

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED PUBLIC MEETING
Monday, July 27, 1992
7:30PM

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:42PM and opened with the Pledge of Allegiance.

Also present were: 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 that Supervisor Bennington is on vacation and would not be present this evening. Chairman Bennett also noted that he may possibly be on vacation for the second meeting in August. Therefore, he suggested that the first Supervisor's meeting in August, as well as the first meeting in September, which are normal Worksessions, be proposed as regular action meetings.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to advertise that the regularly scheduled Worksession meetings of August and September be proposed as regular action meetings where official votes can be taken.

A. APPROVAL OF MINUTES:

Action on the minutes of the June 22, 1992 Board of Supervisor's Meeting:

Motion was made by Supervisor Fox and seconded by Chairman Bennett to approve the minutes of the June 22, 1992 Board of Supervisor's meeting, as submitted.

B. APPROVAL OF CURRENT BILLING:

Chairman Bennett stated there are three Bill's Lists for the Board's approval this evening. The first is dated June 24, 1992 and totals \$91,138.10 of regular payments, with State Highway Aid payments in the amount of \$944.63, as well as monies which were distributed to the seven responding fire departments from the Fire Fund totalling \$42,600.00. The grand total of all funds is \$141,037.86.

Chairman Bennett noted there were several items purchased from Shelly Enterprises on this list, and asked if Mr. Horrocks is aware that Shelly Enterprises discounts their billings by 10% if paid by the 10th of each month. Mr. Horrocks was aware of that discount.

Chairman Bennett questioned the bill for the purchase of a steel

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double door in the amount of \$330.00. Mr. Horrocks replied the steel door was installed at the Scout Cabin in Blooming Glen. The Township had been experiencing some security problems with that building, and felt the steel double doors would remedy the problem. Chairman Bennett commented the Board is still looking into the feasibility of replacing the back door to the Administrative side of this building with a steel door, for security reasons.

Chairman Bennett questioned the bill from the Gum Insurance Agency for additional premium liability insurance in the amount of \$605.00. Mr. Horrocks explained this expenditure had been previously approved by the Board to purchase additional law enforcement liability coverage.

Chairman Bennett asked the purpose of the bill from B & F Technical Code Service for a Plan Review for Vulcan Industries in the amount of \$562.00. Mr. Horrocks thought the payment was for a sprinkler review completed by this firm regarding the Vulcan Springs project.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to approve the Bill's List dated June 24, 1992, subject to audit.

The second Bill's List is dated July 8, 1992, and totals \$92,044.29 of regular payments, with State Highway Aid payments in the amount of \$38.81, for a grand total of \$92,083.10.

Chairman Bennett stated there appeared to be a large number of employee dental, prescription, and medical claims on this list. Chairman Bennett wondered if the Township has already exceeded our annual budget for these items. Mr. Horrocks replied the Township has exceeded the budget figure for dental reimbursement claims.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to approve the Bill's List dated July 8, 1992, subject to audit.

The third Bill's List is dated July 22, 1992, and totals \$27,178.94 of regular payments, with State Highway Aid payments in the amount of \$1,708.10, for a grand total of \$28,887.04.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to approve the Bill's List dated July 22, 1992, subject to audit.

C. TREASURER'S REPORT - Mr. Bruce Horrocks, Township Manager - Mr. Horrocks presented the Treasurer's Report with the following balances, as of July 24, 1992:

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General Fund Checking Account	- \$ 84,353.79
Payroll Checking Account	- \$ 203.33
Fire Fund Checking Account	- \$ 86,446.68
Debt Service Checking Account	- \$108,873.26
State Highway Aid Checking Account	- \$131,084.82
Escrow Fund Checking Account	- \$116,075.57

For the Board's information, Mr. Horrocks prepared a General Fund Revenue and Expenditure Comparison between the first half of 1991 and the first half of 1992. So far this year, the Township has enjoyed a much better revenue comparison than we did a year ago. Revenues for the first half of 1991 totalled \$941,704.00. Revenues for the first half of 1992 were up 10% to \$1,069,443.00. Hilltown Township has also been able to hold the increase of expenses to only 3% this year. One year ago, the Township Expenditures totalled \$885,187.00, and this year, Expenditures for the first half of 1992 total \$911,804.00. Mr. Horrocks noted these numbers exclude the Tax Anticipation Note, which has been completely paid off within the first half of 1992. In July, the interest was paid on the Tax Anticipation Note, and at the end of the first half of 1992, the Township owes no funds to the Tax Anticipation Note. In comparison, at this time last year, Hilltown Township still owed \$165,000.00. The net difference between expenses and revenues has jumped from \$56,500.00 one year ago, to \$157,639.00 in 1992. With six months remaining, Mr. Horrocks does not wish to be too optimistic, however he feels Hilltown Township has done very well, for the first six months of this year.

