

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED PUBLIC MEETING
Monday, January 25, 1993
7:30PM

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:35PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman
Jack C. Fox, Supervisor
Bruce G. Horrocks, Township Manager
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
George C. Egly, Chief of Police
Lynda Seimes, Township Secretary

Chairman Bennett announced the Supervisors met in Executive Session with the Township Solicitor prior to this meeting to discuss legal matters.

A. APPROVAL OF MINUTES: Action on the minutes of the December 28, 1992 Board of Supervisor's meeting:

Supervisor Fox noted a correction on page 10, which should read "The Planning Commission did endorse a waiver of curbing and widening along Callowhill Road".

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the December 28, 1992 Board of Supervisors meeting, as corrected.

Action on the minutes of the January 4, 1993 Board of Supervisor's Reorganization meeting:

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the January 4, 1993 Board of Supervisor's Reorganization meeting as written.

B. APPROVAL OF CURRENT BILLING: Chairman Bennett presented the Bill's List for the period ending January 22, 1993. The total of regular payments is \$30,361.25, with State Highway Aid payments in the amount of \$3,833.15, for a grand total of \$34,194.40.

Supervisor Fox questioned the bill from Pennridge Wastewater for waste treatment in the amount of \$80.00, which the Township appears to be billed for every month. At this time, Mr. Horrocks has not been able to obtain a specific answer on this monthly billing, however he believes we are being billed to dispose of the Township's holding tank waste within Pennridge Wastewater's system. It was Supervisor Fox's understanding that the fees paid to our waste hauler included the fees to Pennridge Wastewater Authority. Mr. Horrocks will have a definite answer for the Board by the

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Worksession meeting in February.

Supervisor Bennington questioned the tuition reimbursement bills on page three. Mr. Horrocks replied those bills are for police officer schooling, which is a contract item that has been budgeted.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bill's List dated January 22, 1993, 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 25, 1993:

General Fund Checking Account	\$ 9,522.51
Payroll Checking Account	\$ 164.25
Fire Fund Checking Account	\$ 53,368.01
Debt Service Checking Account	\$ 6,428.81
State Highway Aid Checking Account	\$ 50,092.27
Escrow Fund Checking Account	\$ 128,102.55

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve the Treasurer's Report, dated January 25, 1993, subject to audit.

D. RESIDENT'S COMMENTS ON AGENDA ITEMS ONLY: None.

E. CONFIRMED APPOINTMENTS:

1. Sgt. Ashby Watts - Sgt. Watts read correspondence from the Crime Prevention Coalition and presented a certificate of appreciation commending Mr. John Snyder, resident of Hilltown Township, for his dedicated service to the community as McGruff the Crime Dog.

2. Mr. Jeff Trauger - Speed Limits in Blooming Glen - Mr. Trauger was in attendance this evening to discuss the possibility of lowering the speed limit through the village of Blooming Glen. Mr. Trauger resides in the village of Blooming Glen, between Rt. 113 and the Blooming Glen Post Office. Upon moving to Blooming Glen, Mr. Trauger was surprised to learn the speed limit of Blooming Glen Road is 45 m.p.h., and was also surprised to learn that the speed limit on Rt. 113 through Blooming Glen is 40 m.p.h., by contrast. Mr. Trauger is requesting that the Board of Supervisors take whatever action is necessary to reduce the speed limit through Blooming Glen, or to conduct such additional traffic studies due to some changed circumstances and dangerous conditions in the area, which may warrant a further traffic study. One of these conditions is the fact that the former Municipal Building is now a school bus stop, which presently has a speed limit sign

posted immediately in front of the bus stop. Each and every morning, many elementary school children cross the street and wait at that bus stop. In addition, Blooming Glen Road through the village does not have a full shoulder and there is not sufficient room for parking spaces along the sidewalks. Any traffic passing along Blooming Glen Road is invariably fairly close to the sidewalks. Another factor to be considered is the traffic generated by the Blooming Glen Post Office, as well as the eventual increase in traffic due to the completion of the park area, once restorations are complete at the former Municipal Building.

