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**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED PUBLIC MEETING  
Monday, January 24, 1994  
7:30PM**

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:55PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman  
Jack C. Fox, Supervisor  
Bruce G. Horrocks, Township Manager  
John Rice, Township Solicitor  
C. Robert Wynn, Township Engineer  
George C. Egly, Chief of Police

Chairman Bennett apologized for beginning the meeting late, and explained the Board of Supervisors had some serious legal matters to discuss in the Executive Session prior to this meeting.

A. APPROVAL OF MINUTES: Action on the minutes of the December 27, 1993 Board of Supervisors Meeting:

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the December 27, 1993 Board of Supervisors meeting, as written.

Action on the minutes of the January 3, 1994 Board of Supervisors Reorganization Meeting:

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the January 3, 1994 Board of Supervisors Reorganization meeting, as written.

B. APPROVAL OF CURRENT BILLING: Chairman Bennett presented the Bills List dated January 7, 1994 which includes \$27,361.86 of General Fund payments, and \$1,492.92 of State Highway Aid payments, for a grand total of \$28,854.78. Chairman Bennett questioned the two payments to Cole Publications in the amount of \$189.50 each for subscriptions. Chief Egly replied those publications are telephone and street address cross references utilized by the Police Department. One publication includes Bucks County and one publication includes East Montgomery County. Chairman Bennett also questioned the large number of subscriptions and memberships, and asked whether they are necessary. Chief Egly explained he has cut back on subscriptions to only those that are necessary. Chairman Bennett questioned the bill for bulletproof vests in the amount of \$1,400.00. Chief Egly replied bulletproof vests have a five year life span, at which time they must be replaced.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated

January 7, 1994, subject to audit.

C. TREASURER'S REPORT - Mr. Bruce G. Horrocks, Township Manager -  
Mr. Horrocks presented the Treasurer's Report with the following  
balances as of January 21, 1994:

General Fund Checking	\$ 121,737.61
Payroll Checking Account	\$ 242.45
Fire Fund Checking	\$ 73,079.91
Debt Service Investment Checking	\$ 13,191.00
State Highway Aid Checking	\$ 63,725.03
Escrow Fund Checking	\$ 182,639.34

Mr. Horrocks explained receipts for the first 21 days of January  
in the General Fund show \$178,304.00, with \$150,000.00 of that  
amount from the Tax Anticipation Note.

Motion was made by Supervisor Fox, seconded by Supervisor  
Bennington, and carried unanimously to approve the Treasurer's  
Report dated January 21, 1994, subject to audit.

D. RESIDENT'S COMMENTS ON CONFIRMED APPOINTMENTS ONLY: None.

E. CONFIRMED APPOINTMENTS:

1. Mrs. Helen Berdell - Street Name Change Request - Mrs.  
Berdell thanked the Board for allowing her to plead her case for  
re-naming of the new entrance road to Pleasant Meadows. When Mrs.  
Berdell was before the Board previously, Chairman Bennett had asked  
her how she thought the residents of the existing Steeplebush Drive  
might feel about a name change to their street. Mrs. Berdell  
believes that if the residents of Steeplebush Drive knew the  
positive reasoning behind the name change of their street, they  
would not be opposed. In recent years, there has been a great deal  
of renewed interest in people tracing their family tree and seeking  
more information about their history. Mrs. Berdell feels the  
residents of Steeplebush Drive might be happy to learn a bit more  
about the history of the land they presently live on and would be  
understanding of the street name change. Mrs. Berdell presented  
the Board with a brief document outlining the history of the area  
of the Pleasant Meadows development.

Supervisor Fox feels Mrs. Berdell's suggestion is a fine one,  
however he believes there are other complications involved besides  
what the residents of Steeplebush Drive might think of the change.  
There is a post office involved, and the Township also has a Master  
Plan, showing that street named as Steeplebush Drive. Therefore,  
if the street name was changed, the Master Plan map, which was  
approved within the last 1 1/2 years, would have to be changed.  
When Mrs. Berdell was before the Board previously, Supervisor Fox

suggested naming the new bridge in Pleasant Meadows the "Oscar Schmidt Bridge", after her father. If this suggestion was used, Supervisor Fox feels it would not cause any problems for the residents of Steeplebush Drive or the Township, with regards to their Master Plan. As an amateur historian, Supervisor Fox understands the reasoning for Mrs. Berdell's proposal, however he feels it would be too much of an inconvenience for the residents of Steeplebush Drive, as well as for the Township.

