

HILLTOWN TOWNSHIP
SUPERVISORS' MEETING
MAY 9, 1988

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Robert H. Grunmeier at 7:35 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
C. Robert Wynn, Township Engineer
Francis X. Grabowski, Township Solicitor
Thomas Buzby, Roadmaster

A. APPROVAL OF MINUTES: Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve the minutes of the 4/25/88 Supervisors' meeting as written.

B. ACCOUNTS PAYABLE: General Fund billing \$18,462.73, Street Light Account \$286.53 and Highway Aid Account \$402.21 were approved for payment by the Board. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to pay bills when due.

C. TREASURER'S REPORT: Mr. Singley read the report which is on file at the Township office. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve the report as given, subject to audit.

D. CONFIRMED APPOINTMENTS:

Arthur Altemose - Mr. Carl Weiner, Attorney for the developer of Hilltown Industrial Park, was present to request clarification of the Board's position (tabled from last meeting) regarding their request for installation of sprinkler systems prior to letting of tenants for the proposed building. At the 4/25/88 meeting, Chairman Grunmeier suggested that a sprinkler system be installed within the building. After discussing this matter with the Township Building Inspector and the BOCA Code, Chairman Grunmeier announced that he has been advised that the Board cannot require the applicant to install sprinkler systems at this time. Mr. Grunmeier stated that the local fire companies are experiencing a reduction in volunteers and the Board is trying to insure that buildings are being constructed as safely as possible. Chairman Grunmeier asked the applicant if they would be willing to install fireproof walls between occupants. Mr. Altemose asked if he was referring to a fire separation wall; Mr. Grunmeier answered, "No, a block fire separation wall. After conferring with his clients, Mr. Altemose stated that the applicant would be willing to install a block fire separation wall, to the roof deck. Chairman Grunmeier asked, "Prior to a use and occupancy (permit) being issued, would you be willing to come in and go over your proposed occupants with our building inspector (prior to your signing a contract)?" After conferring with the applicants, Mr. Weiner answered that they would be willing to do this. At Chairman Grunmeier's request, the court stenographer read back the preceding statements regarding the fireproof wall.

PC has recommended approval subject to the following items: (1) Final verification of approval from Telford Borough Authority for public water & sewer; (2) Verification of current PennDOT permit for proposed improvements to Bethlehem Pike; (3) Verification of an easement (satisfactory to the Township) on adjoining property to permit additional parking; (4) Verification of erosion and sedimentation control by Bucks County Conservation District; (5) Installation of required public improvements prior to building and/or execution of escrow agreement to guarantee same. Mr. Bennett questioned amount of proposed tenants and cost of building vs. cost to install a sprinkler system. Mr. Altemose answered that cost of building is approximated to be \$400,000 to \$450,000; cost of a system would be \$25,000 to \$30,000. Mrs. Kelly also questioned if it wouldn't be less expensive to install the sprinkler system at this time. Applicants advised that they are merely building a shell at this time and that occupant's use would determine need for a sprinkler system. The Supervisors again expressed their joint concern regarding fire safety. There being no further questions, a motion was made by Mr. Bennett to approve the Hilltown Industrial Park, Building #1, subject to stipulations listed in 4/18/88 PC minutes and further (aforementioned) stipulations stated at tonight's meeting; motion seconded by Mrs. Kelly and carried unanimously. (Mr. Altemose presented an architectural rendering of the proposed building to the Board.)

E. MANAGER'S REPORT:

1. Seminar for Officer John Thomas (approved by Chief Egly): Motion was made by Mrs. Kelly to approve Officer Thomas' request to attend a seminar at the National Rifle Association Law Enforcement Rifle Course in Quantico from 9/26/88 to 9/30/88 at a cost of \$737.50; motion seconded by Mr. Bennett and carried unanimously.

2. Seminar for James H. Singley: Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve Mr. Singley's request to attend a seminar in Hershey, PA, May 25th and May 26th at a cost of \$125.00. Pertinent topics of discussion will be Collective Bargaining; Arbitration and Public Official's Liability.

3. Update on Township Matters:

(a) BOCA Code Update: Mr. Singley has been working with the Building Inspector who has recommended the adoption of the current BOCA Code in addition to the CABO Code; they are also working on formulating action for future code inspections within the Township.

(b) Non-Uniform Negotiations: Mr. Singley has met with bargaining unit of non-uniform employees for discussion of a contract; another meeting will be held Wednesday of this week.

(c) Police Negotiations: Mr. Leonard has had minimal contact with the bargaining unit's attorney since last offer. Mr. Singley reported that local newspaper's accounts have indicated this would be a matter of arbitration.

