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**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED PUBLIC MEETING
Monday, June 24, 1991
7:30PM**

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:39PM and opened with the Pledge of Allegiance.

Also present were: Betty J. Kelly, Vice-Chairperson
Kenneth B. Bennington, Supervisor
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Maria Gerhart, Recording Secretary

Chairman Bennett announced the Supervisors met in Executive Session prior to this meeting to discuss pending legal and personnel matters.

A. APPROVAL OF MINUTES:

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the June 10, 1991 Board of Supervisor's meeting as written.

B. APPROVAL OF CURRENT BILLING:

Chairman Bennett presented the bills for payment dated June 24, 1991, which total \$17,610.96. In addition to this amount is the Fire Protection Fund payment of \$5,000.00 to Hilltown Fire Company for the repair of a blown engine, and also the State Highway Aid Fund which totals \$5,548.65. The grand total of all bills payable is \$28,159.61.

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to pay all bills when due.

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

D. CONFIRMED APPOINTMENTS:

1. Mr. and Mrs. Bialowas - Bialowas Subdivision - Mr. Bialowas presented revised plans of the proposed subdivision located on Rt. 152. Mr. and Mrs. Bialowas had attended the June 17, 1991 Planning Commission meeting and at that time, the Planning Commission suggested the applicant contact DER in reference to the Act 537 for the subdivision. Response has been received from DER advising they have no problems with the proposal and correspondence has also been received from the Bucks County Department of Health indicating they have waived the Planning Module requirements.

Supervisor Bennington asked what the recommendations of the Planning Commission consisted of. Mr. Wynn replied the Planning Commission has not made recommendations on the proposed subdivision at this time. The Planning Commission had indicated, with respect to the connection to public water, that the applicant request a waiver from the Board of

Supervisors of the required public water connection to both lots. The proposed dwelling on Lot #2 will be built beyond the 150 ft. requirement of public water connection. Lot #1 contains an existing house and private well, and is presently located within the 150 ft. requirement of public water connection. The applicant does not wish to connect to public water on either site.

Supervisor Bennington asked if street improvements would be required. Mr. Wynn advised discussion took place regarding this issue, however, no formal recommendation from the Planning Commission was given. Mr. Wynn stated the June 17, 1991 Planning Commission meeting was the first meeting where the plan was discussed, and no recommendation had yet been received from the Bucks County Planning Commission at that time. No formal action was taken, although the applicant asked for clarification on public water connections. Mr. Wynn advised the Planning Commission is leaning towards waiving all street improvements at this time, with the stipulation that a note be added to the plan to guarantee installation of street improvements at the time of future development of Lot #2.

Mr. Jack Fox, Chairman of the Planning Commission, commented that under Subdivision Ordinance requirements, any development must connect to public water if buildings are located within 150 ft. of the public water lines. Since only the Board of Supervisors can grant a waiver of public water connection, the Planning Commission advised Mr. and Mrs. Bialowas to appear before the Board to make this request. Supervisor Bennington asked how far from the public water connection the subdivision is located. Mrs. Bialowas replied the second lot will be approximately 350 feet from the public water lines and will not be required to connect. Mr. Wynn stated the second lot, which is the new building lot, has a setback of 50 ft. from the right-of-way line. The applicant has indicated they will construct their new dwelling on the second lot further than 150 ft. from the water line.

Mr. Bialowas asked if it would be possible to add a note to the plan stating once the present well on Lot #1 is no longer usable, the applicant will be required to connect to public water. Discussion took place regarding the current well and its proximity to the Hilltown Township Water and Sewer Authority's well and pump house. Solicitor Grabowski explained the Delaware River Basin Commission has rules and regulations that if a Municipal water system causes a private well to decrease in quantity, they have regulations which come into play. There are no Township regulations regarding this issue. Chairman Bennett asked the depth of the present well on Lot #1. Mr. Bialowas replied it is approximately 120 feet deep. Chairman Bennett stated three wells have gone dry in Hilltown Township within the past week. Solicitor Grabowski advised the water line connection fees will be increasing in July.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to recommend waiving the street improvements and the public water connection requirements

for the Bialowas Subdivision, pending a note being added to the plan stating future subdivision or development of Lot #2 will require that all waivers be null and void for both water line connection and street improvements.

E. MANAGER'S REPORT:

1. Chairman Bennett presented the following Escrow Releases, which are all letters of credit, for approval:

St. Philip's Church	Voucher #1	\$ 831.50
Cheeks, Inc.	Voucher #1	\$ 386.57
Orchard Station	Voucher #15	\$ 431.06
Pheasant Ridge	Voucher #11	\$ 145.86
Pleasant Meadows Phase III	Voucher #22	\$ 264.00
Bridle Run	Voucher #11	\$1688.44

Chairman Bennett presented two additional Escrow Releases for approval. Funds for both releases are retained by the Township:

Egitto	Voucher #1	\$ 111.41
Egitto	Voucher #2	\$ 578.59

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to release the six letters of credit, and the two cash escrows for Egitto which are listed above.