Chairman Bennett agreed, and stated one of the biggest items in the Township's Revenues is the Earned Income Tax, which normally generates approximately 43% of our income, and is up from \$488,480.00 for 1991 to \$515,385.00 for 1992, despite the economy. The only way Chairman Bennett can explain it is that there are not many major employers within twenty miles of Hilltown Township. Merck, Sharp and Dohme is most likely the largest employer in the area, and they do not normally experience lay-offs. U.S. Gauge/Ametec in Sellersville did lay-off approximately 100 employees out of 1,100 several months ago. It is Chairman Bennett's guess that most Hilltown Township residents are either professionals, work for relatively small companies, or are tradesmen.

The Township is still approximately \$75,000.00 behind in our current Real Estate Tax Account. On the whole, though, Chairman Bennett thought the Township's financial picture was very good, with almost every category of income up over one year ago. Telephone expenses are down \$4,000.00, which is one of the targets Mr. Horrocks has been working on. Police Overtime is down from \$47,963.00 to \$30,526.00 to date over 1991.

Supervisor Fox believes the promising financial outlook for the Township is because of Chairman Bennett's frugal ways, as well as the concerted effort of Mr. Horrocks and the department heads to keep expenditures down.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to accept the July 24, 1992 Treasurer's Report, subject to audit.

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

E. CONFIRMED APPOINTMENTS:

1. Mr. Steve McKenna - Country Roads Subdivision - Mr. McKenna is before the Board this evening regarding Country Roads, which is a 116 home subdivision. This project had gone through the approval process during the fall of 1991. Presently, the subdivision itself was granted final approval for the first phase and preliminary approval for the project as a whole. The first phase of the project is comprised of 31 homes. Since approval was received, the applicants have basically satisfied the conditions to the extent that they can at this point in time, and they have been diligently pursuing financing for the project.

Mr. McKenna is present to specifically request from the Board of Supervisors, that one of the conditions of approval be pushed back to Phase II of the project. The condition, as it stands, is that the applicant must post a Letter of Credit in the amount of \$250,000.00 for the construction of a bridge on Telegraph Road. The construction of the bridge is to be done in lieu of the perimeter improvements which could have been required of the applicant had the Township deemed it necessary. The improvements themselves, between the applicant's engineers and Mr. Wynn's office, were estimated at a cost of approximately \$140,000.00 to \$190,000.00. The applicant agreed to post the Letter of Credit and to actually construct the bridge, under the condition that bridge construction not be completed until Phase III of the project. The applicant is presently seeking funding for Phase I. Also, Mr. McKenna advised, one of the conditions for approval was that the Letter of Credit must be posted during Phase I for the actual construction of the bridge.

The Letter of Credit has been posing a big problem for the applicant. As it stands now, the total improvements for the 31 homes within Phase I, including the sewer and water EDU's, is approximately 1.1 million dollars. The bridge construction comprises \$250,000.00 of that amount. Most banks stated they cannot look at the project as a 116 unit subdivision, but rather must view it as a 31 unit subdivision. When Mr. McKenna originally spoke to the Board and agreed to the \$250,000.00 Letter of Credit, the banks would not have had any problem with accepting that

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arrangement. However due to the bank's own underwriting criteria, and the economy as a whole, Mr. McKenna stated most financial institutions feel the project improvements will cost too much for this particular phase, and has resulted in difficulties for the applicants to secure financing. The \$250,000.00 is being included in the total sum, since banks are not taking that sum and pro-rating it over the construction of the 116 units or by construction phases of the project.

Mr. McKenna stated the applicant is not looking to duck the obligation of constructing the bridge on Telegraph Road. They are willing to complete that construction according to the same timetable they had originally agreed to. What they are requesting is that the Letter of Credit be posted during Phase II, instead of Phase I, which would allow them to reduce their improvement cost by approximately \$8,000.00 per unit. The banks have indicated that if the applicant can lower the improvement costs up front, they would be willing to put up the financing.

Mr. McKenna noted the applicant has made many concessions in the course of the approval process. The perimeter improvements themselves were substantially less than the \$250,000.00 which is being put up for the bridge construction. Also, during the course of the approval process, the Planning Commission had requested the applicant to obtain egress to Walnut Street, which was not a part of the original plan. The developer obtained egress, at substantial cost, with no particular benefit to themselves in additional density.

Mr. McKenna did not feel the applicant's request would harm the Township's position at all. If, for whatever reason, the applicant would not complete the project past Phase I, there will be no access from the site onto Telegraph Road. The access road from Phase I to Telegraph Road is not proposed to be constructed until Phase II of the project. If the applicant were not able to complete the project, construction of the Telegraph Road bridge would still be a condition of approval for whoever purchased the project.

