. Mr. Cuff has never met him but has heard very nice things about the man. Mr. Cuff does not want Mr. Sensinger to lose this organization. He bought his home knowing they are going to be there on Sundays. Then it became the occasional Saturday and then almost every Saturday and Sunday. They started with Monday. Mr. Young is correct Mr. Cuff thinks he did mention Wednesday. Whether it was one of Mr. Young's people or not he has not idea. Mr. Cuff is not claiming it was. There was a Wednesday when there was a plane up there and he went nuts. We agreed to Sunday or the property owners in our town did. These people did as well within their organization.

Chairman Bennett asked Mr. Young for a one minute rebuttle.

Mr. Young referred to Chief Egly for perhaps some help. Mr. Young said he has read the original agreement with Hilltown Township. There is no mention whatsoever of any days at all. Mr. Horrocks said you have read it. Mr. Young said he has the minutes from that meeting. Mr. Horrocks said the Township does not have a copy of that agreement. He was told it was a verbal agreement.

Mr. Young said it was an oral agreement but he has the minutes from that meeting. In any event he is not aware of any days that were mentioned in those minutes. There were no days mentioned or at least they were not recorded. Again, we are more than willing to conceive that Sundays are our flying days. We will limit our flying to Sundays. Mr. Young said he needs to specifically take this to his membership which he doesn't feel he will have a problem with. He will send Hilltown a letter to this fact.

Mr. Horrocks said maybe we can work up an agreement. Mr Young agreed.

4. Mr. Tim Snyder - Sidewalk Waiver Request -

Mr. Snyder said he asked Mr. Horrocks why the Board was requiring the sidewalk to continue out to the property line. One of the big topics here tonight was money. Mr. Snyder said your having money problems. Everyone is having money problems. Mr. Snyder said he is not a big developer. He said he doesn't have the money to throw away on something that is basically going nowhere. Mr. Horrocks was not able to give Mr. Snyder the reason why the Board would prefer that the sidewalk and curbing continue out to the property line. According to Mr. Snyder it is a very expensive cost to him to continue curb and sidewalks. He doesn't understand why the Supervisors do not waive the request for sidewalk and curbs.

Supervisor Bennington asked Mr. Snyder to refresh his memory. Your

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the one with half in Dublin and half in Hilltown. Mr. Snyder said this was the Dublin subdivision side of it. That property is no longer an issue. It will take forty six feet of sidewalk and curb from where the Township line and the borough line stops to the end of the property line. You have no other sidewalk going in that area. It is not continuing anywhere. Mr. Snyder said it is an added expense to him and it does not seem to be justified by any means unless you have a reason for it.

Chairman Bennett asked who told him that you had to put the sidewalk in. Mr. Snyder said the borough told him he had to go to the borough line and they would check with Hilltown to see if Mr. Snyder has to go to the property line. Mr. Snyder agrees that is in Dublin's ordinances and that cannot be changed. This is understandable because it is going all the way down their road. Mr. Snyder said you are not going any further up the road.

Supervisor Fox said it came before this Board and your request was for us to transfer your property to Dublin Borough. Mr. Snyder said there were two request at that time. The first one was the sidewalk and the second one was the transfer of the property. The sidewalk was put on hold until we could decide how we were going to go with the property. Mr. Snyder said he believed it was going to be taken back to Mr. Wynn.

Supervisor Fox said legally the Township has the right to require widening, sidewalks, and curbs to Hilltown standards. We could require you to do this. It is in the Land Development Subdivision Ordinance. We can require it anywhere in the Township.

Mr. Snyder said he didn't say you couldn't require it. You can require me to do just about anything on the property. He is just saying it doesn't have any purpose. It goes nowhere. It makes no difference to anyone in the Township except him because he has to pay for it.

Supervisor Fox said what happens if someday we decide to expand the village into Hilltown Township. He means the village concept and then require the people who own the property next to you when they develop it to put in sidewalks.