Mrs. Berdell appreciates Supervisor Fox's suggestion and stated she would be happy with naming the Pleasant Meadows bridge after her father, however it would certainly be her first choice to name the entrance to the Pleasant Meadows development after her father. Mrs. Berdell does not feel that changing the name of Steeplebush Drive would be that difficult, since in the 40 years she has lived in her home, her own address was changed four times.

Supervisor Bennington totally agrees with Supervisor Fox and feels the suggestion of naming the Pleasant Meadows bridge the "Oscar Schmidt Bridge" is a fair offer. Chairman Bennett commented the Township has experienced difficulties in asking residents to change just their house number, let alone the street name. For that reason, Chairman Bennett agrees with his fellow Supervisors and asked Mrs. Berdell to consider Supervisor Fox's suggestion to name the Pleasant Meadows development bridge the "Oscar Schmidt Bridge".

Mrs. Berdell asked if there is a possibility that just the entrance to Steeplebush Drive, before the residences begin, could be named "Schmidt Lane". Mr. Wynn noted there are three dwellings before the first intersection on Steeplebush Drive. Chairman Bennett felt that doing as Mrs. Berdell suggested would create serious problems for the police department, the fire department and the Bucks County Radio Room, which must be taken into consideration before a decision is made.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to **adopt Resolution #94-10, naming the Pleasant Meadows bridge which connects with Hillcrest Road, the "Oscar Schmidt Bridge"**.

Mrs. Berdell thanked the Board of Supervisors for their time.

F. MANAGER'S REPORT - Mr. Bruce G. Horrocks -

1. The Township has received three resumes for the position of Emergency Management Coordinator for 1994, and Mr. Horrocks is expecting two more resumes by the end of this week. Once all five have been received, the Board will review them and schedule interviews in order to make an appointment to the position of Emergency Management Coordinator. Mr. Horrocks noted the

reappointment of Mr. Robert Grunmeier, II to the position of Emergency Management Coordinator was temporary, until a replacement could be found.

2. Notification was received from the Township Engineer advising that the last underground storage tank was removed and the closure report was sent to DER for review.

3. Mr. Horrocks presented the following eight Escrow Releases for the Board's approval, all but two being Letters of Credit:

Country Roads, Phase I	Voucher #26	\$ 575.45
Blockbuster Video	Voucher #02	\$ 552.95
Deerfield	Voucher #2A	\$ 110.95
Jerry's Auto Body	Voucher #02	\$ 361.10
Off-the-Wall	Voucher #06	\$ 52.35
Our Lady of Sacred Heart	Voucher #04	\$ 133.05
Pleasant Meadows III	Voucher #34	\$ 878.05
Tel-Vil Corporation	Voucher #02	\$ 1,001.45

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to release the eight Escrows as listed above.

4. Mr. Horrocks requested a motion to authorize a lease with Mrs. Alice Kachline, Tax Collector, for the exclusive use of the office in the rear of the municipal building lobby as tax office of the Hilltown Township Tax Collector.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize a lease with Mrs. Alice Kachline, Tax Collector, for the use of the office in the municipal building lobby as tax office of the Hilltown Township Tax Collector.

5. On January 12, 1994, Mr. Horrocks attended a meeting at Perkasio Borough dealing with Earned Income Tax and Berkheimer Associates. Six of the eight municipalities in the Penridge School District were in attendance, though Bedminster Township and West Rockhill Township were not. The municipalities learned that the Penridge School District has given written notice of cancellation to Berkheimer Associates, effective June 30, 1994. The six municipalities who attended the meeting all expressed their desire to remain with Berkheimer Associates. Following this meeting, an authorized representative of Berkheimer Associates advised a lower commission rate of 2.55% has been offered to all six municipalities. Berkheimer is currently offering a 10 year agreement with the eight municipalities, and if all eight agree, the percentage will drop to 2.5%, and with lesser percentages for

any increase over what would be considered a "base amount".