Chairman Bennett stated that would be the Township's major concern, especially in this kind of real estate market. Chairman Bennett asked how many dwellings will be constructed during each of the four phases. Mr. McKenna replied there are 31 homes proposed during Phase I, 26 homes proposed during Phase II, 32 homes proposed during Phase III, and 27 homes proposed during Phase IV. Chairman Bennett asked if Phases III and IV depend largely on Telegraph Road. Mr. McKenna replied the Telegraph Road access will be completed, though traffic studies prove that a great majority of the traffic will be using Walnut Street. Chairman Bennett asked the price range of the housing units. Mr. McKenna stated the homes will be listed in the price range of approximately \$113,000.00 to

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\$135,000.00, and being basically fee simple, with the open space maintained by a homeowner's association. If the Board were to grant this waiver, Chairman Bennett asked when the applicant would actually begin construction. Mr. McKenna replied they are ready to begin now, it is just a matter of securing the commitment from the bank, and executing the tri-party agreements.

Supervisor Fox questioned Mr. McKenna's statement about "getting rid of the Letter of Credit". Since the project includes a retention basin, as well as other improvements, Supervisor Fox asked Mr. McKenna how that will be handled. Mr. McKenna replied those improvements are all part of the improvement estimate that was established by the Township Engineer. They are all covered in the estimate for improvements that must be done by virtue of the approved plan in Phase I. This would be an actual Escrow Agreement, not be a Letter of Credit.

Approximately 15 years ago, Chairman Bennett stated, there was a situation in Green Meadows where the builder of a project went bankrupt and as a result, responsibility for completion of a street in the development had to be accomplished at the Township's expense. Since hearing the prices of these proposed homes, however, Chairman Bennett is inclined to grant Mr. McKenna's request, as long as it is stipulated, in writing, that escrow agreements would be executed prior to Phase II. Supervisor Fox was in agreement with Chairman Bennett, as long as another Escrow Agreement is signed.

Mr. Tom Slotter of 16 South Perkasio Road, who lives a quarter mile from the Telegraph Road bridge, and will be a direct neighbor of this proposed development wished to express his concerns. Mr. Slotter felt the Township should stick to their original plan and require that the bridge on Telegraph Road be completed first. Mr. Slotter did not feel any residents of the first 31 homes proposed to be constructed in Phase I would drive through Silverdale to enter the development, if they are coming from the Doylestown area. Mr. Slotter felt it would just place more and more traffic on Telegraph Road, and asked why the bridge construction was being delayed.

Supervisor Fox advised there will be no entrance into this development from Telegraph Road until Phase II construction, and therefore there should be no increase of traffic on the roadway. Mr. Slotter disagreed with Supervisor Fox, stating that Telegraph Road would be the most direct route.

Solicitor Grabowski felt Mr. Slotter had a good point, however what Mr. McKenna has requested will not delay construction of the bridge by even one day. The bridge construction must still take place by Phase III under the original approval given. The original plan

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required the applicant to post a Letter of Credit with the Township at the beginning of Phase I. Mr. McKenna is now suggesting a delay of the posting of the Letter of Credit until Phase II.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to allow the applicant's requested change in the Escrow Agreement for the Country Roads Subdivision, stipulating that the applicant will not be required to accomplish the Letter of Credit for Telegraph Road bridge construction until the beginning of Phase II of the project.

2. Mr. Phil Trader - Eastern Auto Exchange - Mr. Trader is before the Board to request a waiver of land development plan submission requirements for the site he leases from Mr. Turner of Turner Trucking.

Supervisor Fox noted Mr. Trader was previously before the Planning Commission, who recommended to the Code Enforcement Officer that the zoning permit inquiry of Eastern Auto Exchange is a change of use from a non-conforming use to a conforming use, and that a Land Development plan should be submitted.

Mr. Wynn provided the Supervisors with a copy of the Turner Trucking plan, and pointed out what is referred to as the "former house" on the site. This former dwelling was last used as an office, which Mr. Trader intends to refurbish and maintain as an office use.

Mr. Wynn noted Mr. Applegate, Code Enforcement Officer, had indicated the proposal was a change of use for a portion of the parcel from a vacant dwelling to an E-11 Automobile Sales use, which is a permitted use within this Zoning District. A previous Land Development plan was approved for this site in 1987 for Turner Trucking. This involved a Zoning Hearing variance due to the non-conforming trucking business. Submitted with the zoning permit application was the plot plan for Turner Trucking. Shown on a portion of the plan was a shaded area. Mr. Wynn presented a copy of the application that had been submitted to Mr. Applegate. During the course of the Planning Commission meeting, it was determined that Eastern Auto Exchange and Turner Trucking are not one and the same, and that the shaded area shown on the plan is actually a lease line. Because of the lease line, the Planning Commission recommended to the Zoning Officer that the proposal would require either a Land Development submission or a waiver of Land Development requirements by the Board of Supervisors.