Mr. Trauger realizes that perhaps a traffic study will be required before the Township can reduce the speed limit, however he believes the above factors would justify a lower speed limit due to the safety conditions. Mr. Trauger respectfully requested that the Supervisors get whatever assistance they might from newly elected State Representative Tom Druce, or officials at PennDot.

There are other State roads within the Township that are less populated, where buildings and sidewalks are not so close to the street, yet these roadways are posted with a speed limit of less than 45 m.p.h.. Personally, Mr. Trauger fears for the safety of his own children when simply walking down the sidewalks in his neighborhood. Mr. Trauger has great concerns as his children are reaching school age about them crossing the street with the traffic from the post office, as well as the general speed limit and hazardous conditions which exist.

Mr. David Bryant of 713 Blooming Glen Road has the same concerns as Mr. Trauger, with one in particular being the quarry traffic traveling at the rate of 45 or 50 m.p.h.. Many times when these large quarry trucks are traveling at the speed limit through the village, the wind from their passing almost knocks his children over. Blooming Glen has changed substantially over the years, with many of the elderly residents passing away or moving to retirement homes. At last count, there are now 43 children residing in Blooming Glen, in a community where there used to be 4 or 5 children.

Mr. James Hoffman lives at 1029 Blooming Glen Road, which is at the corner of Blooming Glen Road and Rt. 113. Mr. Hoffman cited the amount of traffic and the visibility problems at the corner location. Mr. Hoffman also has two children and fears for his children's safety in this area.

Mr. Gary Nace of Miriam Drive stated his biggest concern is the quarry traffic traveling at higher speeds through the village of Blooming Glen. Approximately a week ago, Mr. Nace experienced a drastic reminder of the speed limit situation in this area when his nine year old child was almost hit by a car along Blooming Glen

Road. The traffic in and out of the Post Office, especially on a Saturday morning or in the evening at rush hour, creates a safety hazard and could be termed "an accident waiting to happen". Mr. Nace asked the Board of Supervisors to seriously consider the statements made this evening and to do everything possible to lower the speed limit through the village of Blooming Glen.

For the record, Mr. Nick Murlow who lives on the corner of Blooming Glen Road and Rt. 113, wished to show his support to have the speed limits through the village of Blooming Glen lowered. Mr. Murlow agrees with statements made earlier by those in his neighborhood.

Chief Egly advised a speed study was conducted in this area approximately 5 years ago, with the findings backing up PennDot's findings of 45 m.p.h.. Mr. Trauger would like Hilltown Township to do whatever is possible to persuade PennDot to lower the speed limit. Chief Egly explained Hilltown Township can do no more than ask PennDot to conduct a speed study, since Blooming Glen Road and Rt. 113 are both State roads. Mr. Trauger asked if Hilltown Township engineers can perform a speed study in line with PennDot requirements. Mr. Bob Wynn, Township Engineer, replied he could conduct a speed study, however PennDot will still perform their own study, and utilize their own survey findings. Mr. Trauger believes that the change of circumstances in that small community, as well as the amount of traffic utilizing the roadways should be taken into consideration by PennDot. Chief Egly sympathizes with the residents of Blooming Glen but unfortunately, PennDot will not use anything other than fatality accidents when considering lowering speed limits, erecting traffic signals, stop signs, etc..

Since the complexion of Blooming Glen has changed over the years with the increase in the number of school age children, Supervisor Bennington suggested correspondence be sent to PennDot from the Township, urging the lowering of the speed limit and supporting the residents of Blooming Glen's petition. Chairman Bennett stated that newly elected State Representative, Tom Druce, appears to be anxious to lend his support to area communities, and felt it might be beneficial to copy Mr. Druce on the correspondence to PennDot noting the Township's recommendation. Chairman Bennett suggested a police patrol be posted in that immediate area during the key traffic periods, and when the school children are waiting at the bus stop.

Mr. Horrocks will call this matter to the attention of H & K Quarry in an attempt of goodwill to request, unofficially, that their drivers voluntarily reduce speed through the village of Blooming Glen. However, Mr. Horrocks also noted that many of the those trucks have no affiliation with Haines and Kibblehouse, as they are independent truckers.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to urgently request that PennDot lower the speed limit on Blooming Glen Road and Rt. 113 through the village of Blooming Glen to 35 m.p.h..