(d) Reminder to Supervisors: Meeting with insurance carrier's attorneys for discussion of the Bux-Mont suit on Monday, 5/16/88 at 1:00 P.M.

(e) Fire Company Contracts: Contracts will be forwarded to companies by end of May 1988.

(f) Update to Mr. Godek's situation with the Quarry: Mr. Singley reported that he has been unable to ascertain the cost of a subsistence study to be performed within the area of Mr. Godek's residence. Mr. Singley, Kenneth Mayall (H & K), and Stan Cieslak (H & K) visited his residence on 4/28/88 to witness any problems which may occur during blasting. There were two blasts that day, neither blast registered any notable movement on the seismograph (outside the home or in the basement). Mr. Singley reported there was no discernible activity of ground movement and/or rattling of pipes. Mr. Mayall offered to Mr. Godek that H & K would pay up to two blasts for hiring a seismologist of his own choosing in order to prove that H & K has no control over the readings. Mr. Mayall also stated he felt that Mr. Godek's home is not on bedrock and would absorb the costs to also prove this fact. Mr. Singley reported that (in his opinion) any structural damage pointed out by Mr. Godek would be attributable to the normal wear and tear on an older residence. In conclusion, Mr. Singley stated that the Township is attempting to rectify as many problems as possible; however, if Mr. Godek wishes further subsidence or hydrologist investigation (since he is the only resident who has requested same), it would be advisable for him to seek private means. In answer to Mr. Bennett's question regarding cost of such a study, Mr. Singley replied that he has not been able to find an engineering firm willing to perform this study; however, cost of the structural damage study performed last year for seven residences was approximately \$9,000 to \$10,000; he also stated that money has not been budgeted for this purpose. Mr. Singley further reported that H & K has been very cooperative and has made all of their records available to Mr. Godek and the Township; that they have also made offers to Mr. Godek to help him solve the problem. Mr. Bennett recommended that Mr. Godek respond to H & K's offers of assistance. Mrs. Kelly agreed that H & K has been very cooperative and stated that if he desires, Mr. Godek should pursue further testing on his own. The Board agreed to have a letter drafted to Mr. Godek, informing him that any further investigation of his property would be his responsibility.

(g) EMA Coordinator: Two applications received; Chairman Grunmeier suggested this be acted upon immediately, and asked Mr. Singley to contact Cheltenham Township regarding invitations to attend an EMA simulation on June 12th. The Board agreed to interview EMA applicants prior to their next meeting on May 23rd at 6:00 P.M.

4. Chairman Grunmeier stated that people have been dumping trash near HTWSA's well house and suggested that Mr. Wynkoop be contacted to secure the chain.

5. Mr. Bennett questioned Bucks County grant applications listed in the local newspaper: Mr. Singley replied that Hilltown Township will receive \$80,000 of C.D. funds over a 3-year period; awaiting traffic light at Diamond and Rt. 113.

6. Chairman Grunmeier questioned status of new Township building and digging of well. Mr. Wynn reported that request for planning modules was at the Bucks County Health Department for some time and is now in the hands of DER. The Township will need to guarantee replacement and must secure a contract agreement with a hauler to transport sewage to a disposal facility. Mr. Wynn has secured names of well drillers from the Township Building Inspector to conduct testing. He suggested the Township amend their motion of last meeting to waive the fee for HTWSA's securing the well permit and that the cost for the well should be paid by the Township from funds allotted for construction of the new building. Mr. Grabowski suggested the Board appoint an individual as special consulting engineer for the project. Motion was made by Mr. Bennett to request the Hilltown Township Water & Sewer Authority to make application for the appropriate well permit for the municipal building; that the Hilltown Township Supervisors hereby waive the application fee for such permit; and the Hilltown Township Supervisors recommend to the Water & Sewer Authority that C. Robert Wynn be appointed Special Consulting Engineer to this project. Mr. Wynn reported that he is currently working with Myron Fetch, Architect on the grading plan and that the building will be raised slightly (1') to avoid excessive cut in back of the building. Mr. Wynn reported that the Authority will need to secure a Township holding tank permit and suggested that the Township also waive this fee. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to waive fee for application of holding tank for the new municipal building. Mr. Bennett questioned whether a resident would be permitted to put in a holding tank; Mr. Wynn answered, "only under very specific restrictions". He reported, in this case, there are only two permitted systems which could be installed at this site: (1) connection to public sewer; and (2) stream discharge (would be discharged to Rt. 152 right-of-way. Mr. Singley will forward above information to HTWSA prior to their next meeting. Mr. Singley also reported after July 15th, new prevailing wage rates will be required. In answer to Mr. Bennett's question regarding possibility of utilizing holding tanks on the Brickajlik property, Mr. Wynn reported that the cost would be extremely prohibitive due to the need to install future sewer lines and guarantee replacement of the temporary holding tank.

