

**HILLTOWN TOWNSHIP  
SUPERVISORS' MEETING  
February 27, 1989**

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Robert H. Grunmeier at 7:30 P.M.

Members present were: Robert H. Grunmeier, Chairman  
Betty J. Kelly, Vice Chairperson  
William H. Bennett, Supervisor

Others present were: James H. Singley, Township Manager  
Gloria G. Neiman, Township Secretary  
Chief George Egly, Chief of Police  
Francis X. Grabowski, Twp. Solicitor  
C. Robert Wynn, Township Engineer

Chairman Grunmeier recognized the following guests, Mr. Gary Volovnik, Chairman of the East Rockhill Board of Supervisors and Judge Robert Hunsicker.

A. APPROVAL OF MINUTES: Motion was made by Mrs. Kelly to approve the February 13, 1989 Supervisors' meeting minutes as written; motion seconded by Mr. Bennett and carried unanimously.

B. ACCOUNTS PAYABLE: Billing in the following amounts was approved by the Board: General Fund - \$25,652.31; Street Lighting - \$103.61; and State Fund Account - \$2,375.82. Mr. Bennett questioned cost of binoculars, vehicle repairs, and architectural fee of \$90,000 (Mr. Singley stated that the architectural fees will be in line with the original proposal). Motion was made by Mrs. Kelly to approve payment of all bills when due; motion seconded by Mr. Bennett and carried unanimously.

C. TREASURER'S REPORT: The report for the month of February 1989 was read by Mr. Singley; this report is on file at the Township office. Motion was made by Mr. Bennett to accept the report as given, subject to audit; motion seconded by Mrs. Kelly and carried unanimously.

D. CONFIRMED APPOINTMENTS:

1. Feryl Spaninger - Mr. Spaninger presented copies of a plot plan and stated that he researched deed books at the County Courthouse to determine ownership of parcels of the present Township building and adjoining land. He stated that the object of the Playground Association was to provide recreational facilities for the use of Blooming Glen and vicinity and to encourage the youth to participate in athletics. Mr. Spaninger reported that he met with residents who were active members of the Blooming Glen Playground Association; and, provided the Township would retain the present building, the Township may be able to acquire all the

adjacent lands, fee simple. (Mr. Spanninger stated that the Hilltown Lions Club owns the Scout building; and the Blooming Glen Playground Association has a 99 year lease which states the building must be used first for the scouts, after that any other organization wishing to rent it, may do so). Total area of property is approximately 7+ acres.

2. Violet Ziegfried and Virginia Hunsicker - Ms. Hunsicker, President of The Friends of the Library in Perkasio, and Ms. Ziegfried, a Hilltown resident, were present to ask that the Board consider allowing the Township building to be used for the Thrift Shop operated by the Friends of the Library. Ms. Hunsicker explained that the Thrift Shop is operated by volunteers 1½ days a week and that it is a disposal point for household goods and recyclables; all proceeds go to the Library. Chairman Grunmeier stated that he would like to review all proposals/suggestions with the Supervisors before making a final decision; however, he indicated it is very evident that the residents would like the Township to retain this building for community functions. Mr. Bennett stated that he would withdraw his remarks of a few weeks ago when he proposed selling the Township building and that he would also like to review all requests. Mrs. Kelly was also in agreement.

3. Dale McCauley, Community Map Company, Pottstown, PA - Mr. McCauley presented a sample map copy to the Supervisors and explained that his company updates township maps and provides newsletters; the township would have to pay the cost of bulk rate mailing (approx. \$85 for bulk rate permit + 12½¢ each to mail). Mr. McCauley stated that cost of the map/newsletter is paid for by advertising of businesses in the community; time required to gather information and print map is approximately 4 to 5 months. The Board will take this information into consideration.

