

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED PUBLIC MEETING  
Monday, February 11, 1991  
7:30PM

The meeting was called to order by Chairman William H. Bennett, Jr. at 7:32PM 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  
Thomas Buzby, Director of Public Works  
George C. Egly, Police Chief  
Maria Gerhart, Recording Secretary

Chairman Bennett announced the Supervisors met in Executive Session from 6:00PM to 7:30PM to discuss personnel and legal matters and will continue in Executive Session for a short time after the present meeting is adjourned.

A. APPROVAL OF MINUTES:

Supervisor Bennington pointed out on page one the minutes should state, "Ms. Maria Gerhart, a new secretary with the Township". Chairman Bennett mentioned page 10, next to the last paragraph regarding the 1987 BOCA Code. This statement should reflect the Board of Supervisors voted to adopt the 1990 BOCA Code, rather than "revising" the BOCA Code.

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to approve the minutes of the Janaury 28, 1991 Board of Supervisors meeting as corrected.

B. APPROVAL OF CURRENT BILLING:

Chairman Bennett stated the bills presented for payment on February 11, 1991 total \$37,606.00, along with Highway Aid which totals \$796.00, for a grand total of \$38,402.00.

Supervisor Kelly questioned the bill for Niessen, Dunlap and Pritchard for \$795.00. Chairman Bennett investigated this outstanding bill, and found apparently this is a bill the Board assumed had been paid last spring, but was not. This bill is part of the overall 1989 audit completed in 1990.

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. Fire Panel - Ms. Bernadette McKeon - Ms. McKeon stated the members of the Hilltown Township Fire Panel voted unanimously to recommend the Board of Supervisors approve the distribution of \$5,000.00 from the Hilltown Township Fire Fund Emergency

Reserve to be paid to the Sellersville Fire Department. Ms. McKeon explained the \$5,000.00 is to be used for the refurbishment of the 100 ft. ladder fire truck. The Fire Panel unanimously feels this contribution is for a worthy cause.

Chairman Bennett mentioned this is a combination of an unexpected breakdown of Sellersville Fire Department's major ladder equipment and refurbishing, at an approximate cost of \$140,000.00. Chairman Bennett stated Sellersville Borough donated \$5,000.00, and West Rockhill Township donated \$10,000.00 towards this project. In view of the above mentioned donations, and since Sellersville Fire Department is one of Hilltown Township's responding Fire Departments, Chairman Bennett explained the Fire Panel felt \$5,000.00 would be a worthwhile donation. The current Fire Emergency Reserve Fund totals \$31,750.00. Supervisor Bennington stated he has been, and still is, opposed to the maintenance of a Fire Emergency Reserve Fund.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to accept the recommendation of the Fire Panel, with Supervisor Bennington's reservations on this issue noted for the record.

Chairman Bennett commented the Fire Panel would like to address the Board of Supervisors at a future meeting regarding the merits of holding a Fire Emergency Reserve Fund. Ms. McKeon stated the Fire Panel is currently convening to review specific guidelines that the Fire Panel will recommend to the Hilltown Township Board of Supervisors, as far as future distribution of emergency funds.

2. Wally Rosenthal - Trader's Village - Mr. Rosenthal stated this past week, Mr. Eric Applegate, Building Inspector/Zoning Officer of Hilltown Township, inspected Trader's Village building and found they met all the health and safety issues which needed to be addressed. Mr. Rosenthal is present this evening to seek the Board's approval to open Trader's Village this coming weekend as an E2 Use, and to use the entire building as a retail building. Chairman Bennett stated his understanding is that the E2 permit had conditions attached by Mr. Applegate, which needed to be met and addressed before occupancy and use of the building. Chairman Bennett felt Mr. Rosenthal should appear before the Zoning Hearing Board, as it was not a matter for the Board of Supervisors to decide.