Supervisor Bennington feels there might be a problem if Pennridge School District contracts with a different collector than the municipalities, and asked why the municipalities didn't opt to investigate alternatives rather than immediately decide to remain with Berkheimer. Mr. Horrocks agreed there will be difficulties with having two different collectors. To every employer there will be two checks and two forms completed quarterly to be forwarded to the collector, one for the school district and one for the municipality. Also, on April 15th of each year, there will be two forms completed by each taxpayer for earned income, one to Berkheimer and one to the other selected collector. At the time, Mr. Horrocks stated, the municipalities were unsure of the school district's motives, if it was in fact to leave Berkheimer or if it was to produce a more efficient collection fee. Supervisor Bennington felt it was obvious that the school district had intended to leave Berkheimer. Mr. Horrocks noted the municipalities avoided all emotional and political connections with the matter, and the municipalities were quite satisfied with Berkheimer's services in the past. Supervisor Bennington suggested the school district may obtain a better percentage rate with another collector than they had with Berkheimer. Chairman Bennett stated the school district announced they were terminating the contract with Berkheimer Associates without notifying any of the eight municipalities. It was obvious to Chairman Bennett, several months ago when the controversial issue arose, that the school district was harboring ill feelings towards Berkheimer Associates because there appeared to be a "leak" from the Berkheimer organization disclosing salaries of members of the school board.

Mr. Horrocks noted none of the municipalities have yet signed a new contract with Berkheimer or any other collector. The municipalities indicated their desire to obtain reduced collection percentages from Berkheimer, however they did not say they would not consider bids from other collectors. Mr. Horrocks explained if a person is employed in one of the municipalities within a school district using Berkheimer as their collection agent, that money transfers to the school district and the municipality within 24 hours from when it is collected. If cross collection takes place due to two different collectors, it may take up to 90 days before money transfers. Mr. Horrocks advised none of the municipalities are looking forward to that lag in time to receive funds. The municipalities did not commit to anything, however they did advise Berkheimer that they would prefer not transferring to another collector, asking them to supply their best offer to both the municipalities and the school district.

For the benefit of the residents present, Chairman Bennett explained Hilltown Township paid Berkheimer \$25,000.00 last year to collect approximately \$900,000.00 worth of Earned Income Tax, which, as he stated earlier, is at least 40%-43% of the Township's total income. What Mr. Horrocks is stating is that Berkheimer has offered to save the Township approximately \$3,000.00 per year, at current rates, despite the fact that they would only be collecting half as much money as they did previously from the entire Pennridge School District. Personally, Chairman Bennett believes this is a reasonable offer, however he would like to know more about the school board's decision. It appears that the school board's decision is a vendetta against Berkheimer because their salaries were disclosed to the public. Chairman Bennett feels it was a mistake for the school board not to consult with the eight municipalities involved before reaching their decision. Chairman Bennett stated the wage tax consists of 1% of an individual's earned income, and the school district gets one half of that amount, with Hilltown Township getting the other half. Therefore, if Hilltown Township collected \$900,000.00 last year, the Pennridge School District collected an equal amount just from Hilltown Township.

6. Mr. Horrocks presented a resolution for the Board's adoption with regards to Liquid Fuel County Aid. The Township has the option of applying for 100% of the \$2088.00 amount, which takes a bit longer to be distributed, as opposed to the option of accepting "No Strings Funding" in the amount of \$1879.00, which would be distributed much quicker. Mr. Buzby and Mr. Horrocks recommended that the Township should apply for complete 100% funding, as has been done in the past.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #94-11, seeking County Aid for Liquid Fuel Funding in the amount of \$2,088.00.**

7. Mr. Horrocks presented Resolution #94-12, the Hilltown Township Personnel Policies Manual, which has been reviewed by the Township Solicitor. A recent change in the Errors and Omissions insurance carrier has prompted the adoption of this policy manual. Supervisor Fox asked if there have been any major changes in personnel policy for Township employees. Mr. Horrocks replied there were major identifications made because previously, there was nothing in writing dealing with such issues as identifying employment-at-will for unprotected employees, non-discrimination matters, and sexual harassment. The new policy also deals with all elected and appointed officials to include those items that would apply to them. Supervisor Bennington requested the vote be tabled since Chairman Bennett has not had the opportunity to thoroughly review the document. Mr. Horrocks advised the matter may not be tabled because there is a deadline to be met. Supervisor Bennington

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asked Mr. Horrocks to briefly review any major differences for the Board.

