

**HILLTOWN TOWNSHIP
SUPERVISORS' MEETING
January 25, 1988**

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
 Francis X. Grabowski, Twp. Solicitor
 C. Robert Wynn, Township Engineer
 Chief George C. Egly, Police Dept.

Chairman Grunmeier requested a moment of silence for Doris Gross, Township employee and friend to many Hilltown Township residents, who passed away on January 21, 1988.

Chairman Grunmeier announced that copies of minutes of previous meeting would be available, upon request, to Township residents.

A. APPROVAL OF MINUTES: Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve the minutes of the January 11, 1988 Supervisors' meeting as written.

B. ACCOUNTS PAYABLE: Current billing in the amount of \$9,050.15 was approved 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 for the month of January which is on file at the Township Building. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to accept the report as given, subject to audit.

D. CONFIRMED APPOINTMENTS: None.

E. MANAGER'S REPORT:

 New Business:

 1. Central Bucks Water Supply Resolution - Sample resolution sent by Doylestown Township regarding participation in the Central Bucks Water Supply Committee which involves atten-

dance of meetings. Chairman Grunmeier stated, "If we send a representative, we are joining in a group that is mandating that the Point Pleasant Pump be built. If the pump is built, we would want to make sure Bucks County residents get their share of the water". After further discussion, motion was made by Mrs. Kelly to table a decision regarding this resolution until further review has been made by the Board and someone from the Township has attended a meeting to determine what is involved; motion seconded by Mr. Bennett and carried unanimously.

2. Borough of Souderton - Act 537 Sewer Facilities Act: Mr. Singley read the resolution. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to adopt Resolution #88-5.

3. Zoning Officer's Position - Mr. Singley reported that advertisements have been placed in all local newspapers and the Township newsletter with a few responses. Mr. Singley recommended Mr. Clarence Myers, previous Zoning Officer, who has indicated his desire to return to the position. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to rehire Clarence J. Myers as part-time Zoning Officer (hours: Tuesday through Thursday - 8:30 A.M. to 4:30 P.M.).

4. Chairman Grunmeier questioned status of Building Inspector; Mr. Singley stated that a letter was sent to Code Inspections, Inc. with no response to date.

5. Mr. Grunmeier also questioned status of PEMA Coordinator. Mr. Singley indicated he would be in contact with Mr. McCoach regarding this position.

F. ENGINEERING/PLANNING:

1. Bram Partners Preliminary Land Development Plan: site located on Swartley Road and Bethlehem Pike. Plan proposes a number of allowable uses with land area of 3.38 acres. Mr. Wynn explained Use E-16 (shopping center) is permitted in PC District; however a minimum lot area of 10 acres is required and this site is non-conforming to shopping center requirements. PC recommended plan be denied, requiring Zoning Hearing Board clarification and approval of use prior to consideration of land development approval. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to deny the Bram Partners Preliminary Plan on recommendation of the Planning Commission.

2. Przyuski Subdivision Plan: Plan proposes strip of land be consolidated with adjoining property. Ownership of easement has not been clearly identified. Rosemarie Adametz, adjoining property owner, voiced her concern over dedication to Township of right-of-way on her property. After discussion of Township's right to require dedication of right-of-way, motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to approve the Przyuski Subdivision Plan subject to stipulations stated in PC minutes of 1/18/88. Mr. & Mrs. Adametz indicated their displeasure with this motion.

3. Bergen Subdivision: PC recommended denial pending receipt of extension. Mr. Wynn suggested if extension is accepted, review period (90 days) not start until a revised plan has been submitted to the Township. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to deny the Bergen Subdivision Plan subject to stipulations stated by the Township Engineer and approval of Township Solicitor.

4. The Board tabled the following three subdivision plans: 209 Realty Subdivision (action not required until 3/20/88); Summit Court Final Subdivision Plan (action not required until 3/20/88); and Hackett/Finkelstein Preliminary Plan (action not required until after next Supervisors' meeting).

5. Joseph Hazlett Subdivision: All proposed lots located in Perkasio Borough. PC recommended applicant should not be required to submit to Hilltown Township. Applicant's attorney has requested endorsement of this position in writing. Mr. Grabowski suggested plan be tabled until review has been made. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to table the Hazlett Subdivision Plan on advice of counsel until status of plan has been reviewed.

6. Township has received acknowledgement of application for traffic signal at 113 and Diamond Street.

7. Work session scheduled by PC on Monday, February 1, 1988 at 7:30 P.M. for discussion of proposed zoning ordinance change. The Board agreed to PC's request to hold a meeting with the Supervisors on Monday, February 15, 1988 for a joint work session. PC will postpone their regular meeting to Monday, February 29, 1988. Township Secretary will advertise these changes.

8. Two applications received for spray irrigation systems - Mr. Wynn will advise engineer (Strothers Associates) that

discussion of Act 537 amendment will be held at Supervisors' Meeting of 2/22/88.