F. POLICE CHIEF'S REPORT: In the absence of Chief Egly, Mr. Singley read the report dated April 1988 which is on file at the Township building. Chairman Grunmeier read a proposed resolution, recognizing the week of May 15, 1988 as Local Law Enforcement Week and paying tribute and appreciation to members of the Hilltown Townshp Police Force "for a job well done". Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to adopt Resolution #88-15, Local Law Enforcement Week.

G. ROADMASTER'S REPORT: Mr. Buzby read the report dated 4/10/88 to 5/7/88 which is on file at the Township office. He reported that intersections are being cleaned as time allows. On two separate occasions due to power outage, the road crew placed temporary stop signs at Route 113 and Old Route 309. Mr. Bennett questioned joint purchase of equipment with East Rockhill; Mr. Buzby advised that he spoke with the East Rockhill department head who indicated that, although they would be interested, due to financial constraints, it would not be possible at this time. Chairman Grunmeier requested that the maintenance middle building be surveyed and fluorescent lights be placed there. Mrs. Kelly requested that a flexible delineator pole be placed at Spur Road; Mr. Buzby advised they are on order; Chairman Grunmeier suggested one be borrowed in the interim.

H. ENGINEERING/PLANNING:

1. Hackett/Finkelstein: Condition of preliminary plan approval of 2/8/88 was requirement of curb and sidewalk unless a waiver is requested by applicant and approved by Supervisors. Cost of improvements being waived is approximately \$20,490.00, which is offset by installation of \$4,000 worth of jute matting/swales. Mr. Hackett is requesting the Township consider a capital contribution in the amount of \$17,500 for the waived improvements of curb and sidewalk on the proposed cul-de-sac street off of Narothyn Road (which has no curb or sidewalk). Motion was made by Mr. Bennett to waive curb and sidewalks on the Hackett/Finkelstein Subdivision in lieu of \$17,500 contribution for site improvements to Orchard and Walnut Street; motion seconded by Mrs. Kelly and carried unanimously.

2. Hilldale Subdivision (Route 152 - includes Audrey Lane and Beverly Road): 18 month maintenance agreement expired last Friday. After inspection, no evidence has been found of any problems in the roadway. Mr. Wynn reported, there are three separate retention basins on this subdivision; the last contains water all year round, the middle basin has experienced some settlement and there is some ponding in the basin which should have fill placed in low areas. Mr. Wynn recommends the developer be relieved of his obligation subject to these items being resolved. Motion was made by Mr. Bennett to relieve the developer of his obligation subject to the aforementioned maintenance items being accomplished; motion seconded by Mrs. Kelly and carried unanimously.

3. Inventory for Neshaminy Management Study: Mr. Buzby and Mr. Wynn completed this inventory on Friday, May 6, 1988. Consultant has advised he would be happy if received by the end of May. Mr. Wynn will complete and forward to them.

4. Glenn Garis - Update on Box Culvert Bridge: Del-Val Soil Consultants has supplied a schedule for submission to the Army Corps of Engineers: Preliminary Wetlands Delineation and Report has been completed; Final Wetland Delineation and Flagging proposed to be completed by May 5, 1988; Final Report Preparation Submission to the Army Corps of Engineers to be completed by May 30th. Before the Army Corps of Engineers will consider a permit to place fill in wetlands, a formal request must be made to determine it is within their jurisdiction. Prior to acting on the permit, the Corps will require an agreement with the Township and/or developer to remove the bridge structure if the permit is not issued. Mr. Garis has requested the Township be joint applicant, authorizing Tom Cordrey of Del-Val Soil Consultants to act on behalf of the Township and Pleasant Meadows on the processing of the jurisdictional determination and any information requested by the Corps. Mr. Wynn recommended the Township endorse this form, providing a letter be sent to Mr. Garis noting that all costs for the consultant be borne by Pleasant Meadows, not Hilltown Township. Motion was made by Mrs. Kelly to approve Hilltown Township be named as joint applicant, and authorizing Del-Val Soil Consultants, Inc. to act on behalf of the Township and Glenn Garis, with cost to be paid by Pleasant Meadows, Inc.; and to allow execution of the Jurisdictional Determination Application by the Township; motion seconded by Mr. Bennett and carried unanimously. The Board agreed to send copies of this information to Mr. Cordrey, and the State Senators and Congressmen.

I. SOLICITOR'S REPORT:

1. Mehl Hearing: Due to conflicts with previously scheduled date for zoning change hearing for Mr. Mehl, Mr. Grabowski recommended that Wednesday, June 1, 1988 (7:30 P.M.) be scheduled as the new date to be advertised in the local newspaper. The Board agreed to this hearing date.