Mr. Wynn commented something that is already occurring is that the area designated as a buffer area (which is presently grass), currently has vehicles for sale parked there. This area, on the original plan, was a buffer yard and was to remain green with the

trees that were installed back in 1987. The applicant had indicated there would be no change in impervious surface.

Mr. Trader felt the diagrams submitted of the approved Turner Trucking plan accurately shows the display and parking areas, as well as the building. Nothing has changed from that plan. Mr. Wynn has never seen a diagram showing display areas. Mr. Trader replied the plan shows a parking lot, which is to be used as the display area. Mr. Wynn stated that is not where the vehicles have been parked. Mr. Trader agreed that there are vehicles for sale parked on the grass area at this time, but there are also vehicles parked on the display area. Mr. Wynn advised the vehicles currently parked in the grass area are actually located in a buffer yard, which is required by the 1987 Turner Trucking plan approval. What Mr. Trader appears to be suggesting is a modification of that requirement. Mr. Trader would like to get the plan approved "as is" so that he may open his business, and then he would apply for the necessary changes. Mr. Trader would eventually like to have the buffer yard paved all the way out to Rt. 309, just like his neighbors across the street and next door who operate similar businesses.

Supervisor Fox asked what problems Mr. Wynn might foresee if a Land Development plan is not required for this site. Mr. Wynn stated if Mr. Trader's vehicles were located on the paved area that was approved in 1987, he would not see any problems, since there is no building proposed and no additional impervious surface proposed. The requirements of the 1987 plan were completed by Mr. Turner. However, if there is some modification of that proposal, and vehicles are not going to be confined to the area of the previous parking, there will be problems, as vehicles may encroach within buffer yards required by zoning. Mr. Trader agreed to move those vehicles presently parked in the buffer yard back onto the paved area until such a time as he can resubmit for modifications to this requirement. Mr. Trader stated all he would like to do is open his business.

Mr. Wynn commented the building indicated as the "office" on the plan, is the former office of Turner Trucking, and was used before construction of the building to the rear of the site, which is shown on the plan.

Personally, Chairman Bennett would be inclined to grant the waiver, if Mr. Trader can assure the Board that he will not be using the buffer yard to display vehicles. Mr. Trader asked what he can do to change the buffer yard requirement and allow him to pave that area to Rt. 309. Fretz Enterprises is presently next door to Mr. Trader's site and Mr. Trader commented that side does not appear to have any buffer zone. Mr. Wynn explained some of the properties in that immediate neighborhood, such as Fretz Enterprises and the

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shopping center were all constructed before zoning, and are paved to the street with no buffer. Part of the Fretz property does have a 25 ft. setback, which is less because it is not a trucking business.

Supervisor Fox advised Mr. Trader's request would be a zoning matter and he would have to appear before the Zoning Hearing Board to request this modification. Mr. Wynn noted Turner Trucking did obtain a zoning variance before their 1987 Land Development which dealt with the expansion of the non-conforming use.

Supervisor Fox would be inclined to vote in favor of Mr. Trader's waiver request, if he would agree to move the vehicles currently located within the buffer yard area.

Motion was made by Chairman Bennett, and seconded by Supervisor Fox to grant the waiver of Land Development submission to Eastern Auto Exchange, with the stipulation that the applicant will move the vehicles currently located within the buffer yard area.

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

1. A few weeks ago, the Township posted an ad for a temporary part-time office position for the months of July and August. Mr. Horrocks phoned the school district to speak to the head of the business department for applicant recommendations. This position was not advertised in the newspaper. Four applicants applied for this position. Mr. Horrocks is proposing the formal employment of Ms. Lorraine Leslie to fill this position, at the rate of \$5.50 per hour, with no benefits. Ms. Leslie will continue in the Township's employ through the end of August.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to place Ms. Leslie on the payroll at \$5.50 per hour in the position of temporary part-time office clerk.

Chairman Bennett explained the Township has hired temporary part-time employees the past two summers to help with general office duties, and to organize old files from the former Township building. Mr. Horrocks stated Ms. Leslie's workload will basically be with the Code Enforcement Department, and her salary is available in the budget.