G. SOLICITOR'S REPORT:

1. Vincent Pileggi/Hilltown Village Shopping Center: Developer requested additional time; court granted 120 day continuance; deadline for Mr. Pileggi to submit his comments to the court will be an additional 4 months from 1/14/88.

2. Pleasant Meadows: Developer has requested retainage of monies remaining in escrow for Phases 1, 2, 3 and 4 be replaced by an irrevocable letter of credit. Agreements have been executed by Union National Bank and notarized. Motion was made by Mr. Bennett to approve signing of agreement, releasing a line of credit in lieu of cash escrow; motion seconded by Mrs. Kelly and carried unanimously.

3. Pleasant Meadows: (Tabled from last meeting) Developer has requested one year extension of time for completion of balance of improvements in Phase 3 (which contains bridge located off of Hillcrest Avenue). Supervisors have indicated their concern over status of bridge and requested a progress report from Mr. Garis. This project has involvement with wetlands and U.S. Army Corps of Engineers; however, developer has not submitted anything in writing indicating his application for a permit. Due to the presence of many residents of this development at this meeting, Chairman Grunmeier tabled discussion of this issue until after public comment.

Prior to Public Comment, Chairman Grunmeier made the following statement: "The Board of Supervisors has instructed Mr. Singley to arrange a meeting on January 28, 1988 at 7:30 P.M. pertaining to fire company agreements, and also to review recommendations from the fire companies who have served and are presently servicing our Township with fire protection. To our knowledge, all concerned persons have been notified and any public comments pertaining to this particular subject tonight will be out of order.

H. PUBLIC COMMENT:

Pleasant Meadows Residents:

1. Mary Harkins, 200 Goldenrod Court, Perkasio Mrs. Harkins stated she has been in contact with Mr. Roy Piertano (597-4701), Public Relations Division of U.S. Army Corps of Engineers, who has advised Mrs. Harkins that (to his knowledge) no application has been made by Mr. Garis.

Mrs. Harkins also questioned status of fire hydrants; Mr. Grabowski stated that the developer has made provision for placement of hydrants, however, the Authority requires use of a large quantity of water to provide adequate fire protection (this will be subject of HTWSA work session Wednesday evening). Regarding the bridge, Mr. Grabowski stated that the developer's original escrow agreement provided for 18 month period of time, that time will expire the end of February '88. Mr. Grabowski further indicated that if work on the bridge is not completed by that time, the Township has the right to default and that the developer should be advised of this.

2. Deborah Henry, 320 Thistle Lane, Perkasio - Mrs. Henry stated that she and her husband purchased their home because of health reasons. She indicated that they have experienced a problem with the floors which the developer had not corrected; they hired a private building inspector to review the situation, who told them the joists were not placed correctly and recommended the carpet be removed and the problem be corrected. The developer has agreed to correct the problem; however, he also requested they sign a waiver.

3. Keith Weiss, 414 Brookside Drive, Perkasio - Mr. Weiss complained of amount of traffic generated due to lack of a second entrance. He also indicated concern over the quality of water which, he stated, is "dirty". Many other residents present at this meeting stated they have also had problems with the water; residents stated they must purchase bottled drinking water.

4. Gerald Hartigan, 416 Brookside Drive, Perkasio - Mr. Hartigan stated he has not had clean drinking water in two years and has been forced to sell his house.

5. Dennis Gibson, 417 Gibson Drive, Perkasio - Mr. Gibson also stated that his water is "dirty" and, in summer, he is often without water entirely. He also stated that the Township should find the developer at fault if the bridge is not completed and indicated his concern over access to emergency vehicles.

6. Anthony Secreto, 212 Goldenrod Court, Perkasio - Mr. Secreto voiced his concern over fire hydrants and further stated that developer's money should be kept in escrow until problems have been alleviated.

7. Rick Lambrecht, 202 Goldenrod Court, Perkasio - Mr. Lambrecht questioned delay in bridge construction. Mr. Wynn explained that the development was approved in two phases

and escrow agreements set up for four phases. Bridge was originally scheduled to be installed in fall of '87; however, due to problems with setting of culvert, bridge construction was delayed and in the interim, involvement with wetlands was noted by U.S. Army Corps of Engineers. Verbal stop order was issued by Mr. Martin Miller of U.S. Army Corps of Engineers who advised that permit could be delayed as long as two years. The Board discussed possibility of finding the developer in default. Mr. Grabowski suggested that Mr. Garis be informed immediately that he has until the end of February (on the original agreement) and the Township should be included as co-permittee on the application; therefore, the Township would be informed and could also, at any time, find the developer at fault. The residents indicated their approval of this suggestion.

8. Robert Nye, 421 Brookside Drive - Mr. Nye requested a copy of report on water quality and was told to contact the HTWSA office.

9. John Suchodolski, Thistle Lane - Mr. Suchodolski requested that the Township Building Inspector investigate his garage floor which, he reported, is sinking.