3. Resident's of Harvest Lane - Rents Industries - No one was present to address this issue.

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

1. The Park and Recreation Board unanimously passed Recommendation #93-1, which is for authorization to spend up to \$300.00 for the second annual Easter Egg Hunt to be held at the Pearl S. Buck Foundation. Mr. Horrocks noted the money is coming from a budgeted account.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to accept Park and Recreation Board's Recommendation #93-1 to contribute \$300.00 to the Township sponsored Easter Egg Hunt to be held at the Pearl S. Buck Foundation.

2. Mr. Horrocks requested approval from the Board for the expenditure of up to \$4,000.00 worth of materials for a stormsewer addition on Broad Street between Tiffany Drive and Middle Road, with those monies coming from donations made to the "General Road Contributions" account.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the expenditure of up to \$4,000.00 worth of materials for a stormsewer addition on Broad Street between Tiffany Drive and Middle Road, and to utilize those donations made to the General Road Improvements account.

3. Mr. Horrocks requested Board approval for Mr. Thomas Buzby, Director of Public Works, to attend the State Convention in Hershey at his own expense.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize Mr. Buzby, Director of Public Works to attend the State Convention in April, at his own expense.

4. As an update for the Board, the outside auditors, Niessen, Dunlap and Pritchard, spent approximately 1 1/2 weeks at the Township building preparing the 1992 audit. Representatives of N.D.P. will return for two days and then the 1992 Audit will be complete. Mr. Horrocks commented the audit has been a very good learning experience.

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5. Mr. Horrocks presented the following six Escrow Releases for the Board's approval. All are bank held Letters of Credit:

Hager Subdivision	Voucher #01	\$	240.20
Hilltown Village	Voucher #13	\$	82.93
Off-the-Wall	Voucher #01	\$	218.80
Pleasant Meadows Phase III	Voucher #26	\$	170.35
Sterling Knoll Phase II	Voucher #51	\$	193.00
Summit Court	Voucher #31	\$	294.60

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

6. Mr. Horrocks presented the following educational seminars for the Board's authorization:

a. There are a series of three seminars being held at Bucks County Community College which deal with basic zoning, municipal planning, and different aspects of zoning and planning. The courses have been offered to every member of the Planning Commission, as well as the Zoning Hearing Board. Three members of the Planning Commission have accepted the invitation to attend all three seminars, and three members of the Zoning Hearing Board have accepted the invitation to attend, with one being unable to attend the Saturday conference. Mr. Horrocks would like to also include Ms. Samantha Fellman, Zoning Officer, and himself to attend these seminars. There will be a total of eight from Hilltown Township attending all three seminars, for a total cost of \$427.00, which is in the education budget.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the attendance of the eight people listed above to attend all three educational seminars being held at Bucks County Community College.

b. Requesting approval for Ms. Samantha Fellman, Zoning Officer, to attend two seminars - one being a one-day conference at Penn State (including an overnight stay) entitled "Zoning Law and Administration", and one conference being an afternoon seminar, entitled "The New Zoning Officer", which is being sponsored by DCA. Both are covered by the education budget. The cost will be \$180.00 for both conferences, plus room rates for one evening, which might be approximately \$65.00.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the attendance of the Zoning Officer at the two conferences listed above.

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c. Requesting approval for Mr. Thomas Buzby, Director of Public Works, to attend a day and a half conference on road information and Liquid Fuels which is being held in Carlisle. This seminar is sponsored by DCA, Penn State and PennDot. The cost is \$50.00 for the course, plus room rates for one evening. Mr. Buzby advised that in the event of inclement weather that morning, he will cancel his reservations.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize Mr. Buzby's attendance at the conference listed above.

d. Requesting approval for Mr. Horrocks to attend "Risk Management for Volunteer Service Organizations" seminar at a cost of \$25.00.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to authorize the attendance of the Township Manager at the conference listed above.

7. Mr. Horrocks is requesting the Board's authorization to advertise for bids for two police vehicles, which is presently in the 1993 budget.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to authorize the advertisement of bids for two new police vehicles.

