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HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED WORKSESSION MEETING
Monday, April 11, 1994
7:30PM

(STUDENT PARTICIPATION DAY)

The Worksession meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:40PM and opened with the Pledge of Allegiance. In recognition of Local Government Week, Chairman Bennett introduced the following three students from local elementary schools who will be "Acting supervisors" for this evening's meeting.

- Chairman: Ryan Engle (Our Lady of Sacred Heart)
- Vice Chairman: Michael Patterson (John M. Grasse)
- Supervisor: Corinne MacIntyre (Margaret Seylar)

Mr. Engle is an eighth grade student at Our Lady of Sacred Heart School. He is the son of James and Dorothy Engle.

Mr. Patterson is a sixth grade student at John M. Grasse Elementary School. He is the son of Lucie Maggio.

Ms. MacIntyre is a sixth grade student at Margaret Seylar Elementary School. She is the daughter of Rod and Denise MacIntyre.

Chairman Bennett noted that Vice-Chairman Bennington would not be in attendance this evening, as he is traveling to Australia for a business trip. Mr. Bruce Horrocks, Township Manager, will assist the Student Supervisors in Mr. Bennington's absence.

Members present were: William H. Bennett, Jr. - Chairman
Jack C. Fox, Supervisor

Others present were: Above named "Acting Supervisors"
Bruce G. Horrocks, Township Manager
Thomas A. Buzby, Director of Public Works
Warren Nace, Zoning Officer

Chairman Engle welcomed those present to the Local Government Week Observance Meeting of the Hilltown Township Board of Supervisors.

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

1. Mr. Horrocks updated the Board concerning the building inspection services with East Rockhill Township. Though construction in Hilltown Township is slow at this time of year, Mr. Horrocks noted the arrangement with East Rockhill is working very well.

2. Mr. Horrocks advised a number of apparently organized groups have been utilizing the Township parks. Mr. Horrocks is requesting authorization to post signs at each park, stating that certain fields are unplayable at this time, and if groups wish to use the fields, permission from the Township is required.

Motion was made by Supervisor MacIntyre, seconded by Vice-Chairman Patterson, and carried unanimously to approve Mr. Horrocks request to post signs at the parks.

3. Bids for the new telecommunication system were due to be awarded this evening, however Mr. Horrocks recommends that bids be canceled and no award be given. Mr. Horrocks explained he is attempting to utilize the Centrex phone system the Township currently operates in a far more efficient way, by the reduction of approximately 20 of the 50 lines. Chairman Engle asked how much money would be saved by this proposal. Mr. Horrocks replied the cost of the new hardware was approximately \$24,000.00, which would be the initial savings. Whether or not the current system, after modification, can function sufficiently for the Township is yet to be proven.

Motion was made by Supervisor MacIntyre, seconded by Vice-Chairman Patterson, and carried unanimously to not accept bids for the new telecommunications system at this time.

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

1. Correspondence has been received from a resident of Quarry Road, thanking all those involved in the guiderail installation which recently took place on that road, and commending the Board of Supervisors on their recent decision to award Mr. Buzby, the Director of Public Works, with a monetary bonus.

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2. Correspondence was received from Jerry's Auto Body, located on Bethlehem Pike. The applicant for Jerry's Auto Body, Mr. Jerry Fish, is in the final stages of his land development plan. In lieu of planting an additional ten trees on his property, Mr. Fish would like to donate those trees for use either at the Municipal Building or at the Township park. With the Board's permission, Mr. Horrocks would like to take this request to the Park and Recreation Board for their recommendation. The Board was in agreement that this request is acceptable.

3. A letter was recently received from a person who is not a resident of Hilltown Township, stating his support of a group called Hilltown Horseways who hope to establish horseback riding and walking trails throughout the Township.