2. Chairman Bennett reminded the public of the Bucks County Commissioner's meeting scheduled for 7:30PM on Wednesday, June 26, 1991 at the Hilltown Township Municipal Building.

3. Chairman Bennett advised the annual Fire Contracts for cooperative agreement with the seven fire departments who service Hilltown Township have been distributed. The first payment will be disbursed to all fire departments on Monday, July 1, 1991.

4. The Fire Panel has scheduled a presentation on Wednesday, June 26, 1991 at the Hilltown Township Municipal Building at 6:00PM to award the Hilltown Fire Company \$5,000.00 from the Fire Emergency Reserve Fund.

F. HILLTOWN FIRE CHIEF'S REPORT/EMERGENCY MANAGEMENT REPORT:

Mr. Grunmeier was not present at this meeting due to an injury.

G. SOLICITOR'S REPORT - Mr. Frank Grabowski, Township Solicitor:

1. Solicitor Grabowski reported on the three hour Zoning Hearing for Trader's Village, which was held on Thursday, June 20, 1991, and will be continued on Thursday, July 11, 1991.

2. The Sewer Connection Ordinance, which was discussed publicly at the previous Board meeting, will be advertised for consideration and possible adoption at the July 8, 1991 Board of Supervisor's meeting.

3. Solicitor Grabowski gave a brief status report of the BFI Land Development located on Reliance Road. The agreements have been sent to BFI for review. BFI has suggested several banks who will be issuing a letter of credit. Mr. Grabowski previously rejected BFI's proposal to use a foreign bank, and has suggested that a Pennsylvania Bank or a Federally Insured Bank be used.

4. Solicitor Grabowski mentioned Stoneycrest Subdivision, the majority of which is located within Perkasio Borough. A portion of Stoneycrest Subdivision is located within Hilltown Township on Rt. 152, just north of South Perkasio Road. The development agreements have been completed, though one outstanding agreement, which the Board of Supervisor's will address at it's next meeting, involves the granting of an expansion of the sewer district for Perkasio Borough Authority to serve the entire development.

H. CORRESPONDENCE: None.

I. ENGINEERING/PLANNING - Mr. C. Robert Wynn, Township Engineer:

1. Balco Subdivision - Mr. Wynn advised this plan received preliminary plan approval in February, 1991, and has now received a recommendation, with conditions, by the Planning Commission for a final plan approval.

Mr. John Leapson, engineer for the applicant, stated certain conditions for preliminary plan approval were required at the time, regarding the two lots that Mr. Balco has proposed. The plan identifies three lots, two of which are proposed as buildable lots. Planning Module completion should be taking place shortly. The remaining land, Lot #3, is being attached to Mr. Balco's property and is to remain in agricultural use. The Bucks County Conservation District still has not reviewed Mr. Balco's resubmission. The Deed of Combination, which allows Lot #3 to remain a part of Mr. Balco's property, has been given to Mr. Wynn for review, as well as the descriptions of the areas to be dedicated. Highway occupancy permits have been acquired for the two new proposed lots. Mr. Leapson has spoken to the Bucks County Department of Health regarding the Sewage Facility Planning Module and they have contacted Mr. Balco's soil scientist. The buffer yards are shown on the plan as identified by the Engineer's review letter. Mr. Wynn stated it is the Planning Commission's recommendation that the monumentation be installed and certified prior to plan recordation, and the buffer yards be installed prior to plan recordation or guaranteed by way of an escrow.

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Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to grant final plan approval to the Balco Subdivision, pending completion of those items specified by Mr. Wynn's engineering review letter and the Planning Commission.

2. K & B Trucking: Mr. Wynn presented the plan for K & B Trucking Land Development which is located on Church Road, at the site of the former Patterson Trucking development.

Mr. Richard Mast, the engineer for the applicant, stated the site consists of approximately 7.22 acres. At present, a truck repair area and office area exists. There is an existing detention basin, as well as existing parking area, driveway and access. All of these features were approved in 1985 as part of the Patterson Trucking Land Development plan. At this time, the applicant is proposing to permit an existing office trailer to remain permanently. The trailer has been on the property since issuance of a Zoning Permit for a temporary accessory building. The existing detention basin has been re-analyzed, and it was discovered there was some encroachment by the previous owner of the property. Mr. Mast advised the applicant is proposing some grading activity to bring the detention basin in line with the current Ordinance. This will also improve the outlet structure, and reduce the amount of stormwater runoff on the property. Mr. Wynn commented that during the development of the Patterson Trucking site, the retention basin for this site was designed to control sufficient run off from the adjacent Garden Spot II development. The Garden Spot II development has no retention basin, where this development has a more tightly constricted retention basin that both drain into the same water shed. This was accomplished in consideration of an easement that Mr. Patterson received at the time for a sanitary sewer line connection. Mr. Wynn stated the re-design of the retention basin still takes this into account, and has been updated to current criteria, as mentioned.