2. A request has been received from Mr. Barclay, Chairman of the Planning Commission, to utilize the services of C. Robert Wynn Associates to act as adviser to the Planning Commission for final review of the Zoning Ordinance. Chairman Bennett asked if there is a cost estimate for these services. Mr. Wynn is not sure of the extent of the problems involved with the latest revisions to the Zoning Ordinance, and therefore cannot give an estimate for

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his services. Supervisor Fox explained the Planning Commission is presently correcting typographical errors in the Ordinance and adding any missing text. Mr. Horrocks has been able to obtain the computer discs from Carter Van Dyke Associates on the Zoning Ordinance and the Comprehensive Plan, which should make revisions much easier.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to retain the services of C. Robert Wynn Associates, as necessary, to assist the Planning Commission with review of the Zoning Ordinance.

3. Concerning the stones at the Hilltown Civic Association Park, Mr. Horrocks advised H & K Materials not only supplied the Township with that stone at our bid price, they also reduced the cost below the bid price by \$.50 per ton. Chairman Bennett felt this was another example that H & K Materials is a good neighbor.

4. The Park and Recreation Board, at their July 21, 1992 meeting, made a recommendation to the Board of Supervisors, which follows: "Recommendation #92-9 - The Park and Recreation Board recommends that the Township run electrical service to the Civic Field underground and that the amperage of the service be increased. These improvements are recommended to improve safety, conform to the Township code for new electrical installations, to enhance the aesthetic qualities of the site, and to allow for future development and use of the site."

Chairman Bennett did not feel these improvements are necessary at this time. After looking at the wires presently there, Supervisor Fox felt they were very low, and agreed with the Park and Recreation Board that amperage service to the site should be increased. Supervisor Fox is inclined to agree and accept Recommendation #92-9 by the Hilltown Township Park and Recreation Board. Chairman Bennett suggested this issue be tabled until the next Board of Supervisor's meeting, and Supervisor Fox was in agreement.

5. Mr. Horrocks presented the following Escrow Releases for the Board's approval. All accounts are bank held.

Cefelli	Voucher #09	\$ 3,717.00
Cefelli	Voucher #10	\$ 12,375.05
Cefelli	Voucher #11	\$ 15,939.20
Pheasant Ridge	Voucher #15	\$ 224.00
Pheasant Ridge	Voucher #16	\$ 4,441.57
Stonycrest	Voucher #09	\$ 18,751.73
Stonycrest	Voucher #10	\$ 470.88
St. Philips Church	Voucher #04	\$ 6,264.00
Vulcan Springs	Voucher #01	\$ 382.75

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Motion was made by Supervisor Fox, and seconded by Chairman Bennett to release the nine Escrows listed above.

6. Mr. Horrocks asked if any members of the Board could be available on Sunday, August 9, 1992 to present a Proclamation to an English soccer team at Deep Run Valley Sports Association at 1:00PM. Chairman Bennett advised he would be available to attend.

7. Mr. Horrocks asked if the Board had any comments on the Perkasio Borough proposed Comprehensive Plan. The Township has a deadline of July 30, 1992 to respond. The Supervisors had no negative comments.

8. At the last Worksession, Mr. Horrocks was requested to notify one of Hilltown Township licensed trash haulers that delinquent in submission of recycling reports as required. To date, the Township has not received the requested paperwork from this particular hauler. There was a time frame involved, and if the hauler does not comply, the Township will be revoking their 1992 Trash Hauler's license. The Police Department has been instructed to cite the offending trash hauler once the time frame has elapsed.

G. CORRESPONDENCE:

1. Correspondence has been received from Ms. Florence Ammon of Bunny's Animal Shelter. For the second quarter of 1992, Bunny's Animal Shelter has a total of 175 dogs. One dog was euthanized and four dogs died naturally during that same quarter.

Chairman Bennett noted the last quarterly report stated 188 dogs remained. Chairman Bennett explained when he became a Supervisor 4 1/2 years ago, there were 313 dogs, so it appears we are making progress.

2. A letter was received from Mrs. Jacqueline McLaughlin. concerning their previously submitted subdivision application. Apparently the Board of Supervisors had advised that the subdivision was fine as long as the garage was removed. The McLaughlin's now wish to remove three feet of the rear of the garage, rather than totally remove the garage. This action would result in the applicant meeting the specified zoning setback requirements.

The subdivision plan, because of the location of the lot line and an existing detached garage, required that the garage be removed since it was too close to the new property boundary. The plan indicated the garage was to be removed. Mr. Wynn reviewed the site, at Mr. Applegate's request, before issuance of any permits. At the time of Mr. Wynn's inspection, the garage was still standing.

Mr. Wynn advised Mr. Applegate of that, and Mr. Applegate must have informed the applicant that the garage should be removed to meet approval requirements. Provided that the required 12 ft. setback for the detached garage has been complied with, Mr. Wynn noted the approval would require a motion by this Board according to prior subdivision plan approval. This proposed action would bring the property into compliance with the detached building setback regulations. The applicant is apparently attempting to resolve this matter to proceed with construction of the dwelling on that lot.