C. CONFIRMED APPOINTMENTS:

1. Mr. Larry Otter - Mr. Lawrence Otter is the attorney for Ms. Jewel Reed and the Malishaucki family, and is present this evening to discuss the Jones' Topsoil issue. When Mr. Otter last spoke to this Board, he raised the possibility that when the snow melted, the activity at the Jones' site would begin again in earnest. Mr. Otter advised that indeed did happen, at the crack of dawn on Good Friday, April 8, 1994, when Mr. Jones continued his activities which have been declared illegal by the Township Zoning Hearing Board and been affirmed by the Court of Common Pleas. The Board is aware that the matter has been appealed to the Commonwealth Court, and a hearing has been scheduled for May 10, 1994. In the meantime, Mr. Otter advised Mr. Jones has never requested a stay of the Court's order, which affirmed the findings of the Hilltown Township Zoning Hearing Board. Mr. Otter and his clients would like the Board to instruct the Township Solicitor to take appropriate action to enforce the Ordinance and stop the illegal activities at the Jones' Topsoil site.

For the record, Mr. Otter advised Ms. Reed's first name is spelled incorrectly on the agenda. The correct spelling is "Jewel".

2. Ms. Jewel Reed - Ms. Reed of 1222 Green Street has stated many times that it is "business as usual" at the Jones' Topsoil site. The original problem at this site began in 1986, and Ms. Reed has complained to the Township consistently since that time.

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Earthmoving equipment and large trucks moving in and out of the site have recently been seen by neighboring residents. At first, Ms. Reed believed it to be a clean up of the area due to the issuance of the Cease and Desist Order, however that is not so. One day last week, a large tractor-trailer with the name "Peabody" printed on the side, which has previously delivered sludge to the Jones' site, was seen entering the driveway with a full load. On many occasions, Ms. Reed has seen pickup trucks leaving the site with what appears to be steam rising from the bed of the trucks. Since regular earth does not give off steam, Ms. Reed is sure that it was either mushroom soil or sludge which was being hauled from the site. Ms. Reed asked if she and her neighbors will be forced to bear another summer of noxious odors and huge amounts of dust. Ms. Reed begged the Board to take some action to finally cease the illegal operations at the Jones' Topsoil site.

Chairman Engle asked if Ms. Reed has documented these activities, and she replied that she has documented dates and times. Chairman Bennett felt it is very important to document the illegal activities, such as the number and type of vehicles entering and leaving the site, as well as times, dates and frequency of visits.

Supervisor Fox commented Mr. and Mrs. Jones have the right to appeal, and they are presently appealing this case. Mr. Otter wished to address this issue. Supervisor Fox stated he is speaking to Ms. Reed, not to Mr. Otter. Mr. Otter noted he is Ms. Reed's attorney, and feels Supervisor Fox is raising a legal issue, which he had discussed earlier. Mr. Otter noted the Hilltown Township Zoning Hearing Board directed Mr. Jones to cease operation, and the Court of Common Pleas directed Mr. Jones to cease operation, yet Mr. Jones has appealed the decision, and a hearing will be held on May 10, 1994. The applicant has not filed or asked for a stay, and Mr. Otter feels the Board of Supervisors should enforce their Ordinance now. The way to do that is for the Board to instruct the Township Solicitor to take appropriate action, which is the reason for Mr. Otter's and Ms. Reed's appearance this evening.

Before this case is heard by the Commonwealth Court, Supervisor Fox commented documentation will be required. Supervisor Fox suggested the neighboring residents supply a month or two of documentation of the trucks, their license plate numbers, and where they come from, and then the Supervisors will speak to the Solicitor.

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Mr. Otter stated this problem has been occurring since 1986, and the Hilltown Township Zoning Hearing Board ordered operations to cease last year, and the Court of Common Pleas ordered operations to cease last year. The neighboring residents of the Jones' Topsoil site implore the Board of Supervisors to enforce those Cease and Desist Orders now. Mr. Otter will supply the witnesses and the documentation upon request, however the neighboring property owners want an enforcement action now. Supervisor Fox stated the Board will take this matter under consideration.