The Planning Commission recommended a preliminary and final plan approval for the K & B Trucking Land Development, subject to the installation of one tree that is missing from the previously installed buffer yard. An Escrow Agreement to guarantee that the retention basin is reconstructed properly and receipt of the Bucks County Conservation District Erosion Control approval is also required. The Planning Commission recommended waiving any improvements to Church Road. This site has approximately 100 ft. of frontage along Church Road and almost all of it is taken up by the driveway entrance. Another condition still outstanding is that the existing monumentation is required to be identified and installed where any might be missing. Mr. Wynn advised there are also approximately 10 minor drafting items to be completed. The office trailer is currently on site by way of a temporary six month permit issued by the Zoning Officer which expires in July, 1991.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to recommend preliminary and final plan approval of the K & B Trucking Land Development, pending completion of the conditions set forth by the Planning Commission.

3. Quiet Acres - Mr. Wynn advised that the Planning Commission recommended denial of the Quiet Acres plan unless an extension was received. A written extension has been received from Mr. Tobin, the attorney for Quiet Acres, which extends the time period for review until December 30, 1991. Revised plans were received for the last meeting, however, they were received beyond the agenda deadline. Quiet Acres has asked to be on the Planning Commission's agenda for the July meeting.

4. Coleman Land Development - This Land Development located on Rt. 309, was previously discussed a month ago. Mr. Coleman has completed most of the improvements required and has removed the fill on the property that was placed there. As of this evening, Mr. Wynn explained there are still two construction trucks, an oil car buggy, and a load of construction debris remaining on the site. Mr. Coleman is not sure if he will ever move forward with the development of the site, as according to plan approval of approximately 1 1/2 years ago. Mr. Coleman is requesting the buffer plantings and the retention basin fencing not be required at this time, since he has no immediate plans to construct a building. The applicant has indicated he would agree these items must be installed before an Occupancy Permit is issued, if he or someone else moves ahead with the approved plan. Mr. Wynn felt there was a very good chance that a new Land Development will be seen on that site. The improvements required by the agreement along Rt. 309 have been installed.

Provided this is satisfactory to the Board of Supervisors, Mr. Wynn recommended the Escrow Agreement be reduced by way of Voucher #5 and #6. Voucher #5 is for Construction Observation and Escrow Administration through this date in the amount of \$563.30, and Voucher #6 is payable to Mr. and Mrs. Coleman in the amount of \$31,478.20. This would reduce the Escrow balance to \$6,446.05, which would be the guarantee with improvements installed and maintenance of those improvements. Supervisor Bennington asked if the remaining amount is sufficient to cover the applicant. Mr. Wynn replied that it is.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to reduce Mr. Coleman's Land Development Escrow account to sufficient quantities to cover future improvements, and that buffer plantings and the retention basin fencing not be required until such a time as an Occupancy Permit is requested and construction takes place on the site.

5. Replogle Subdivision - Mr. Wynn advised the Replogle Subdivision has been discussed previously. There are still some maintenance items to be accomplished. Trees at the development have been replaced, though the curb has not yet

been patched. There is currently a gap in the sidewalk. Mr. Replogle has requested the concrete apron on the undeveloped lot not be required to be installed by him at this time, since there is no dwelling under construction on that property. Mr. Wynn brought to the Board's attention that there is no estimate of when development of that lot may take place.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to require Mr. Replogle to install the apron immediately and release him at that point in time from the maintenance agreement.

6. Broderick Tract Subdivision - The developer of the Broderick Tract, Mr. Kemmerer, has completed patching of the curb within this subdivision. Mr. Wynn recommends the Board notify Mr. Kemmerer that the patching is unacceptable.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to strongly advise Mr. Kemmerer that the patching of the curb within the Broderick Tract Subdivision is unacceptable to the Township.

7. Cefelli Tract - Cefelli Tract Subdivision is located on Blooming Glen Road, which the Board had previously approved for a central water system. Mr. Wynn advised the plan was amended to connect to Hilltown Township Water and Sewer Authority's public water. At that time, the Board of Supervisors tabled the plan awaiting a response from the Authority explaining their thoughts on connection to public water and financial responsibility for this connection. Mr. Wynn received correspondence from the Hilltown Township Water and Sewer Authority explaining their reason for wanting the Cefelli Tract development to connect to public water. The subdivision is an amended final plan, with the change being from a central water system to a public water connection.