Mr. Snyder said everybody who buys a piece of ground in Hilltown to pay for pubic water and sewer because someday we might put it in, even though we don't know whether we are going to. But we might put it in so we will make everybody pay for it now because we have the authority to do that. My point is your saying to me to put the sidewalk in just in case. My point is you can put the sidewalk down every road. For any subdivision or any lot that sits in the middle of anywhere in Hilltown Township you can say we want sidewalks in front of it just in case we want to put sidewalks in down that

road. Its going nowhere in Hilltown Township.

Supervisor Fox said how do you know that. Supervisor Bennington asked what was to the other side of Hilltown Township. Mr. Snyder said the second property that he owns. The point that Supervisor Fox is making, whether it be right or wrong is if we do not require you do this now and the next two lots put sidewalks in then there is a hyadis between Dublin and these two properties. Supervisor Bennington said and Hilltown Township will end up putting the sidewalks in.

Mr. Snyder asked what are the chances of you to ever ask the residents to put sidewalk in. If that is the case then do you require the people who own the property at the time to do so. Right now there is no requirements for this. On that road you do not require anyone else to put sidewalk in. If you require me to put sidewalk in then you should require everyone else to do so also.

Mr. Horrocks said there is no dwelling on Hilltown Township land on that lot. Mr. Snyder said the property that is in Hilltown is forty six ft. frontage and it comes on an angle that cuts about forty ft. deep. This land does not even belong to me because of the ultimate right of way. If you want to get technical that little corner is taken out of the ultimate right of way which has to be eighty feet. None of that is usable. There is no construction on Hilltown property.

Supervisor Bennington said if you would of gotten the whole property back to Dublin they would of required sidewalk in for the whole piece of property.

Mr. Snyder said yes, but he would of had property with public water and sewer. There was also an acre of ground which could of been subdivided in the boroughs ordinances. Then he would of benefited and the improvements would not have bothered him. Right now he does not see where the improvements are justified.

Mr. Horrocks said the recommendation before was to advise Dublin Borough of your feeling. Now that you are technically waving something Mr. Horrocks thinks it should be done in a motion.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to waive the requirement for curbing and sidewalk on the piece of land owned by Mr. Snyder in Hilltown Township.

Mr. Snyder said he also needs a letter sent. Mr. Horrocks said it will be taken care of tomorrow.

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E. CHAIRMAN OF WATER AND SEWER DEPARTMENT - Mr. Scott Tagg -

Mr. Tagg read the Water and Sewer Department Report for the month of September, 1994, which is on file at the Township office.

Supervisor Bennington asked if they drop back to 350,000 gallons of water from 700,000 gallons, are they going to use that as justification for pumping in the future. What recourse do we have to fight that action in the future.

Mr. Bill Kee, engineer, of the Water and Sewer Department said they will be preparing a report for submission to the Delaware River Basin Commission. Mr. Kee does not know at this point and time what the report will say. Mr. Kee said he get back to the Board with a report when he knows more about what the report says. He thinks it is premature at this time to say they are going to ask for more water.

Supervisor Bennington said he wants it to go on record if they do say it supports 700,000 gallons of water, and that this was the wettest season on record. Then he wants to either be there or put in a petition against them pumping double what they have been pumping all along. There are too many people in that area running out of water. If in a dry season they are pumping 700,000 gallons of water as opposed to the 350,000 gallons of water they are allowed right now. This really aggravates him. Mr. Kee said we are certainly aware of it and we will be reviewing the report. Mr. Kee will let the Board know what the Hydrogeologist said about it.

Supervisor Fox asked if there were any homeowners that ran out of water or had problems. Mr. Kee said Mr. Morrows had a problem with his well.

F. DIRECTOR OF PUBLIC WORKS - Mr. Tom Buzby -

Mr. Buzby read the Public Works Report dated September 1, through Oct. 4, 1994, which is on file at the Township office.