8. The Fire Commission has recommended that the Pearl S. Buck Foundation be required to purchase a secure lock box cabinet to contain internal keys which will be located on the site, with only the Dublin Fire Chief retaining a key to this cabinet. There have been a number of false fire alarms at that location, with no way to access the building in the event of an emergency.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to urgently request the Pearl Buck Foundation to purchase the key lock box mentioned above.

9. At the Reorganization Meeting of the Elected Auditors of Hilltown Township, they reviewed the total available balance in the Township funds at any given time during the course of a year, and found that occasionally the total balances might reach a number greater than \$500,000.00. At that time, the Auditors wanted to recommend that the Board change the Treasurer's Bond to \$750,000.00 from \$500,000.00, however they also wished for review by Niessen, Dunlap and Pritchard, since they are auditing the records this year. After review by N.D.P., they have concurred with the elected Auditor's opinion. Mr. Horrocks would like to request approval from the Board to increase the Treasurer's Bond Limit from

\$500,000.00 to \$750,000.00, which will increase the cost by \$183.00 per year.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to increase the Treasurer's Bond from \$500,000.00 to \$750,000.00, at an additional cost of \$183.00 per year.

10. Correspondence has been received from the Bucks County Board of Elections, notifying the Township of a hearing scheduled on February 5, 1993 regarding the division of the existing Blooming Glen voting district into two separate voting districts.

It is Supervisor Fox's understanding that the Township will be dividing the present Municipal Building's meeting room to hold elections for both of the Blooming Glen voting districts in this building. Mrs. Jean Bolger, a Committee person for Blooming Glen voting district, advised that was correct. Discussion took place concerning the events leading up to the division of the Blooming Glen voting district.

The Board of Elections has requested that Mrs. Bolger ask the Supervisors for correspondence stating that the Township is willing to allow the two polling places to remain here in this building. The Board was in agreement to supply this correspondence to the Board of Elections.

11. A copy of a proposed revised appeal application to the Zoning Hearing Board has been received, and the Zoning Hearing Board is seeking input from the Board of Supervisors concerning it.

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

1. Notice has been received from both Rockhill Veterinary Associates and State Farm Insurance advising that their respective projects have been placed on an indefinite "hold".

2. The next Surplus Food Distribution, sponsored by the Bucks County Opportunity Council, will be held on Thursday, March 4, 1993 at the Hilltown Township Municipal Building between the hours of 2:00PM and 4:00PM.

3. Correspondence has been received through the Borough of Telford from the Public Safety Committee concerning changing East Summit Avenue to one way eastbound from Main Street to Washington Street.

4. A letter has been received from Waste Management, offering a new recycling program for concrete and aggregate

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5. Notice has been received from INTEX, advising they will be conducting a pumping test for the proposed Gro-N-Sell project, beginning Tuesday, February 2, 1993 and ending Thursday, February 4, 1993.

6. Correspondence has been received from the North Penn Water Authority asking residents to watch for unlawful openings of fire hydrants.

7. A letter has been received from Mr. Joseph Kirschner, Chief of Police of Towamencin Township, to thank and commend four Hilltown Township police officers - Lt. Det. Kerry Trauger, Officer Jerry Fish, Officer James Kane, and Sgt. Ashby Watts - for their assistance during a recent incident on Broad Street in which several residents became victims of burglary and theft. Chief Kirschner also happens to be a resident of Hilltown Township.

Supervisor Fox added that a member of the Hilltown Township Zoning Hearing Board, Mr. Joel Ward, was summoned to the scene to transport an injured dog to a veterinarian office for medical attention. The Board thanked all parties involved for their assistance in this matter.

H. SOLICITOR'S REPORT - Mr. Francis X. Grabowski, Township Solicitor -

1. Solicitor Grabowski presented a road frontage right-of-way document, as well as a Resolution accepting the Declaration of Easement for the Haberle Subdivision, for the Board's approval this evening. The Haberle Subdivision is a division of two lots located on Fairhill Road.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to adopt Resolution #93-9 for dedication of the easement for the Haberle Subdivision.

2. Solicitor Grabowski presented a similar Resolution for the land development plan of Our Lady of the Sacred Heart Church Parish.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to adopt Resolution #93-10 for dedication of the easement for Our Lady of the Sacred Heart Church.