Mr. Rosenthal does not believe this is a zoning matter. Since the exterior requirements are hindered by weather conditions and do not impact the use of the building itself, and in as much as the interior health and safety issues have been addressed and met in total, Mr. Rosenthal felt use of the entire building should be warranted.

Mr. Eric Applegate stated he inspected the entire building and found there is no ramp or stairs to the outside of the building from a new fire door which had been added. Chairman Bennett

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asked if there was any other conditions which had not been satisfied. Mr. Applegate explained there are no interior conditions which have not yet been met. Mr. Rosenthal stated the ramp discussed by Mr. Applegate is being taken care of.

Solicitor Grabowski commented a zoning permit has been issued by the Zoning Officer with conditions, and once all those conditions are met, the applicant can then request the Zoning Officer to issue a Use and Occupancy Permit. Solicitor Grabowski explained the Board of Supervisors cannot entertain Mr. Rosenthal's question, nor can they grant Mr. Rosenthal's request under the terms of the Zoning Ordinance, since it is not in the Board of Supervisor's power to either waive conditions of a zoning permit, or to suggest conditions be delayed or overlooked. Solicitor Grabowski stated if Mr. Rosenthal disagrees with the Zoning Officer's decision, under authority of the Zoning Ordinance, the applicant must appear before the Zoning Hearing Board to request a variance or to appeal the Zoning Officer's decision.

3. 1990 Fire Police Report - Mr. John Snyder - Mr. Snyder gave a brief summary of the 1990 Fire Police activities. A copy of that report is attached to these minutes. During the year, the Fire Police responded to 61 different situations, which were in addition to responding to all the fire calls within the Township. At times, the Fire Police duties were performed in collaboration with, and at other times, in place of, the Hilltown Township Police Department. Of the 61 calls listed, one of the calls was located in Silverdale Borough on an emergency basis. There were 46 emergency calls, 8 security details, and 7 public relation details for a total of 61 calls. Mr. Snyder stated the Fire Police were in service for 178 hours and 18 minutes, totalling 311 hours and 37 minutes in actual manhours. The public relations portion includes appearances of Officer McGruff at all three elementary school D.A.R.E. programs, Police Memorial Week at the Richland Mall, as well as appearances during the three days of the Grand View Hospital Lawn Fete. In addition to these calls, were Officer McGruff's appearances at a D.A.R.E. graduation at Lower Salford Township and the Hatfield Borough/Township Public Safety Open House. Mr. Snyder has also attached the individual records of the 7 Fire Police in Hilltown Township's Fire Company as to the number of manhours each has put in to service in 1990.

E. MANAGER'S REPORT -

1. Chairman Bennett stated the Board of Supervisors has received a memo from the PennDot stating the Pennsylvania Department of Transportation will sponsor "Keep Pennsylvania Beautiful Day" on Saturday, April 27, 1991. The Board will acquaint the public with more details at future meetings.

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2. Chairman Bennett read the Treasurer's Report for the month ending January 31, 1991:

General Fund Checking End of Month Balance - \$76,931.00  
Payroll Checking Account - \$135.00  
Fire Fund Checking Account - \$31,745.00  
Debt Service Investment Checking - \$2,093.00  
Escrow Fund Checking Account - \$97,712.00

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to accept the Treasurer's Report, subject to audit.

3. Chairman Bennett entertained a motion to authorize six Escrow Releases (all Letters of Credit):

Orchard Station	Voucher #14	\$311.00
Bridle Run	Voucher #06	\$6,032.00
Bridle Run	Voucher #07	\$15,984.00
Hilltown Village	Voucher #05	\$3,609.00
Hilltown Village	Voucher #06	\$7,393.00
Hilltown Village	Voucher #07	\$522.00

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to authorize the six listed Escrow Releases.

F. DIRECTOR OF PUBLIC WORKS REPORT - Mr. Thomas Buzby, Director of Public Works - Mr. Buzby read the report for December 30, 1990 through January 26, 1991, which is on file at the Township Building.