4. Jay Stover - not present at this time.

5. Eric Tobin/Baker Subdivision - Mr. Tobin stated he previously submitted a letter to the Supervisors, granting an extension for this subdivision in order to complete testing and to revise plans to conform to drafting requirements stated by the Township Engineer; but indicated he would be willing to provide another letter shortening the extension time. Motion was made by Mr. Bennett to accept the original offer of extension until June 1, 1989; motion seconded by Mrs. Kelly and carried unanimously.

6. David Creciun and Jahn Landis - The Zoning Officer has advised Mr. Creciun that he must come before the Board to clarify amount of parking spaces needed for a convenience store proposed on his property on Hilltown Pike. Ms. Landis explained that plans show an eating establishment (36 parking spaces); an office, which was then changed to a hardware store (one parking space per every 100 s.f. required + one for each employee - 13 spaces put in);

and a convenience store (1800 s.f. - Zoning Officer has determined 19 spaces will be required). Ms. Landis stated that there are 56 spaces now; they will agree to add 10 more for a total of 66 within one year after the last tenant. Chairman Grunmeier read from Mr. Myers' memo regarding number of spaces required and asked if they would agree to two extra spaces. Ms. Landis stated they do not agree that the two extra spaces are needed but they would be willing to add them, provided they could be put in within one year after the last occupancy. Mr. Bennett stated that the real issue is that this plan was approved with two stores and an office. There followed discussion regarding the parking agreement, number of parking spaces required and time limit required to provide same. Chairman Grunmeier stated that when the three stores are rented, (conditional upon one being an eating establishment), there should be 68 spaces (per the Zoning Officer). Motion was made by Mr. Bennett to deny the additional parking spaces because the plan is not in conformance with what was originally approved (2 stores and one office). There was no second to this motion. A motion was made by Mrs. Kelly that when all three stores are completed and final occupancy is taken, 68 parking spaces (instead of 66) will be required within one year of final occupancy; motion seconded by Mr. Grunmeier. Discussion: At Mr. Grabowski's suggestion, the Board reviewed the original plan with regard to original proposed use of the building. Chairman Grunmeier questioned length of time required to put in parking spaces and directed the Township Manager, Township Engineer, Township Solicitor and Zoning Officer to set up a meeting with Mr. Creciun and Ms. Landis for discussion of same. Mrs. Kelly withdrew her motion and the Board tabled a decision until this meeting is held.

7. William Rex - Not present at this time.

E. MANAGER'S REPORT:

1. Mr. Singley reported that a personnel meeting was held prior to the regular township meeting and that there will be another meeting after this meeting for discussion of personnel matters.

2. Municipal Building - Mr. Singley reported that completion date is still estimated at April 15, 1989. Drywall and spackling 95% complete; plumbing 100%; electrical duct work 75%; telephone wiring 100%; HVAC has been installed and silt fence made more secure. Mr. Singley reported that two additional letters have been received on use of present building: Rena Worbaugh (thrift shop) and Mary Carmer (senior citizen's center).

3. Small Games of Chance Resolution - Chairman Grunmeier asked for resident's comments; there being none, he asked for Supervisor's comments: Chairman Grunmeier stated that he would like to give the residents an opportunity to vote on it in whatever way they choose, for or against, is their prerogative. He further stated that the resolution would need to be passed and signed at tonight's meeting in order to be placed on the ballot. Motion was made by Mrs. Kelly to adopt Resolution #89-11, Small Games

of Chance Resolution; motion seconded by Mr. Bennett. (Mr. Grabowski read the resolution which requests the Bucks County Board of Elections to place the question, "Do you favor the issuance of licenses to conduct small games of chance in the Township of Hilltown?" upon the ballot of the 5/16/89 Primary Election within the Township of Hilltown.) Mr. Bennett stated that he agreed with Chairman Grunmeier's statement and that he does not agree that this will bring casinos into the area; that the issue should be decided by the voters. Mrs. Kelly stated that this choice should be made by the people. A vote was taken; motion carried unanimously.