Additionally, the Land Development Agreements for Our Lady of Sacred Heart Church have been prepared and executed by Father McBride. There is also an Escrow Agreement which provides for the guarantee of the required improvements. The amount of funds in escrow are in the amount of \$75,184.70.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to accept and execute the Land Development Agreement and the Financial Security Agreement for Our Lady of Sacred Heart Church Parish.

3. Solicitor Grabowski presented two Zoning Hearing Board appeals which have occurred within the last month. The first is the zoning hearing for Rents, Inc., which was a zoning violation for a property located on the corner of South Perkasio Road and Blooming Glen Road. The second matter involves Jones Topsoil which is located on Green Street. In each case, the applicant has filed an appeal with the Bucks County Court of Common Pleas from the decision of the Hilltown Township Zoning Hearing Board. Solicitor Grabowski is seeking the Board's authorization for his office to defend the interest of the Township in either or both of these matters.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the Township Solicitor to defend the Zoning Hearing Board in both the Rents, Inc. proceedings and the Jones Topsoil proceedings.

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

1. Pizza Hut (Preliminary) - Mr. Wynn explained the Pizza Hut Land Development is a proposed addition to increase seating capacity, as well as to improve restroom facilities, and upgrade for the American Disabilities Act. The plan was initially submitted to the Township for preliminary plan review in August, 1992, though the plan submitted did not meet requirements of the Ordinance for plan submission. On October 26, 1992, this Board denied the plan unless an extension was received from the applicant. This extension was granted and forwarded to the Township, however it will expire on February 13, 1993. The Planning Commission has recommended that the original plan be denied unless another extension is received by the deadline of February 13, 1993.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to deny the Pizza Hut preliminary plan, pending receipt of an extension by February 13, 1993.

2. Holding Tank Ordinance/Resolution - Mr. Wynn presented a copy of the proposed Holding Tank Ordinance and Resolution, which has been reviewed by the Planning Commission. The Planning Commission recommended the proposed Ordinance and Resolution be advertised for consideration of adoption. This was subject to a phrase change in one sentence which was made and is reflected on the copy presented to the Board this evening. The proposed Ordinance repeals Ordinance #83-3, which is the current Holding

Tank Ordinance for Hilltown Township. It also updates the Ordinance and Resolution to conform to current DER regulations regarding holding tanks, which are permitted by regulation, both temporarily and in some cases, as a permanent method of sewage disposal. The current Ordinance #83-3, which was written to prior DER regulations, does not allow permanent holding tanks under any circumstances. Holding tanks are not permitted on a permanent basis for residential use, they are only permitted for small institutional, commercial or industrial uses of less than 400 gallons per day. The proposed Ordinance provides for that and is consistent with DER regulations. At this point, the Planning Commission has recommended the Ordinance be advertised for possible adoption and approval.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to advertise for a public hearing of the proposed Holding Tank Ordinance and Resolution, at the next Board of Supervisor's regularly scheduled meeting.

3. Neshaminy Creek Watershed Stormwater Management Ordinance - Mr. Wynn advised the first draft of this Ordinance was provided to the Planning Commission at their meeting last week, and is currently under consideration. This is an Ordinance the Township is required to adopt, subject to Act 167, which is the Pennsylvania Stormwater Management Act, pursuant to the Neshaminy Creek Watershed Plan which has been adopted by Bucks County and DER. This affects approximately 1/3 of the southern portion of Hilltown Township, and provides additional regulations and requirements for the installation of impervious surface in that portion of the Township.

4. Country Roads (Formerly Tollgate Village) - Mr. Wynn presented a copy of the Country Roads Subdivision, which received final plan approval by the Supervisors some time ago. The applicant has indicated their desire to move ahead with the project, perhaps as early as February or March of 1993. The applicant is attempting to comply with all the conditions of approval. The only planning item which still remains is the condition of approval for the installation of a woodchip walking trail through the homeowner owned open space. This open space is not to be dedicated to the Township. At the time of plan approval, the location and length of that path had not been available. In order to complete the various conditions for approval, the applicant has added to the record plan the location of the woodchip walking trail through the open space area.