Chairman Bennett commented he has been a member of the Board of Supervisors since 1988 and does not recall this matter coming to the Board's attention until approximately one year ago. Ms. Reed stated she had complained to the Township in 1986. Chairman Bennett replied that may be true, however it was not an issue actually before the Board of Supervisors until recently. Mr. Otter noted the appropriate forum in this matter was the Zoning Hearing Board, which is where it started, however prior to that, there had been complaints filed at the Township building. Further, Mr. Otter advised those complaints can be traced back to 1986, and the record of the Hilltown Township Zoning Hearing Board reflects that, as does the opinion of Judge Biester and the Court of Common Pleas. Mr. Otter explained the matter came to a head last year, and asked what more the affected neighboring residents can do. Chairman Bennett stated the Board will contact the Township Solicitor tomorrow morning. Mr. Otter thanked the Board, and advised he will be available to assist the Township Solicitor in any way he can.

Mr. Horrocks commented the Township Solicitor is looking forward to getting documentation of truck traffic, license plate numbers, dates, times, etc. that the Township can use to enforce the contempt citations at the Court of Common Pleas, which the Township does have available to it at this time. However, in the Township Solicitor's opinion, it will be extremely difficult without substantiating evidence. Mr. Horrocks advised the Township Solicitor would like Ms. Reed and other property owners to supply documentation to the Township, so that we can all work together on this matter. Mr. Otter stated this is the first time that information has been requested. That documentation is available and will be supplied to the Township.

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D. DIRECTOR OF PUBLIC WORKS REPORT - Mr. Thomas Buzby - Mr. Buzby read the Public Works Report, dated March 6, 1994 through April 2, 1994, which is on file at the Township office.

Mr. Buzby advised the Township recently took delivery of salt which was ordered on January 4, 1994, and will be placed in inventory for possible use this coming November and December. Chairman Engle asked how much the salt was purchased for. Mr. Buzby replied it was delivered at the quoted price of \$34.00 per ton.

At this time, Mr. Buzby is presently looking into a street sweeping project. He has contacted two different contractors on their prices, with one charging \$80.00 per hour, and one charging \$70.00 per hour. The Township is responsible for sweeping all developments with curbing and all streets with curbing, due to the fact that the Township ran out of salt. Mr. Buzby recommended that Blooming Glen Contractors be hired to do the street sweeping, at a price of \$70.00 per hour. Mr. Buzby believes the project will take approximately 4 days to complete. Chairman Bennett asked if any of the material swept up can be re-used. Mr. Buzby replied some of the material, though not all, can be re-used. Supervisor Fox asked if Mr. Buzby can see a place in the budget where these funds can be obtained from. Mr. Buzby replied the funds can be taken from monies designated for "contracted services". Chairman Engle asked if all the potholes have been patched. Mr. Buzby replied potholes are patched, however there are three roadways which will require major reconstruction. The Public Works Department has begun digging out soft spots on what they consider high volume traffic roadways. Mr. Buzby believes it will take approximately two weeks of work on the three roadways, including West Creamery Road, Fretz Road, and Mill Road.

Chairman Engle asked how Mr. Buzby intends to repair West Creamery Road, in front of the Township Building. Mr. Buzby replied heavy equipment will be brought in, weather permitting, and the road will then be graded down, structural fabric will be placed, a couple of inches of modified will be placed, and then a binder course will be placed on top.

Chairman Engle asked Mr. Horrocks if he is still expecting to receive funds for snow removal from the State. Mr. Horrocks replied he is hopeful to obtain some funding from the State, though he does not know when or how much.

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E. POLICE CHIEF'S REPORT - Mr. Horrocks advised Chief Egly is on vacation. The Police Report was to have been given by Lt. Det. Trauger, who is not present at this time. Mr. Horrocks suggested coming back to the Police Chief's Report when Lt. Det. Trauger arrives.

F. ZONING OFFICER'S REPORT - Mr. Warren Nace, Zoning Officer - Mr. Nace read the Zoning Report for the month of March, 1994, which is on file at the Township Office.