4. Zoning - Mr. Singley stated that, after a discussion with Clarence Myers, Zoning Officer, it seems prudent that request for zoning matters be placed in writing to the Township Zoning Officer so that there will be a "trail" for follow-up. Mr. Singley asked that the Board approve this new policy: Motion was made by Mrs. Kelly that all zoning requests be placed in writing; motion seconded by Mr. Bennett and carried unanimously.

5. Zoning Report - Mr. Singley read the January 1989 report which is on file at the Township building. Zoning Hearing Board: 1/12/89 - Richard Callahan; 1/12/89 Timothy Browning (continued); 1/26/89 Timothy Browning (continued - decision will be handed down on 3/16/89).

6. Grass Subdivision - correspondence given to the Supervisors and Mr. Wynn (will be discussed under Engineering/Planning).

7. Park & Recreation Board - Draft of 2/21/89 minutes will be reviewed by Park & Rec. Board and then distributed. Mr. Spaninger was present at that meeting to discuss possible use of present township building; Mr. Carney (Civic Association) and Mr. Lupinacci (Deep Run Association) also spoke at that meeting. Mr. Singley and Mr. Buzby met with Mr. Antunes and Mr. Carney at the Hilltown Civic Association land; Park & Rec. Board will have something formulated by 3/14/89 regarding use of that land.

8. Line Lexington Sewers - letter received from Robert Bender, New Britain Township, stating that service will be extended during the next 18 to 24 months. Chalfont/New Britain Authority have advised they will send a standard agreement for review. Chairman Grunmeier stated that both he and Mr. Wynn have spent a good deal of time on this project, and suggested that he, James Singley, and Robert Wynn be named representatives from Hilltown Township and that a public meeting be set up. The Board agreed to this suggestion.

9. Police Review Board: Motion was made by Mr. Bennett to appoint the following residents to that Board: Jeffrey Drake (Attorney); Earl Sullivan (Executive Director of company in Phila.); and Joseph Kerschner (Police Chief of Towamencin Township); motion seconded by Mrs. Kelly and carried unanimously. Also serving on the Board will be Christopher Engelhart (representative of the Police Benevolent Assoc.) and Mr. Singley.

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10. Request received from Roadmaster, Tom Buzby for himself and Foreman H. Scott Lear to attend the 29th Annual Snow Conference in Hartford, CT, sponsored by the American Public Works Association, 4/9/89 to 4/12/89 at a total cost of approximately \$859. (Chairman Grunmeier stated that this must be of importance to Mr. Buzby and if the Township has sufficient funds, he would recommend that this be approved). Motion was made by Mrs. Kelly to approve sending Mr. Buzby and Mr. Lear to this conference; motion seconded by Mr. Bennett; and carried unanimously.

11. Request from Sgt. Ashby Watts to attend the 8th Annual Crime Symposium in Trevese (dealing with drug and alcohol awareness), hosted by the PA Crime Prevention Office, hotel reservation fee \$407.06 (included in budget). Motion was made by Mrs. Kelly to approve sending Sgt. Ashby Watts to this Symposium; motion seconded by Mr. Bennett and carried unanimously.

12. Request from Patrolman Randall Tanghe to attend a Traffic Accident Reconstruction Course 4/10 to 4/14/89. Patrolman Tanghe is requesting time off (5 days) in addition to his normal time off to attend this course; Officer Tanghe is paying the total expenses of \$750. Motion was made by Mr. Bennett to approve Officer Tanghe attending this course with an additional 5 days; motion seconded by Mrs. Kelly and carried unanimously.

8:35 P.M. - Board adjourned for an executive session.

8:45 P.M. - Meeting called back to order.

F. FIRE CHIEF'S REPORT: The February report was read by Robert H. Grunmeier, II; this report is on file at the Township office. Mr. Bennett questioned a fire in Montgomery County which occurred over the weekend and asked why the Hilltown Fire Company was not called; Mr. Grunmeier stated that this was across the county line and Hilltown was not dispatched.