Supervisor Bennington felt the Authority's argument to request connection to public water for the Cefelli Tract would effectively stall any satellite water systems for future developments. Solicitor Grabowski explained the major concern expressed by the Water and Sewer Authority was the use of ultra-violet light disinfection in each of the individual dwellings, which is mentioned in Mr Kee's letter. Supervisor Bennington asked if it were true that every proposed satellite system would experience the same situation. Solicitor Grabowski replied that disinfection system would either be ultra-violet light or chlorine and there could be maintenance problems with either situation. Solicitor Grabowski commented the Authority did not state that they dislike satellite systems. Chairman Bennett asked if there were advantages to the public water connection of the Cefelli Tract in regards to connection with Perkasio Borough Authority water system. Solicitor Grabowski replied there is a whole series of items listed in Cowan Associates letter of June 17, 1991, and the possible

interconnection with Perkasio Borough Authority's water system was one of those considerations. The Hilltown Township Authority is also concerned about fire protection. With the extension of the water line and by providing fire hydrants along Blooming Glen Road into the development, this will facilitate better fire protection. Supervisor Bennington commented he has weighed the good points versus the bad points for the public water connection to the Cefelli Tract, and he agrees with the Authority, however he still has some reservations regarding this issue.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to recommend the connection to public water for the Cefelli Tract Subdivision.

8. Linens for Signature: Mr. Wynn presented two linens for signature following this meeting:

- a. Miller-Croll Subdivision
- b. Stoneycrest Subdivision

J. RESIDENT'S COMMENTS: None.

K. SUPERVISOR'S COMMENTS:

1. At a previous meeting, Supervisor Bennington had questioned the progress of the proposed asphalt plant on Skunk Hollow Road by H & K Quarry. Supervisor Bennington read correspondence received from the assistant secretary of H & K Quarry to Mr. Eric Applegate. H & K Quarry advised they are continuing the construction of the asphalt plant, but due to the poor nature of the economy, construction has slowed. The plant is not 100% complete at this time, however they estimate completion by the end of July, 1991. There is limited testing of asphalt mixes, so that when the plant is 100% complete, H & K can move right along with final testing.

2. Chairman Bennett requested authorization from the Board of Supervisors to attend a meeting with Silverdale officials to discuss police matters of mutual interest.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to direct Chairman Bennett to meet with Silverdale officials within the next week to discuss police matters of mutual interest.

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

M. ADJOURNMENT: There being no further business, a motion for adjournment of the Hilltown Township Board of Supervisor's meeting of June 24, 1991 was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously at 8:40PM. -

Respectfully submitted,

Lynda Seimes
Lynda Seimes
Assistant Township Secretary

(*These minutes were transcribed from recordings and notes taken by Mrs. Maria Gerhart, Recording Secretary).

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C. ROBERT WYNN ASSOCIATES, INC.

Consulting Engineering
211 West Broad Street
Lakertown, PA 18951

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

Memo To: Hilltown Township
From: C. Robert Wynn
Subject: Escrow Release Summary
Date: June 20, 1991

1. St. Philip's Church - Voucher No. 1 dated June 13, 1991 in the amount of \$831.50 for const. obs./esc. admin. for period from 2/1/91 thru 5/31/91.
2. Cheeks, Inc. - Voucher No. 1 dated June 13, 1991 in the amount of \$386.57 for const. obs./esc. admin. for period from 5/14/91 thru 5/31/91.
3. Orchard Station - Voucher No. 15 dated June 17, 1991 in the amount of \$431.06 for reimbursement for const. obs./esc. admin. for period from 1/1/91 thru 3/31/91.
4. Pheasant Ridge - Voucher No. 11 dated June 17, 1991 in the amount of \$145.86 for const. obs./esc. admin. for period from 4/24/91 thru 6/13/91.
5. Pleasant Meadows Phase III - Voucher No. 22 dated June 17, 1991 in the amount of \$264.00 for const. obs./esc. admin. for period from 12/1/90 thru 5/31/91.
6. Bridle Run - Voucher No. 11 dated June 19, 1991 in the amount of \$1,688.44 for reimbursement for const. obs./esc. admin. for period from 3/1/91 thru 4/30/91.
- *7. Egitto - Voucher No. 1 dated June 20, 1991 in the amount of \$111.41 for const. obs./esc. admin. for period from 8/13/90 thru 6/20/91.
- *8. Egitto - Voucher No. 2 dated June 20, 1991 in the amount of 578.59 for release of balance of escrow funds.

* Funds Retained by the Township.