The development has sidewalks on both sides throughout. The proposed walking trail will leave the sidewalk along the internal roadway, meander through the open space area just above and outside of the wetlands, and below the retention basin. This plan was

reviewed by the Planning Commission, who indicated they had no objections and were satisfied with the walking trail as shown on the plan. The Board of Supervisors had no objections to this proposal.

Further, PP&L has requested that the Township forward a plan showing the location of street lights desired in Phase I of the project, and to identify what type of street lights the Township desires in this development. Mr. Wynn explained the plan requires that at a minimum, a street light be installed at every intersection. This is a relatively dense twinhome/townhouse development, with sidewalks located on both sides of the street. It is Mr. Wynn's recommendation that more lights than the normal intersection lights be installed. There are six styles of lights for the Board to choose from. The Township, in single family developments such as Sterling Knoll, has installed the "Traditional" light. What is often considered and installed in the Country Roads type of development is the "Boulevard" light, which is slightly shorter and a bit more urban in appearance. There is very little cost difference between the "Boulevard" light and the "Traditional" light. Mr. Wynn suggested that a "Boulevard" light be used for this type of development, since it is a lower light. The Board agreed with Mr. Wynn's suggestion to utilize the "Boulevard" street light in the Country Roads Development.

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

1. Underground Storage Tank Removal - Mr. Wynn explained the contaminated soil still needs to be removed from the site. Mr. Wynn is attempting to determine whether there are any cost benefits to the Township by hauling the contaminated soil with it's own trucks and labor. It is most likely that the soil will be hauled to Grows Landfill, and the Township has been advised by DER that it is possible. However, there is correspondence from Waste Management indicating they intend to double the cost of the lab analysis if the Township does it's own hauling, as opposed to if they do the hauling. The cost will not only be doubled, but the number of samples required will be doubled. If the Township were to utilize it's own trucks and personnel for hauling the contaminated soil, Supervisor Bennington asked what the cost will be to decontaminate the Township's trucks. Mr. Wynn replied the trucks do not have to be decontaminated because it is low level petroleum contaminated soil, not oil saturated dirt. There really is no difference between carrying asphalt in our trucks, or carrying this "contaminated" soil. That is why, if it were cost effective, the Township could use it's own vehicles and personnel to haul this soil because it would not require utilizing a special container.

Mr. Horrocks noted the underground tank located at the former

municipal building in Blooming Glen which must be removed by December 31, 1993. The Township was unsure of where that tank could be moved to, since technically we were not permitted to have gasoline in aboveground storage tanks. However, that Act was signed by the Governor in December, 1992, and when the deadline for removal of the underground tank in Blooming Glen arrives, the Township will now be permitted to house gasoline in an aboveground tank.

2. Pleasant Meadows Box Culvert - Mr. Wynn explained the project was finally advertised by the Army Corp. of Engineers. That advertisement resulted in correspondence from the Pennsylvania Historical Museum Commission Bureau for Historical Preservation, dated December 17, 1992, which requested a phase I archeological study for the project area to determine if there are any indian relics at the bridge site. This same concern was not expressed, however, when DER advertised for their State permit, which has already been issued. The Pennsylvania Historical Museum Commission apparently did not feel this was a great concern two years ago, but apparently they feel it is now. Mr. Garis has no choice but to order the study to be conducted. This will cost Mr. Garis an extra \$5,000.00, will take approximately 30 to 60 days to complete, and then the study results must be submitted to the Army Corp. of Engineers for their review.

This project was halted in 1987 after the Army Corp. of Engineers regulations became effective, and made retroactive for ten years. During that time, the fill from a different site was already placed on the site.

3. Schade Subdivision - The Schade Subdivision Letter of Credit for improvements at the location of Green Street and Rickert Road expires at the end of this month. In November, Mr. Wynn received notification from the applicant that the expiring letter of credit would be renewed prior to the end of this month. To date, the Township has not received a new letter of credit. Mr. Wynn spoke with Mr. Schade today who indicated the revised letter of credit is in the mail. The Township has only until this Friday to make a demand at the Meridian Bank counter in Philadelphia for the money, if the letter of credit is not extended. Mr. Wynn is requesting the Board's authorization to make that demand if the letter of credit is not received.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously authorizing that a demand be made on the letter of credit for the Schade Subdivision in the event an extension letter of credit is not received by Wednesday, January 27, 1993.