G. ENGINEERING/PLANNING:

1. Hilltown Meadows Phase II Revised Final Subdivision Plan (plan originally approved in April, 1988). Mr. Frank Rice is requesting relief from the 50' buffer yard requirement which was part of the original plan approval. PC recommends partial relief and that the plan approval be amended to require installation of evergreens along property line with open spaces being filled in with additional deciduous trees (Type "C" buffer). Motion was made by Mr. Bennett to approve the PC's recommendation; motion seconded by Mrs. Kelly and carried unanimously.

2. Kozitsky Subdivision - Mr. Kozitsky presented a new sketch of a 3 lot subdivision (2 lots shown on current pending plan). Mr. Kozitsky is asking the Board to consider a variance on the central well requirement due to size of lots and lack of density in the area (2+ acre lots with 190' frontage). PC reviewed this request and forwarded the sketch plan to the Supervisors without a recommendation on the central well issue. (PC indicated to

Mr. Kozitsky that this is a Supervisors' decision.) Mr. Bennett questioned alternatives; Mr. Wynn stated that an alternative would be a single well with centralized water system. There followed discussion regarding central wells. Motion was made by Mr. Bennett to grant a variance and waive the central well requirement; motion seconded by Mrs. Kelly and carried unanimously. Regarding lot depth; length of lot exceeds the width 2:1 -- Chairman Grunmeier suggested that Mr. Kozitsky go before the PC. Motion was made by Mr. Bennett to grant a variance on the size of the lot, even though it exceeds the width 2:1; motion seconded by Mrs. Kelly. Chairman Grunmeier voted no, since this has not been before the PC, he stated he would not vote on it. Motion carried 2:1.

3. Summit Court Revised Final Plan -- located on Reliance Road, 10 homes proposed. Pumping station was proposed with connection to Telford Borough Authority. Mr. Wynn reported that a condition of the plan approval was approval by Telford Borough Authority (TBA). TBA has now extended sewer to Township Line Road. PC recommends approval of change to a gravity sewer system conditional upon the repaving of Township Line Road and Reliance Road within limits of construction. At Chairman Grunmeier's suggestion, Mr. Wynn reported that the residents will be advised of their ability to connect. Motion was made by Mrs. Kelly to grant approval to the revisions of the Summit Court final plan, with gravity sewer and repaving of the roadway; motion seconded by Mr. Bennett and carried unanimously.

4. Leidy Grass Subdivision - Mr. Wynn reported that a sketch plan was presented to the PC, with a request that street trees and improvements not be required along Callowhill Rd. frontage of the site. PC recommended waiver of requirements when the plan is submitted provided a note be placed on the plan stating that any future subdivision of Lot #2 shall require street improvements and street tree plantings along Lots #1 and #2, unless waived by the Township. Since no one representing Leidy Grass was present at this meeting; no action was required and the Board tabled discussion.

5. Kaminski Subdivision - Previously before the Board to request waiver of cul-de-sac length of proposed roadway on Skunk Hollow Road (5 lots); Mr. Strother instructed to go before PC; PC has recommended that cul-de-sac length (approximately 950' proposed) be waived. Chairman Grunmeier questioned whether there would be a curb cut in the turn-around to facilitate snow removal; Chairman Grunmeier also questioned proximity to the Quarry. Mr. Wynn reported that they are not adjacent to the Quarry District; however, they may feel a quarry blast. Mr. Bennett questioned whether there was discussion by PC of calling this a private road. Mr. Wynn stated that private streets are not permitted under the Subdivision Regulations. Motion was made by Mr. Bennett to waive the cul-de-sac length, based on the PC's recommendation; motion seconded by Mrs. Kelly and carried unanimously.

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6. Garges Land Development - proposed car wash located on Bethlehem Pike. PC recommended approval subject to conditions listed in Township Engineer's review of 1/6/89. Issue of water and usage not pointed out by BCPC. PC reaffirmed previous recommendation of approval subject to conditions of Township Engineer's 1/6/89 review letter and no future street improvements to be required along Bethlehem Pike. Motion was made by Mr. Bennett to grant preliminary plan approval to the Garges Land Development based on PC's recommendation; motion seconded by Mrs. Kelly and carried unanimously.