Mr. Horrocks explained the following:

- Definition of "Employment-at-Will" - all employees, people paid by the Township, if they are not covered under negotiated, written employment agreements, or are subject to a collective bargaining agreement, are employed at the will of the Township, and at any time, may be let go. Mr. Horrocks advised this is one major statement that has never been made before in writing.

- Certain areas of personnel conduct have been identified - such as the use of profane or abusive language, insubordination, assault, theft, gambling, bribery, falsifying records, etc. This is not necessarily a change in policy, however it has never been identified in writing.

- One thing that has not been previously identified in writing is a sexual harassment policy. This policy has been addressed through the Township Solicitor's office, is current, and deals with all employees, board appointees, and elected officials.

Basically, Mr. Horrocks advised, these are the three issues which have never been addressed in print before this time.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #94-12, adopting the Hilltown Township Personnel Policies Manual.**

8. Mr. Horrocks presented Resolution #94-13, adopting the Hilltown Township Personnel Benefits Manual, applying to those employees that are not protected by a collective bargaining agreement or a negotiated written employment contract. There are no changes to these benefits that were previously in use, other than increasing life insurance from \$20,000.00 to \$50,000.00.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #94-13, adopting the Hilltown Township Personnel Benefits Manual.**

9. The Board has received a proposal for a new telephone system for the Township. Mr. Horrocks is seeking authorization to go out on bid for this proposal. There are two ways the purchase price of the equipment could be funded, with one being the utilization of funds from the Bond Issue, and the other being a five year lease/purchase agreement. Since on April 1, 1994, the Township could be operating with a far more efficient telephone system at a significant cost savings per year, Mr. Horrocks would

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like to have the proposal go out on bid in February. Chairman Bennett asked how many bids Mr. Horrocks expects to receive. Aside from AT&T and Bell Atlantic, Mr. Horrocks believes there would be other private firms who might offer the necessary equipment and lines.

Supervisor Bennington stated the cost of the telephone system currently owned by the Township is \$16,043.00 and asked what will be done with the present system. Mr. Horrocks replied there is no re-sale value of those existing telephones, and explained there is no actual phone system. The Township purchased Centrex Lines, which are actually Bell Telephone "intelligent lines", and each phone has it's own "intelligent line" that the Township pays for monthly, including the line itself and service charges. The present phone equipment would not function under a current state-of-the-art, technologically advanced telephone system, which allows the flexibility of doing other things. Supervisor Bennington is concerned that a great deal of money will be spent on a new, state-of-the-art phone system, yet in a few years, the Township will be stuck with \$25,000.00 worth of outdated phone equipment. If the new phones deal more efficiently with the needs of the Township now, Mr. Horrocks believes they should also deal more efficiently with the needs of the Township in the future. Mr. Horrocks was not employed by Hilltown Township when the present phone system was installed, and he finds it difficult to believe that they ever worked efficiently from the very beginning. Chairman Bennett asked if Bell of Pennsylvania sold the Township "a bill of goods". Chief Egly believes that they did, pointing out that he was totally opposed to the purchase of this phone equipment, which still does not function properly. Chairman Bennett would like to be reassured that we will be purchasing phone equipment that will last for at least ten years.