Chairman Bennett mentioned the Upper Montgomery/Bucks County Community Affairs Association has scheduled their annual meeting Wednesday, February 27, 1991 at Sellersville Fire Department. All Municipal Managers and Public Works Directors are invited to attend.

G. POLICE CHIEF'S REPORT - Chief George Egly - Chief Egly read the report for January, 1991, which is on file at the Township Building.

Chairman Bennett asked for an update on future efforts spent on the "Rt. 309 Blitz" operation. Chief Egly stated future "Rt. 309 Blitz" operations will be scheduled with the help of PennDot. Chief Egly advised car accident statistics on the Hilltown Township section of Rt. 309 have dropped approximately 32% since this venture began. Chairman Bennett requested a recap of 1989 versus 1990 in the various categories of police activity to be presented at a Board of Supervisor's meeting in March.

Supervisor Bennington questioned police overtime for January, 1991. Chief Egly explained the computation of police overtime to the Board. Supervisor Bennington asked if letters had been sent to the trespassers in Mrs. Florence Simon's neighborhood, which was discussed at previous Board of Supervisor's meetings. Chief Egly replied citations had been sent to the three men involved in the trespassing/deer hunting incident.

H. SOLICITOR'S REPORT -

1. Solicitor Grabowski presented a set of Escrow Agreements for approval by the Board of Supervisors for the Owen Rice Subdivision. Solicitor Grabowski explained Mr. Rice has decided to make a direct deposit of the required construction money with the Township and has done so in the amount of \$6,208.00. These monies are to guarantee driveway construction, topsoil replacement, soil erosion control, and installation of street trees. Along with the Development Agreement, there is a Deed of Dedication for property located along Old Bethlehem Road and Hayhouse Road. Solicitor Grabowski suggested adoption of Resolution #91-13 and #91-14, and to also make an encompassing motion to authorize execution of the Agreement. Resolution #91-13 is for Acceptance of Deed of Dedication and Resolution #91-14 is for Declaration of Public Purpose.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to adopt Resolution #91-13 accepting Deed of Dedication for the Owen Rice Subdivision, and to adopt Resolution #91-14 for Declaration of Public Purpose for the Owen Rice Subdivision, and to execute the Agreements discussed previously.

2. Solicitor Grabowski reminded the Board of Supervisors the Proposed Cable TV Ordinance will be advertised for consideration and possible adoption at the February 25, 1991 meeting. Solicitor Grabowski stated the BOCA Ordinance will probably be advertised for the first meeting in March, 1991.

I. CORRESPONDENCE: None.

J. RESIDENT'S COMMENTS:

1. Mr. Bob Grunmeier, II, 33 Hilltown Pike, Line Lexington stated he was not present at the beginning of the meeting when the Board of Supervisors issued \$5,000.00 to Sellersville Fire Department. Mr. Grunmeier questioned how much was issued by Sellersville Borough and how much was issued by West Rockhill

Township. Chairman Bennett answered \$5,000.00 and \$10,000.00 respectively. Mr. Grunmeier understood the Emergency Fire Fund was not to be used until the Fund reached \$50,000.00, and he also questioned what avenues must be pursued to apply for this Emergency Fire Fund. Chairman Bennett stated the Fire Panel has drafted a criteria that any Fire Company could apply for the Emergency funds, and perhaps at the next Board of Supervisor's meeting, the Fire Panel will present this criteria for the Board's review.

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

1. Mr. Wynn advised at the last Board of Supervisor's meeting, he had recommended the Board table the Philadelphia Electric Company Two Lot Subdivision unless an extension was received. The engineer for Philadelphia Electric Company had verbally stated an extension was forthcoming, although it had not been received in writing.