2. Rescheduling of Work Session: Mr. Grabowski suggested that the proposed work session between the Township Supervisors and the Water & Sewer Authority be rescheduled to Wednesday, June 22, 1988 at 7:30 P.M. The Board also agreed to this date.

3. Toth 17-Lot Subdivision, located on Mill Road and Keystone Drive. Development agreement in the amount of \$464,700 has been funded by a letter of credit from Union National Bank & Trust Co. A petition has been signed by the Toth brothers requesting Hilltown Township to install street lights (Mr. Grabowski read the petition which is on file at the Township office); street light assessment to be paid by property owners (present and future). Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to adopt Resolution #88-16, Accepting Petition for Street Light Assessment for the Toth Brothers Subdivision. Motion was made by Mr. Bennett to authorize execution of the development agreement and escrow agreement for the Toth Brothers Subdivision; motion seconded by Mrs. Kelly and carried unanimously. Mr. Grabowski stated that the name of this development has been changed to "Hawk Ridge Development".

4. Chairman Grunmeier questioned Mr. Grabowski on the meaning of Senate Bill 1246, Revision to Act 247, which would amend the Pennsylvania Municipal Planning Code to provide that if a deed is duly recorded, it constitutes part of a subdivision and, if the municipality in which the land is located does not commence legal action for violation of its subdivision ordinance within three years after the date of recording, no approval would be required for the subdivision, nor would the preparation or recording of a plat be required. Mr. Grabowski explained that if a legal deed is recorded without being pursuant to a valid subdivision, it would have a 3 year statute of limitations. Chairman Grunmeier asked if a subdivision is recorded by the applicant (without Township approvals) and the Township does not "catch" it within a 3 year period, would the subdivision be valid; Mr. Grabowski replied that this would appear to be correct. Chairman Grunmeier requested that Mr. Singley draft a letter to Senator Pecora and Representative David Sweet, objecting to provisions of Senate Bill 535. The Board agreed to this request.

J. RESIDENT'S COMMENTS:

1. Ed Dembroski, Telegraph Road, questioned Mr. Singley's reference to changes in the BOCA Code. Mr. Singley replied that he did not refer to changes in the Code, only that the Building Inspector (at the request of the Board) was looking into any changes between the BOCA Code '87 vs. '84; it was the recommendation for the Board to approve the '87 BOCA Code for building inspections.

2. John Riegelman, 1034H Callowhill Road, questioned if any notice has been received from H & K regarding moving of the concrete/asphalt plant. Mr. Singley answered that he has received no notice, and that H & K is required to inform the Township through regulations set by DER of any such change in operations. Mr. Riegelman also questioned covering of trucks and starting time of the Quarry. Mr. Singley replied that, as of last check of records, there were no instances of anyone's time card being punched in prior to normal working hours of H & K. Mr. Riegelman stated that he hears the trucks at 6:15 A.M.; Mr. Singley advised these sounds could be attributed to independent truckers.

3. John Snyder, Mill Road, Perkasie: Mr. Snyder presented pictures of property last owned by West Dairies. He stated that they are bringing in logs and dumping piles of debris on the site; Canadian Thistle is growing on dirt piles; burning of trash; and water runoff from dirt piles is creating a mud hazard on Rt. 309. Mr. Grunmeier stated that the Zoning Officer has been contacted and pictures will be forwarded to him for his review and investigation. Mr. Wynn reported that there is a current application for a store and retail office for this site; PC felt this would constitute a shopping center.

K. CORRESPONDENCE:

1. Hellwarth Subdivision - correspondence received from Strothers Associates, granting a 30 day extension of time.

2. Fire reports received from Line Lexington Fire Company, Perkasio Fire Company, Dublin Fire Company, and Telford Fire Company.

3. By-laws of Upper Bucks Consortium - copies given to the Board; Mr. Singley asked that the Supervisors review them prior to next meeting of 5/23/88.

L. SUPERVISOR'S COMMENTS:

1. Mr. Bennett stated that he would like to follow up again with H & K regarding covering of trucks and starting time. Mr. Singley stated that he would request records from H & K; and that H & K has been very cooperative in supplying all records previously requested by the Township.

2. Chairman Grunmeier requested that a letter be sent to Stella Gaynor, Department of Roads & Bridges in Bucks County, requesting that Schwenk Mill Road Bridge be investigated since it is in poor condition.

M. PRESS CONFERENCE: Reporters present had no questions or comments.

There being no further business, a motion of adjournment was made by Mr. Bennett at 9:06 P.M.

Respectfully submitted,



Gloria G. Neiman
Township Secretary