The proposed phone system and equipment Mr. Horrocks is interested in includes ten lines, voice mail for each employee, an automated attendant if no one is available at the switchboard, and the ease of call pick-up. With this proposed system, Chairman Bennett noted the phone line savings are estimated to be \$7,600.00 per year. In the memo Mr. Horrocks has presented to the Board, there are two options. If the Board authorizes the acceptance of the bid, and if the Board authorizes the payment for hardware from the Bond Issue, after five years the Township will have saved \$12,800.00. During the first year with the new equipment, the Township will save \$7,500.00.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to authorize the Township Manager to advertise bids for a new phone system for the Municipal Building. Supervisor Bennington agreed to second the motion, however he would like to have a representative of the firm



who is awarded the bid explain the system to the Board of Supervisors.

10. Mr. Horrocks is seeking the Board's authorization to advertise for bids for one marked police vehicle, which has been approved in the budget.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the Township Manager to advertise bids for one marked police vehicle.

11. Mr. Horrocks requested the Board's permission to attend two DCA seminars, one regarding Worker's Compensation for Volunteer Fire Companies at a cost of \$20.00 and one regarding Grant Writing for Municipalities at a cost of \$30.00.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to authorize Mr. Horrocks to attend the two DCA seminars as specified above.

12. Pending written opinions from the certified public accountants contracted by the Township, and from the Pennsylvania Association of Township Supervisors, Mr. Horrocks requested the Board allow him to utilize the administrative vehicle, at least for the month of February, during business hours for business purposes and also to and from his home and the Township building.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to allow the Township Manager to utilize the administrative vehicle, as specified above.

13. Mr. Horrocks presented two lineins for signature following this meeting:  
a. Wietecha Subdivision  
b. Bricks Villa Phase I

14. Mr. Horrocks advised since January 4, 1994, the Public Works Department has worked 478 hours overtime during a 14 day period. This averages to over 34 hours per day for 14 days, or 95.6 hours per employee for the same time period. This is an average of 6.8 hours per employee per day, and the cost to the Township was \$10,052.00. Mr. Horrocks noted the budgeted overtime for the Public Works Department for 1994 was \$10,000.00. If you include the \$769.00 of FICA the Township contributed, which raises it to \$10,821.00, we have now exceeded the 1994 overtime budget for the Public Works Department by \$821.00.

Also, Mr. Horrocks pointed out that Mr. Buzby has worked a combination of 103 hours overtime and 24 hours at regular pay for Saturday/Sunday time since January 3, 1994. Mr. Horrocks noted that since Mr. Buzby is salaried, all that time is uncompensated.

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Further, the budget for meal allowance for 1994 was \$300.00. The meal allowance paid to the Public Works Department employees so far this year is \$444.00.

As far as the amount spent on salt, cinders and stone, Mr. Horrocks does not have an accurate dollar figure at this time. The Public Works Department has used at least 210 tons of salt alone since January 4, 1994. The account of salt/cinders/stone is, at the very least, \$4,000.00 over budget. Repairs to equipment and to plows, as well as fees for contracted services, is also over budget, though Mr. Horrocks does not have figures on that because the invoices have not yet been received.

Mr. Horrocks thanked Mr. Buzby and the entire Public Works Department for the incredible work they have done under difficult circumstances so far this year.

Supervisor Bennington asked if the Township will have enough salt to handle the additional storms which have been predicted to occur this week. Mr. Horrocks replied a load of salt was delivered this evening.

The Board of Supervisors commended Mr. Buzby for the fine work he has done recently and stated they believe Mr. Buzby is one of the best Directors of Public Works in Bucks County.

G. CORRESPONDENCE - Mr. Bruce G. Horrocks -

1. Follow-up correspondence has been received from Telford Borough Authority to the owners of the Souderton Square Shopping Center. Telford Borough Authority has experienced a grease trap problem in eating establishments within that shopping center since July, 1993. This is a B.O.C.A. Maintenance Code potential violation, and Mr. Horrocks would like to involve the Township, from a B.O.C.A. standpoint, in order to help Telford Borough Authority resolve the situation with the owner of the Souderton Square Shopping Center. The Board was in agreement that Mr. Horrocks should follow-up on the matter.