2. Mr. Wynn stated Habitations Subdivision still needs to rectify location of street lights. A plan has been received from PP&L which proposes two street lights - one located at Hilltown Pike on the opposite side of the roadway from the development, and one at the end of the cul-de-sac street. The Planning Commission has recommended one street light. If the Board is in agreement, Mr. Wynn would like to respond to PP&L and request they revise their agreement to one street light, and to move that street light to the same side of the development, at the entrance to Lorraine Way and Hilltown Pike. Supervisor Bennington commented he preferred the one street light on the same side of the development, as opposed to the street light at the end of the cul-de-sac. Mr. Wynn advised this will increase the cost of the street light, since the pole will also have to be amortized. The cost will be approximately \$200.00 a year for the eight lots. Supervisor Bennington asked if Mr. Miley, developer of Habitations, had reviewed the plan itself with the neighbor, as previously discussed. Mr. Wynn replied review of the plan, as well as the Escrow Agreements are still outstanding with the Habitations Subdivision.

L. SUPERVISOR'S COMMENTS -

1. Supervisor Bennington, at the behest of the committee people in Blooming Glen voting district, made a motion to approve the move of the polling place from the former municipal building to the present municipal building effective with the November 19, 1991 election. Motion seconded by Chairman Bennett, and carried unanimously.

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2. Supervisor Bennington suggested Chairman Bennett contact the Census Bureau to determine whether or not the Township should compile it's own census to recoup the number of people lost during the last census, and also to see, if the Township were to pay for an approved authority to conduct the census, if the benefit to the Township in recouping monies would be worth the expense. Chairman Bennett hoped that with the employment of a fulltime Building Inspector/Zoning Officer, the Board will now be able to approach Mr. Applegate at the end of the year to determine how many new homes and apartments were built in Hilltown Township, and Mr. Applegate will be able to give a fairly accurate count of new residents.

3. Chairman Bennett stated there is a second vacancy on the Hilltown Township Water and Sewer Authority Board. Mr. Earl Sullivan has resigned due to additional job responsibilities and world-wide travel. At the previous Board meeting, Mr. Ed Curry, Chairman of the Water and Sewer Authority Board resigned due to the pressures of business.

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to appoint Mr. Scott Tagg to the Water and Sewer Authority Board.

Chairman Bennett felt Mr. Tagg would be an excellent addition to the Water and Sewer Authority. Mr. Tagg is a graduate engineer who owns his own business, and is president of the Upper Bucks County Rotary Club.

4. Supervisor Bennington advised Mr. Larry Jones had previously been appointed to the Hilltown Township Water and Sewer Authority Board, however Mr. Jones was already appointed as an alternate on the Zoning Hearing Board and must decline his appointment as Zoning Hearing Board alternate.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly, and carried unanimously to cease Mr. Larry Jones' appointment as Zoning Hearing Board Alternate following the next Zoning Hearing Board meeting, and at that time, Mr. Jones appointment to the Hilltown Township Water and Sewer Authority Board will become effective.

M. PRESS CONFERENCE - A press conference was held to answer questions of those reporters present.

N. ADJOURNMENT: There being no further business, a motion for adjournment of the Board of Supervisor's meeting of February 11, 1991 was made by Supervisor Kelly and carried unanimously at 8:20PM.

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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Memo To: Hilltown Township  
From: C. Robert Wynn  
Subject: Escrow Release Summary  
Date: February 7, 1991

1. Orchard Station - Voucher No. 14 in the amount of \$311.32 for const. obs./esc. admin. for period from 12/1/90 thru 12/31/90.
2. Bridle Run - Voucher No. 6 in the amount of \$6,032.64 for reimbursement for const. obs./esc. admin. for period from 10/1/90 thru 11/30/90.
3. Bridle Run - Voucher No. 7 in the amount of \$15,984.00 for installation of 227 shrubs and 46 coniferous trees.
4. Hilltown Village - Voucher No. 5 in the amount of \$3,609.90 for silt fence, fertilizer, seed, and mulch.
5. Hilltown Village - Voucher No. 6 in the amount of \$7,393.40 for contingency.
6. Hilltown Village - Voucher No. 7 in the amount of \$522.54 for const. obs./esc. admin. for period from 12/1/90 thru 1/31/91.