G. POLICE CHIEF'S REPORT - Chief George C. Egly -

Chief Egly read the Police Report for the month of September, 1994, which is on file in the Township office.

Supervisor Bennington said to Chief Egly the one woman from Sterling Knoll mentioned that you can't guarantee if the police will be there all the time to monitor the basketball court. Then why can't you deputize a few of the Sterling Knoll residents who could patrol the basketball court. When the recreational facilities go in they could call you if they have a problem. Then you would have almost constant coverage.

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Chief Egly said he would be more than happy if some of the residents would join townwatch. We are sort of running out of go power. Supervisor Bennington suggested bringing it up on Thursday night at the Park and Recreating meeting. Chief Egly said it would sure help to try and generate some interest in the people who have been in townwatch for years. Supervisor Bennington said he didn't realize Sterling Knoll had so many problems. Chief Egly said they have their share of calls.

Chairman Bennett asked Chief Egly if he had discussed any benefits that he thinks the police department might get since the new crime bill passed in Washington. Chief Egly said Bucks County expects zero.

H. ZONING OFFICER'S REPORT - Mr. Warren Nace -

Mr. Nace read the Zoning Officer's Report for the month of September, 1994, which is on file at the township office.

Ms. Joan Scholl from Schwenkmill Road said this is only the second time she has been to one of these meetings and the first time she ever addressed anyone at one. In 1971 we moved to Schwenkmill Road which is a little over twenty three years ago. At that time our neighbors had two dogs and some sheep on their little plot of ground. We never said anything about this. Their sheep would come over to graze on our property. Ms. Scholl said she would complain and they would take them back until the next time. Then they got some goats. The goats would come over and graze on our property. When she complained they would come and take them back. Ms. Scholl never went to anyone about this saying we were neighbors and we will have to work this out. They also had geese. Now they have about five horses. Ms. Scholl understands that they have extended their pierce of property. What she doesn't understand is if you require a person to have more property in order to have animals then why aren't they required to use that property. That property is next to them. They are not using it. The Barn is still on the original property. It is not even three acres.

Supervisor Bennington said they fit the current ordinance for five horses, but there is nothing in the ordinance that says they have to be disbursed with one horse per acre.

Ms. Scholl said then what is the reason for having the extra ground if they do not have to use it.

Supervisor Fox said the original concept behind this was that they would have a field and another field for when they would move a horse after they were finished.

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Ms. Scholl said those horses are never put in a field. They are in this lot area which is all wooded. The lot is all dirt. Bark is off their trees. They have cut a number of trees down now. Ms. Scholl feels badly for the animals but that is neither here nor there. According to Ms. Scholl the odor comes over to our lot. There is no buffer. They keep asking for an extension on the buffer. Ms. Scholl said what is the big deal about putting a fence up. Put a fence up so she doesn't see those horses being treated the way they are treated.

Mr. Horrocks said the original zoning permit did specifically say on it the Township reserves the right to require additional bufferings at any time it may be deemed necessary to insure the public health safety and welfare.

Mr. Nace said we had an agreement with the homeowner referring back to a letter of July 19, 1994 about an ordinance.

Supervisor Bennington said he read the letter also and what struck him as odd was when Mrs. Gewertz said it seems strange if buffers are needed now, and why not three years ago. Supervisor Bennington said if she would have put the buffer in when we wanted her to then she wouldn't be getting all these extensions. Supervisor Bennington said so don't put it back on us that it wasn't required back then.

Chairman Bennett commented on the financial hardship Ms. Gewertz describes in the letter. He has had horses in the past. It cost a lot to take care of a horse. If this is the case why doesn't she get rid of the five horses.

Ms. Scholl said she is under the assumption they are boarding horses. She does not know this to be a fact.