2. Mr. Horrocks presented correspondence received from Judith Kulp, secretary of Bedminster Township, including the annual billing for maintenance of the traffic light at Routes 113 and 313, and a cover letter requesting Hilltown Township to consider carrying insurance coverage on the traffic light, at a combined cost of \$450.00 per year. Since Hilltown Township shares the cost of that traffic light with Bedminster Township, the cost to Hilltown Township would be an additional \$225.00 per year. Mr. Horrocks noted the insurance coverage would include compensation for natural disasters, such as lightning strikes, as well damage caused by non-apprehended vehicles.

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Supervisor Bennington asked if the Township insures any of the other traffic lights it is responsible for, and Mr. Horrocks replied that it does not.

The Board of Supervisors were in agreement to deny the request from Bedminster Township to share in insurance coverage costs for the traffic light at Rt. 113 and Rt. 313.

H. SOLICITOR'S REPORT - Mr. John Rice, Township Solicitor's Office -

1. Solicitor Rice presented Resolution #94-14, accepting an easement relating to improvements that were completed by the Hilltown Baptist Church for a right-of-way along Upper Church Road.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #94-14, accepting an easement relating to improvements that were completed by the Hilltown Baptist Church for a right-of-way along Upper Church Road.**

2. Solicitor Rice presented Resolution #94-15, relating to the Wietecha Subdivision for right-of-way along Mill Road.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #94-15, accepting the right-of-way along Mill Road for the Wietecha Subdivision.**

Further relating to the Wietecha Subdivision, Solicitor Rice presented a check establishing a cash escrow account with Joseph and Patricia Wietecha for the improvements and the maintenance period.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve the establishment of the cash escrow account for the Wietecha Subdivision.

3. Solicitor Rice presented Resolution #94-16 for the Board's approval this evening, which relates to the Oak Drive/Hickory Street/Central Avenue area and the issue of installation of public sewer. Solicitor Rice explained this is an area within Telford Borough Authority's jurisdiction in Hilltown Township, and there are approximately 25 properties in that area that have been identified by Bucks County Department of Health as containing failing septic systems. Solicitor Rice believes the Bucks County Board of Health has initiated some enforcement actions against some of those properties. Telford Borough Authority is seeking a Resolution from Hilltown Township authorizing the design of the system in order for them to extend their public sewer system to those 25 parcels.

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Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #94-16, authorizing Telford Borough Authority to initiate the design of the sewer system, to initiate construction services, and to appoint Telford Borough Authority as contractor for the start of that design project in the Oak Drive/Hickory Street/Central Avenue area of Hilltown Township.**

4. Solicitor Rice advised there was a recent Zoning Hearing Board decision concerning a proposed billboard by Adams Outdoor Advertising, which was denied by the Zoning Hearing Board. The applicant, Adams Outdoor Advertising, has appealed that denial. Solicitor Rice received the land use appeal this week, and if the Board wishes him to defend the Zoning Hearing Board decision, Solicitor Rice seeks Board authorization to do so.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the Township Solicitor to defend the decision of the Zoning Hearing Board concerning the Adams Outdoor Advertising appeal.

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

1. Schade Tract Subdivision - Mr. Wynn stated the Schade Tract Subdivision is located on the corner of Rickert Road and Green Street. This plan is subject to a development plan security agreement executed between Marilyn G. Schade and the Township, dated December 31, 1990, though it has been extended several times since then. The agreement guarantees certain public improvements, including landscaping, property corners, street trees, relocation of utility poles, and driveway entrances. In August, 1993, the purchaser of two of the lots was before this Board to discuss the possibility of splitting the escrow into two escrows, one of which he would finance and guarantee to be completed at the time houses were built on his two lots. The other improvements would still be covered by the Schade escrow, and it was thought that those improvements would be completed by the termination of the current letter of credit, which is January 30, 1994. The improvements have not been accomplished, however, on any of the lots.

As previously stated, the current letter of credit expires January 30, 1994, unless default is declared by the Township and presented on site in Philadelphia. Since correspondence sent to the current owner and to the purchaser of the two lots has been ignored, Mr. Wynn recommends the Township default the letter of credit and that the presentation be made at Meridian Bank in Philadelphia by the expiration date of January 30, 1994.