Chairman Bennett asked if the proposed plan would have been approved if the applicant had cut the garage dimensions by 3 ft. in the first place. Mr. Wynn replied that the plan would have been approved under those circumstances.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to allow the McLaughlin Subdivision to remove 3 ft. of the garage to meet the 12 ft. setback requirements on their site located at 1200 Fairhill Road.

3. A request was received from the Borough of Perkasio concerning the speed limit on Rt. 152. Mr. Horrocks will present this request to Chief of Police, George C. Egly, for his review. Perkasio Borough is requesting that Hilltown Township lower the speed limit on Rt. 152 (Walnut Street) to 35 miles per hour. Mr. Horrocks believes Perkasio Borough is making this request in an attempt to see if Hilltown Township would be willing to abide by that and support their case with PennDot. Chief Egly commented this request must be submitted to PennDot for their traffic study, since Rt. 152 is a State highway. Mr. Horrocks and the Board were confused by Perkasio Borough's request, since they believe the speed limit is presently 35 m.p.h. on sections of Walnut Street. The Board directed Mr. Horrocks to contact Mr. Paul Leonard, Perkasio Borough Manager, for an explanation of this request.

4. Correspondence was received from New Britain Township requesting written confirmation of completed required Criminal Records Checks for fire police with the Hilltown Township Volunteer Fire Company who service a portion of New Britain Township. Mr. John Snyder, president of the Hilltown Township Volunteer Fire Company replied Chief Egly holds those records for their fire police.

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

1. Approximately three meetings ago, Solicitor Grabowski explained, the Board had granted a 90 day extension to Easy Living Pools. Along with this, the Board directed the applicant to

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contact the Township Solicitor to prepare the appropriate Development Agreements. No one has contacted Solicitor Grabowski since that meeting and the extension for Easy Living Pools is about to expire.

Chairman Bennett felt the Board made it quite clear that no more extensions would be granted concerning this issue. Mr. Hetherington was representing Easy Living Pools at the time, and Chairman Bennett suggested Mr. Horrocks contact Mr. Hetherington for a status report. The extension currently in place will not expire before the Supervisor's Worksession in August, when action will be allowed due to prior motion by the Board.

Mr. Wynn explained this plan received preliminary approval on February 25, 1991. At present, there is an outstanding final plan which is complete with the exception of two items. Those two items include the installation of property monumentation, and the execution of a Developer's Agreement. If the Board does not act within the time frame of the latest extension, the final plan will automatically be approved. Public improvements have not yet been installed.

The Board was in agreement to table this issue until the August 10, 1992 Board of Supervisor's Worksession.

2. Solicitor Grabowski presented a Deed of Dedication for the Finkelstein Subdivision located on Diamond Street.

Solicitor Grabowski presented two Resolutions for the Board's consideration - one to Accept the Deed of Dedication, and one to Declare the Public Purpose for the Finkelstein Subdivision.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett, to adopt Resolution #92-28 to Accept the Deed of Dedication for the Finkelstein (Diamond Street) Subdivision, and to adopt Resolution #92-29 to Declare Public Purpose for the Finkelstein (Diamond Street) Subdivision.

I. PLANNING - Mr. C.R. Wynn, Township Engineer:

1. Rockhill Veterinary Clinic (Preliminary) - Mr. Wynn advised this is a preliminary plan for the Rockhill Veterinary office located on Bethlehem Pike, immediately north of the Green Thumb Nursery. It is currently a single family, non-conforming dwelling located in the Industrial Zoning District. The applicant proposes to convert the dwelling and add an office to the dwelling for the veterinary office. The site was the subject of a zoning variance granted by the Zoning Hearing Board for several issues, including a 16 ft. variance from the 30 ft. buffer yard requirement in the parking area, a 30 ft. variance from the 75 ft. buffer yard

in the rear area, a variance to grade, build, and install storm sewer, and to construct two parking spaces within the delineated 100 year flood plain. The variances were subject to the applicant complying with all State, County and local regulations, which stipulate that no animal be boarded, kept or maintained outside the building on the premises; and that the addition be constructed in a manner to protect and maximize the use of sound reducing material, designs and techniques.

Mr. Wynn stated the Planning Commission also recommended waivers of certain Land Development requirements, including the construction of two parking spaces which is also a Land Development regulation, waiver of street improvements except immediately at the frontage of the site, and a waiver of the 20 ft. setback required of parking spaces from the exterior of the building. The Township is in receipt of a letter from the Sellersville Fire Department, dated April 24, 1992, indicating they had no objections to parking spaces located where they are shown on the plan. One stipulation, however, is that employees be required to park in spaces most removed from the building. Mr. Wynn pointed out the spaces on the plan which will be designated as "Employee Parking". Certification was also received as to the wetland delineation. There is only a small portion of wetlands on the site. Correspondence was received from DER indicating that a permit would not be required for the construction activities shown within the flood plain that is designated by flood plain study, but not by a FEMA study.