Supervisor Fox said himself and his colleague Supervisor Bennington had just spent a couple of years on a zoning ordinance. We have gone over this and over this and no matter what we do we come to the point where we have to stop. We can't tell people that you have to keep your horses on this piece of property for one month and then move them to the next field. There is just so far that we can go. My colleague said have them put a buffer up. There is just one question, are they under the farm act. If they are under that particular farm act then we can't go after them for noise or smell. Mr. Horrocks said the farm act doesn't forgive them of it but it makes us go to Harrisburg.

Supervisor Bennington said the point is the extension ran out in September for putting the buffer up. We will have to make a motion to direct Mr. Nace, the Zoning Officer, to enforce the buffer for this property unless we find out in the interim that there is a constraint against it by Harrisburg.

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Mr. Horrocks said he will check this out in the morning. Supervisor Fox said this will make a difference.

Ms. Scholl asked if there was anyway to get lines on the road from Hilltown Pike on Upper Church Road. Mr. Horrocks said we have had some discussions about trying to improve the site at that intersection. The problem is that even though it might be a township road we have to abide by state regulations on any lines we put on the roads. We have had the opportunity to get a PennDot regulation which says we can in fact, run a broken line through an intersection following the road. We have been discussing about doing this. Ms. Scholl said there was no lines whatsoever on that road.

Mr. Horrocks said the name is not in the Agriculture Security District.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to deny any further extension passed the September extension for the Gewertz property and to enforce the buffering between the Gewertz and the Scholl property.

I. PARK AND RECREATION REPORT - Mr. Les Lombardi -

Mr. Lombardi announced their would be a meeting on Thursday October 19, 1994 at 7:30pm. and invited the Supervisor's and Chief Egly to attend.

Mr. Lombardi read the Parks and Recreation report for the month of September, 1994 which is on file in the Township office.

J. HILLTOWN FIRE CHIEF'S REPORT - Mr. Bob Grunmeier, II -

Mr. Grunmeier, II read the Hilltown Fire Department report for the month of September, 1994, which is on file in the Township office.

K. EMERGENCY MANAGEMENT COORDINATOR'S REPORT -

Mr. Grunmeier, II read the Hilltown Emergency Management report for the month of September, 1994, which is on file in the Township office.

L. RESIDENT'S COMMENTS: Mr. John Snyder commented on the discussion that took place with the Gewertz property. Mr. Snyder asked what was the possibility of looking into the Soil Conservation problem there where they have all the trees and the grass stripped off. According to what Ms. Scholl was saying that ground is bare there.

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Supervisor Fox said he thinks she was talking about the horses turning it over and it is nothing but mud. Supervisor Fox said he would almost think that if Ms. Scholl is correct and they are leasing space they would have to feed those horses or people would not keep them there and pay.

M. SUPERVISOR'S COMMENTS: Supervisor Bennington said he picked up the old zoning book and a copy of the new one with the requested things by the Solicitor. he fully intended to sit down and cross reference this himself and then decided that he could spend the next three weeks and still not have enough time to complete this before October 24, 1994. Supervisor Bennington is seeking authorization to have the Solicitor, Engineer, and Mr. Horrocks to put together some type of listing of all the major changes so Supervisor Bennington has something in front so he can at least be cognizant.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the Solicitor, Engineer, and Mr. Horrocks to put together some type of listing of all the major changes in the ordinance.

Mr. Horrocks said this hasn't happened in the worksession for a long time. Four confirmed appointments taking a good amount of time. If this should happen again Mr. Horrocks suggested it would make more sense to put confirmed appointments at a worksession after all the reports are given. The employees are basically coming out on their own time. He also knows the people are doing the same but they are coming out with an issue.

All the Supervisor's were in agreement that this was a good idea.

N. ADJOURNMENT: **Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to adjourn the October 10, 1994 Board of Supervisor's Worksession meeting at 10:20pm.**

Respectively submitted,

Barbara L. Hefner
Barbara L. Hefner
Administrative Secretary

(*These minutes were transcribed from notes and recordings taken by Mr. Bruce Horrocks, Township Manager).