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Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to default the letter of credit for the Schade Tract Subdivision as of January 30, 1994, unless an extension letter of credit is submitted by January 30, 1994.

2. Tel-Vil Corporation Subdivision - Mr. Wynn presented the Tel-Vil Corporation Subdivision landscaping plan. The site is located on Cherry Lane and Cherry Road. Lot #4 contains a number of buffer plantings shown to be installed along the property line. Mr. Wynn advised there is a tree row of deciduous trees along the property line, and in front of that, on Lot #4, a number of evergreen trees, plus 11 deciduous trees, were to be placed.

Mr. Bryan Hunsberger of Tel-Vil Corporation has requested the Township consider allowing them to not install the 11 deciduous trees on that lot, due to the existing trees. Instead, the applicant would like to install 22 evergreens to increase the buffer and attempt to seclude the Archie's Pizza warehouse which is located on the corner of Cherry Lane and Cherry Road.

Supervisor Fox suggested the proposal be reviewed by the Planning Commission first, and the Board agreed.

3. Our Lady of Sacred Heart - Mr. Wynn noted Our Lady of Sacred Heart Church as-built plans were received and are satisfactory. All the public improvements have been accomplished, with the exception of installation of approximately 6 shrubs and small trees. The applicant has deposited cash in a bank held account, and at this point, Mr. Wynn recommends that be reduced to 10% maintenance, with the understanding that the remaining landscaping be installed in the spring.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to reduce the maintenance to 10% for Our Lady of Sacred Heart Church.

4. Country Roads - Mr. Wynn presented a plan showing Phase II of the Country Roads development, which will be submitted to the Township within the next week. Behind the double row of units is a 20 ft. wide easement for drainage purposes. Apparently, in the process of selling the lots, the applicant noticed there is no way to get behind the units, except through the units themselves. Since there is currently a 20 ft. wide drainage easement, the developer is proposing to make that an access easement. Supervisor Fox asked who will maintain the access easement. Mr. Wynn replied the access area is to be maintained, in lawn, by the individual lot owners. If the Board favors the proposal of allowing the drainage easement to become an access easement, Mr. Wynn believes it should be restricted to prohibit motor vehicle travel.

Supervisor Bennington is inclined to agree to the access easement, however he believes there should be some restrictions on it's use. Chairman Bennett suggested that concrete pillars be added at both ends of the easement, which would hamper vehicle use of the access easement, and the Board was in agreement.

Supervisor Bennington asked when the new bridge on Telegraph Road will be installed. Mr. Wynn replied it will take place before Phase III of the Country Roads development is completed, because it must be escrowed with Phase III.

5. Mr. Horrocks requested Board authorization for the Township Solicitor to prepare legal descriptions for construction easements and permanent easements at the Oak Drive/Hickory Street/Central Avenue sewer area.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the Township Solicitor to prepare legal descriptions for construction easements and permanent easements at the Oak Drive/Hickory Street/Central Avenue sewer area.

J. RESIDENT'S COMMENTS:

1. Mr. John Gillespie asked if Mr. Horrocks has been able to determine the weight limit on the new Oscar Schmidt Bridge, about which Mr. Bill Gardner inquired at the December 27, 1993 Board of Supervisors meeting. Mr. Horrocks replied there is no weight limit for that bridge, and he has informed Mr. Gardner of that.

K. SUPERVISOR'S COMMENTS:

1. Supervisor Fox praised the Public Works Department, the Police Department, and the local volunteer fire departments for the outstanding job they have been doing in such difficult weather situations. Supervisor Bennington agreed, stating he has heard from several people that Hilltown Township roadways are the best around. Chairman Bennett was in agreement with his fellow supervisors.

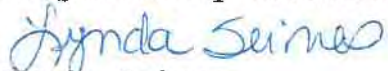
L. PRESS CONFERENCE: A conference was held to answer questions of those reporters present.

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Board of Supervisors  
January 24, 1994

M. ADJOURNMENT: Upon motion by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously, the January 24, 1994 Board of Supervisors meeting was adjourned at 9:35PM.

Respectfully submitted,



Lynda Seimes

Township Secretary

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