G. HILLTOWN FIRE CHIEF'S REPORT - Mr. Grunmeier is responding to a fire call and is not present at this time.

H. EMERGENCY MANAGEMENT COORDINATOR'S REPORT - Currently, Mr. Horrocks explained, Mr. Grunmeier also holds the position of Emergency Management Coordinator, however if the Board so desires, they may appoint a new Emergency Management Coordinator this evening. Four candidates were interviewed for this position during the past month, and the Board selected Mr. William Devlin, Sr. to fill that position. Chairman Engle commented all four candidates had excellent qualifications for this position, and it was a difficult decision for the Board to make.

Motion was made by Supervisor MacIntyre, seconded by Vice-Chairman Patterson, and carried unanimously to appoint Mr. William Devlin, Sr. to the position of Hilltown Township Emergency Management Coordinator.

I. RESIDENT'S COMMENTS: None.

J. SUPERVISOR'S COMMENTS: None.

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

L. HILLTOWN FIRE CHIEF'S REPORT - Mr. Robert Grunmeier, II - Mr. Grunmeier apologized for being late, stating he was on an emergency call. Mr. Grunmeier read the Hilltown Fire Department report for the month of March, 1994, which is on file at the Township Office.

Mr. Grunmeier advised the Spill and Leak Control Class which was held this past Saturday was a complete success. On behalf of the Hilltown Fire Department, Mr. Grunmeier thanked the Township and Mr. Buzby, for use of the Public Works garage to hold the class.

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Completion of this course means that Hilltown Fire Department is now at operations level for Haz-Mat. Mr. Grunmeier explained the municipality determines which level the fire departments should be at. Originally, Hilltown Township wanted every department to be at awareness level, however since the Hilltown Fire Department covers portions of New Britain Township, that municipality requested them to escalate to the operations level. Mr. Grunmeier feels this will also be beneficial to Hilltown Township.

Mr. Grunmeier stated tentative delivery of the refurbished truck is scheduled for May 15, 1994. The Hilltown Fire Department is pleased with this purchase, and feel it will be an excellent addition to the existing equipment at their disposal. Supervisor Fox asked if Mr. Grunmeier has seen the new truck. Mr. Grunmeier replied the truck is being refurbished, since the department can not afford to purchase new vehicles. This particular model, when purchased new, would cost approximately \$400,000.00 to \$450,000.00. Therefore, the Hilltown Fire Department purchased an older vehicle, and had it refurbished with a new engine and new transmission, as well as a certified pump. Mr. Grunmeier noted this is an aerial piece, which is an elevated masterstream, that has been repainted and certified. The cost of this vehicle will be approximately \$110,000.00, which is certainly a substantial savings over the new purchase price.

The Hilltown Fire Department Golf Outing will be held on Saturday, June 4, 1994. Those interested in attending should contact any member of the Hilltown Fire Department.

Mr. Grunmeier noted the Emergency Management Team was called upon to investigate a possible spill. Mr. Grunmeier submitted the report to the Board, though the investigation is not quite complete at this time. A possible leak was detected from an underground fuel oil tank. Mr. Grunmeier stated there was a slight problem with the paging system, however he contacted Lt. Det. Trauger today, who assured him Bucks County Communications would be notified.

Mr. Grunmeier suggested that the Emergency Management Team's existence somehow be brought to the public's attention. Apparently, the resident who reported this incident initially contacted Federal agencies, who did not respond for approximately 4 1/2 days. This resident was not aware that Hilltown Township's Emergency Manage-

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ment Team even existed, and was very impressed with their three hour response time once they were notified. Chairman Bennett suggested mention be made of the Emergency Management Team in the next publication of the Township newsletter.

Chairman Engle thanked Mr. Grunmeier for his excellent work during the past few years as the Emergency Management Coordinator. Supervisor MacIntyre and Vice-Chairman Patterson also thanked Mr. Grunmeier for his report.

M. ADJOURNMENT: Upon motion by Supervisor MacIntyre, seconded by Vice-Chairman Patterson, and carried unanimously, the April 11, 1994 Board of Supervisors Worksession Meeting was adjourned at 8:24PM.

Respectfully submitted,

Lynda Seimes

Lynda Seimes
Township Secretary

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