Mr. Wynn advised the preliminary plan received a recommendation of approval from the Planning Commission, subject to a number of conditions. The conditions include receipt of a PennDot permit for the entrance to the site, dedication of the right-of-way along Bethlehem Pike, written verification from the Bucks County Health Department regarding the use of the existing septic system for the proposed use, approval from the Bucks County Conservation District for Erosion and Sedimentation Control, installation of property pins and monuments as shown on the plan prior to plan recordation, execution of an Escrow Agreement for public improvements, including the improvements at the entrance to the site, buffer plantings, and the storm sewer. Some minor drafting items must also be addressed.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to grant conditional preliminary approval to the Rockhill Veterinary Clinic plan, pending completion of those items in Mr. Wynn's engineering review letter, and recommendations by the Planning Commission.

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

1. Pheasant Ridge - At the May 26, 1992 Supervisor's meeting, Mr. Wynn stated the Board denied acceptance of completion

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of public improvements in the Pheasant Ridge Subdivision, located on Rt. 152/Fairhill Road/Rickert Road. The denial was due to a number of buffer plantings needing replacement, and driveway installation not being complete on several of the lots. Approximately three weeks ago, the buffer plantings had been replaced and the driveway installation has been completed. Mr. Wynn recommends a motion to accept completion of the 18 month maintenance period for the Pheasant Ridge Subdivision.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to accept completion of the 18 month maintenance period for the Pheasant Ridge Subdivision.

2. Underground Storage Tank Removal - As the Board had requested, Mr. Wynn's office sought proposals from ten tank cleaning firms for the cleaning of the three underground storage tanks located at the former Municipal Building and the Township Public Works garage. Of the ten proposals sent out, Mr. Wynn received two.

One proposal was from JNK Petroleum Service Incorporated, located in Sinking Springs. Their price, based upon the cleaning of the three tanks, including two 1,000 gallon tanks, and one 550 gallon tank, mobilization, disposal of residual product, vacuum truck charge, and disposal of an estimated 150 gallons of vacuumed liquid waste was \$6,460.00.

The second proposal was from Apcon Environmental Services, Inc. located in Jenkintown. Their price for the same work listed above, was \$4,837.50.

The original plan is for the Township to excavate and expose the top of the tanks. The contracted firm would then cut and remove the tank tops, clean the tanks and remove any waste from within the tank.

Chairman Bennett noted the significant difference in price from one firm to another, and asked if both are reputable companies. Mr. Wynn replied his firm recently sought bids in other municipalities for almost identical work, with fewer tanks involved. They did not receive a proposal from JNK, though they did from Apcon. Oddly enough, Apcon's proposal was not the low bid in that instance, although they were close. Both firms, however, are certified by DER to do this type of work.

Supervisor Fox questioned what the Township will do to supply fuel and diesel during the transition period of cleaning and removing the tanks. Mr. Wynn replied that is a decision the Board needs to make. Chairman Bennett commented one idea is to install an aboveground tank here at the Municipal Building. Funds are

available in the budget. Mr. Horrocks noted the Township has budgeted for two aboveground tanks, both 1,000 gallon tanks, with one to be located at the Municipal Building, and one to be located at the Public Works garage. The only thing that we will not be able to accommodate in this system is the fuel for the Public Works Department, unless they can run the high-test that the police vehicles do. Chairman Bennett stated almost all of the Public Works Department equipment and vehicles use diesel fuel, and he did not feel it would be a problem. Mr. Horrocks commented the only use for regular fuel might be small equipment and small engines. Mr. Horrocks advised this system has been used in another municipality rather successfully.

Chairman Bennett asked when the cleaning of the tanks would take place. Mr. Wynn replied as soon as the fuel presently in the tanks can be used. Mr. Horrocks felt the first step would be to install the aboveground tank here at the Municipal Building for police vehicle use. Chairman Bennett asked if Mr. Horrocks was ready to make a proposal on the aboveground tank. Hopefully, Mr. Horrocks replied, he will be ready by the next Supervisor's meeting.

Motion was made by Supervisor Fox, and seconded by Chairman Bennett to accept the proposal offered by Apcon Environmental Services, Inc. at the price of \$4,837.50, with the stipulation that they would be willing to delay tank removal until the fuel presently in the tank has been used.

Chairman Bennett directed Mr. Horrocks to check the status of installation of the aboveground tank to be located at this building.