7. Plechner Site Plan - 90 day extension received (from 3/19/89) until June 1989.

8. Flood Plain Ordinance - PC recommended adoption of this ordinance.

Swimming Pool Ordinance - PC recommends adoption of this ordinance with one change: Section 6 to be changed to 4' high fence instead of 6' high fence.

Motion was made by Mrs. Kelly to advertise the swimming pool ordinance and the Flood Plain Ordinance for adoption; motion seconded by Mr. Bennett and carried unanimously. Mr. Grabowski stated they would be advertised for the March 27, 1989 Supervisors' meeting.

#### H. SOLICITOR'S REPORT:

1. H & L Subdivision Deed of Dedication - Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to adopt Resolution #89-12, Acceptance of the Deed of Dedication for H & L Subdivision; and Resolution #89-13, Declaration of Public Purpose.

2. Bux-Mont Litigation - Mr. Grabowski presented a status report of the 3 cases as follows: (1) Litigation against Supervisors individually - depositions were held, awaiting scheduling of trial date (case has been reassigned to Judge Waldman). (2) Appeal by Township of DER permits - before Environmental Hearing Board in May 1989. (3) Site Development Appeal - Bux Mont's appeal of Township's decision -- Judge Garb dismissed this appeal (can be appealed within 30 days).

#### I. RESIDENT'S COMMENTS:

1. Wanda Rita, 1222 Green Street - Ms. Rita questioned advertisement method of the Swimming Pool Ordinance and was told that this will be held at a public meeting in the Township Building and advertisement will be placed in the News Herald; proposed date for hearing is 3/27/89. (Copies of the ordinance were distributed to those requesting same).

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2. Craig Hopkins, 2012 Welcome House Road - Mr. Hopkins questioned whether the Swimming Pool Ordinance applies to existing pools; Chairman Grunmeier answered that it will apply to all pools.

3. Robert McGraw, Stump Road - questioned whether the Swimming Pool Ordinance will affect ponds; Mr. Wynn replied that it would not. Chairman Grunmeier stated that it would not be feasible to fence the many ponds in the Township; and that swimming pools tend to draw small children. (A resident stated that a neighbor's barn (on Hilltown Pike) recently burned down, and had his pond been fenced, their house would also have been destroyed. However, he stated that all residents will have a chance to state their opinion at the 3/27/89 Supervisors' Meeting. Mr. Bennett stated that the PC discussed this issue and that many farmers still use ponds to water their livestock. Mr. Wynn stated that this ordinance will affect all pools which were installed prior to 1983; all pools installed since that time have been required to be fenced under existing zoning regulations.

4. William Godek, 206 Broad Street - Mr. Godek questioned the water study performed for the Habitations development. Mr. Wynn reported that the test results have not yet been received. Regarding depth of well, Mr. Singley replied that this would be on file. Mr. Godek also asked what wells will be monitored; Mr. Godek requested that he be notified when this testing is performed.

5. Seminar will be held at Delaware Valley College, entitled Land Decisions to the Future, on March 22, 1989; persons wishing to attend should notify the Township Secretary.

6. Regarding formation of the Fire Panel, Mr. Singley reported that he is awaiting names from DCA; and, hopefully, appointments will be made at the 3/13/89 meeting.

J. SUPERVISOR'S COMMENTS

Mrs. Kelly stated that, at the PSATS Convention in Warrington, the Township was presented with an Honorable Mention plaque for the Township Newsletter.

K. PRESS CONFERENCE - A conference was held at this time to answer questions of those reporters present.

There being no further business, a motion of adjournment was made by Mr. Bennett at 9:35 P.M.

Respectfully submitted,



Gloria G. Neiman  
Township Secretary