4. Carney Land Development - The Carney Land Development letter of credit also expires on January 30, 1993. However that is not a letter of credit for installation of improvements, but is a guarantee of maintenance of those improvements. Improvements have all been installed. Mr. Wynn spoke to both Mr. Carney and representatives of Union National Bank who indicated an extended letter of credit will be accomplished by the expiration date.

5. State Farm Insurance - As Mr. Horrocks previously reported, the Township has received correspondence from State Farm Insurance advising they were not planning on the further development of their property located at Rt. 113 and Bethlehem Pike. This development is a plan which was completely approved and there is an Escrow Agreement for \$228,000.00 worth of public improvements.

Following the pre-construction meeting and the initial digging on the site, Mr. Wynn explained, soil was found which appeared to be contaminated with some foreign matter to the extent that Blooming Glen Contractors contacted DER and the applicant. The applicant advised Mr. Wynn's office that they would conduct a probe study to be completed by an environmental firm from Virginia, which did occur. Two weeks ago, the construction trailer left the site, and the contractor was contacted by Mr. Wynn's office who advised the project was "dead". Since contaminated material was found, the applicant does not intend to construct their building on the site. Mr. Wynn's office contacted DER, who could not confirm what department of DER was present at the site, although DER trucks were seen on the site. DER indicated they would not follow-up on the site unless a written complaint was received by the Township. However, since this is all conjecture, based upon notification by the contractor and the construction superintendent. Mr. Wynn suggested the Township request information from State Farm and their environmental consultant concerning the study results. Mr. Wynn will request that information and notify the Board when response is received from the applicant.

K. RESIDENT'S COMMENTS -

1. Mr. Bill Godek asked the status of the Zoning Ordinance. Supervisor Fox replied it is still being reviewed.

Mr. Godek asked for an update on the Miley property. Mr. Wynn replied nothing further has transpired on that property, and he is not even certain that Mr. Miley still owns it, since there was a rumor that the property was up for sale. If the property is sold, Mr. Godek asked if the new owner will be required to abide by the same agreement. Mr. Wynn replied that the new owner would be required to abide by the same stipulations or apply for a new development agreement.

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Mr. Godek asked the status of the concrete batching plant at Blooming Glen Quarry. Mr. Horrocks replied correspondence concerning this issue was last received approximately 8 months ago, and he did not recall the contents of that letter. Mr. Godek cited the meeting minutes of September 23, 1991 which states "the Township will insure that the concrete plant is moved in the 18 month time period". Mr. Godek spoke with an employee on July 29, 1991, who advised the plant was already in operation. Given the 18 month time period, the expiration date would be January of 1992. Mr. Godek asked if the quarry has moved anything yet or if they intend to cease operation. Chairman Bennett stated the Board would have an answer for Mr. Godek by the next Board of Supervisor's meeting. In terms of the legal aspect, Mr. Godek wondered how the Township will enforce the statement which reads "within the 18 month time period after the asphalt or the concrete plant, the remaining plant will be discontinued." Mr. Godek presented a copy of the original agreement signed by the Township, which is dated September 14, 1981. Chairman Bennett noted the Board will follow-up on this matter and will take action, if necessary.

Further, Mr. Godek asked if any Township personnel has inspected how the asphalt is being stored at Skunk Hollow or Blooming Glen Quarry. Mr. Horrocks replied that since this required a DER permit, he would assume that inspections would fall under DER jurisdiction. Mr. Wynn noted that is not something the Township regulates.

2. Mr. John Snyder thanked Sgt. Ashby Watts for his presentation earlier this evening, and commented he enjoys portraying McGruff.

Since Mr. Snyder serves on the Zoning Hearing Board, he would like to publicly advise that the Township is about to re-new insurance through his agency. He presently has a proposal before the Board of Supervisors for their approval.

- L. SUPERVISOR'S COMMENTS - None.
- M. PRESS CONFERENCE - A conference was held to answer questions of those reporters present.
- N. ADJOURNMENT - Upon motion by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously, the January 25, 1993 meeting of the Hilltown Township Board of Supervisors adjourned at 9:22PM.

Respectfully submitted,
Lynda S. Seimes
Lynda Seimes
Township Secretary