K. RESIDENT'S COMMENTS:

1. Mr. Tom Slotter - Concerning the home occupation operating next door to his home, Mr. Slotter stated they were issued a zoning permit before the parking requirements were completed, and Mr. Slotter asked why that happened. Chairman Bennett asked if the required parking has been installed. Mr. Slotter replied his neighbor widened the driveway, though there is no designated parking spaces, and all cars are still parking where they did previously. Mr. Slotter filed a Zoning Complaint with the Code Enforcement Officer regarding this issue on July 10, 1992, though he has not yet received a response.

From reading correspondence, Supervisor Fox noted that Mr. Slotter's neighbor was cited by the District Justice for not obeying the zoning regulations. According to Mr. Slotter's correspondence, his neighbor was awarded a zoning permit on the 16th of June. Mr. Horrocks stated this particular case was before the Zoning Hearing Board who granted a variance for three parking

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spaces, with a timetable to pave and delineate those three parking spaces. The Code Enforcement Officer granted the permit based upon the applicant upholding the timetable. Mr. Horrocks believes the deadline is sometime in August, however he is not positive of the date. According to Mr. Slotter's information, the deadline for completion was the 3rd of July. Mr. Slotter stated the paving was in place by July 3, 1992, however no parking spaces were designated.

Mr. Horrocks previously discussed this matter with Mr. Applegate, and discovered that whatever deadline has been issued, that date has not been reached for Mr. Slotter's neighbor to complete the blacktop and designate the three additional parking spaces. Mr. Horrocks will address this matter with Mr. Applegate tomorrow.

Mr. John Snyder, Chairman of the Zoning Hearing Board, and Mr. Joel Ward, a member of the Zoning Hearing Board, were present. Both gentlemen did not recall a time limit stipulation being placed on this particular case by the Zoning Hearing Board. Mr. Snyder thought perhaps Mr. Applegate placed a deadline on completion of the paving and parking, to allow time for the stone to settle. Mr. Horrocks thought that Mr. Snyder was correct about the stipulation to allow the stone to settle. Mr. Horrocks will research the matter further and contact Mr. Slotter with his findings.

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, and seconded by Chairman Bennett, the July 27, 1992 Board of Supervisor's Meeting adjourned at 9:15PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

1291A

C. ROBERT WYNN ASSOCIATES, INC.

Consulting Engineering
211 West Broad Street
Quakertown, PA 18951

(215) 536-7547
(215) 536-7336

Memo To: Hilltown Township
From: C. Robert Wynn Associates, Inc.
Subject: Escrow Release Summary
Date: July 23, 1992

1. Cefelli - Authorization Voucher No. 9 dated June 22, 1992, in the amount of \$3,717.00 for monuments, iron pins, and as-built plans.
2. Cefelli - Authorization Voucher No. 10 dated July 17, 1992, in the amount of \$12,375.05 for paving, erosion control, and miscellaneous items.
3. Cefelli - Authorization Voucher No. 11 dated July 17, 1992, in the amount of \$15,939.20 for contingency.
4. Pheasant Ridge - Authorization Voucher No. 15 dated July 6, 1992, in the amount of \$224.00 for const. obs./esc. admin. for the period from 5/1/92 thru 7/6/92.
5. Pheasant Ridge - Authorization Voucher No. 16 dated July 6, 1992, in the amount of \$4,441.57 releasing balance of escrow funds.
6. Stoneycrest - Authorization Voucher No. 9 dated July 17, 1992, in the amount of \$18,751.73 for sitework, sidewalk, street trees, and miscellaneous items.
7. Stoneycrest - Authorization Voucher No. 10 dated July 23, 1992, in the amount of \$470.88 for reimbursement for const. obs./esc. admin. for period from 4/1/92 thru 5/31/92.
8. St. Philips Subdivision - Authorization Voucher No. 4 dated July 20, 1992, in the amount of \$6,264.00 for topsoil replacement, fertilizer, seed, mulch, and street trees.
9. Vulcan Spring - Authorization Voucher No. 1 dated July 7, 1992, in the amount of \$382.75 for const. obs./esc. admin. for period from 5/1/92 thru 6/30/92.

Note: All accounts are bank held.

1291C

To: The Hilltown Township Supervisors

From: The Hilltown Township Park & Recreation Board

Re: Recommendation 92-9

At it's regularly scheduled meeting on July 21, 1992 the Park and Recreation Board voted unanimously to make the following recommendations:

Recommendation 92-9 The Park & Recreation Board recommends that the Township run electrical service to the Civic Field underground and that the amperage of the service be increased. These improvements are recommended to improve safety, conform to the Township code for new electrical installations, to enhance the esthetic qualities of the site and to allow for future development and use of the site.

JUL 24 1992