10. Bill Harkins, 200 Goldenrod Court - Mr. Harkins complained of curbs sinking along the street and surface of driveway breaking up.

11. Alan Clark, 120 Steeplebush Drive - Mr. Clark questioned if sufficient funds have been allowed to cover cost of the bridge; Mr. Wynn replied that there are adequate funds escrowed. In answer to a question regarding road materials and construction, Mr. Wynn explained construction of the roadway and stated that, to his knowledge, all work has been done according to plans and specifications. He further indicated that roadways have been accepted; however, Mr. Garis has 18 months in which to correct any deficiencies which may occur.

12. Carmen Veneziale, 100 Steelebush Drive - Mr. Veneziale complained of inadequate drainage of water; he stated cracks have appeared in basement wall due to water. He also indicated there is an old septic tank with a steel plate covering (tank is not filled in) in the vicinity of 206 Goldenrod Court.

In response to the aforementioned comments, Chairman Grunmeier stated that the only power the Board of Supervisors has over the Water & Sewer Authority is to appoint members. He explained that the Authority took on the water system which will be beneficial to residents; and he is sure the Authority is

striving to correct the current problems experienced by the Pleasant Meadows' residents. Mr. Grunmeier advised the residents to send comments pertaining to the water situation to the Hilltown Township Water & Sewer Authority.

13. Thomas Fritsche, 102 Steeplebush Drive - Mr. Fritsche asked for a copy of the current budget. Mr. Singley replied that he would furnish a copy.

SOLICITOR'S REPORT (continued):

3. (continued) Mr. Grabowski explained that the developer's request for an extension of time is in regard to Phase 3; Mr. Garis has requested an additional 6 months from 2/29/88 (to 8/29/88). Mr. Grabowski again suggested the Township notify Mr. Garis, advising him that he has until the end of February to honor the agreement and that Hilltown Township would like to be co-permittee to U.S. Army Corps of Engineers. Motion was made by Mr. Bennett to notify Mr. Garis of this stipulation and also to meet with him as soon as possible; motion seconded by Mrs. Kelly and carried unanimously.

I. CORRESPONDENCE

1. PennDOT has clarified location of intersection which is at Zoto's Diner on Route 309. Mr. Singley will contact Robert Bender of New Britain Township regarding a maintenance agreement.

2. Regarding restriction of trucks on Church Road, PennDOT advised this would not be restrictive.

3. Consortium meeting to be held on February 29, 1988; Chairman Grunmeier indicated he would attend.

4. Kaiser Miller Development will be utilizing Telford Water Authority.

5. Fire reports received from Silverdale and Sellersville Fire Companies.

J. SUPERVISOR'S COMMENTS:

1. Mrs. Kelly stated that she attended the Pennridge/Quakertown Solid Waste Committee meeting regarding Act 97/mandatory recycling program for every municipality with population over 10,000. Mr. Dennis Livrone suggested that Silverdale, Dublin, and Hilltown Township go together to obtain haulers for pick up of recyclable materials at homes. Mrs. Kelly

further stated that it will take approximately two years before the mandatory recycling bill is passed.

2. Mr. Bennett suggested that the Township Manager include in his monthly report, a brief progress report of any major issues (i.e., matters involving large developments, or complaints, etc.).

3. Chairman Grunmeier suggested that the Township Manager send a letter to the Water & Sewer Authority, asking if they can do anything to improve the road conditions at State Street and Quarry Road.

K. PRESS CONFERENCE: A conference was held at this time to answer any questions or concerns of those reporters present. Mr. John Gerner, Editor of the News Herald, questioned an article which appeared in the "Letters to the Editor" column of the News Herald. At this time, Chairman Grunmeier read the following statement:

"Allegations which were stated publicly in the News Herald by Mr. Richard Curry, II, 1422 Schwenk Mill Road, Perkasio, PA 18944; Telephone: 257-5509.

Mr. Curry, a student at Bucks County Community College, was contacted by Robert H. Grunmeier on 1/24/88 at approximately 8:00 P.M. Mr. Grunmeier requested that they meet to discuss his allegations pertaining to Chief Egly and Sgt. Miller. Mr. Grunmeier then called Francis X. Grabowski, Township Solicitor, on 1/25/88 and indicated that he would like a statement taken from Mr. Curry. Mr. Grabowski suggested that a stenographer be brought to his office and a meeting be held at Mr. Grabowski's office on Friday, January 29, 1988 at 10:00 A.M. Mr. Grunmeier then telephoned Mr. Curry on the morning of 1/25/88 at approximately 10:00 A.M. on January 29, 1988. During this conversation, Mr. Curry was in agreement, but said he would not sign any statements.

At approximately 3:10 P.M. on Monday, January 25, 1988, Mr. Richard Curry telephoned Robert H. Grunmeier, Hilltown Township Supervisor, and stated that, on the advice of his attorney, he would not meet on Friday (1/29/88) at 10:00 A.M. to give a deposition on alleged charges regarding the Hilltown Township Police, and stated he was only expressing his constitutional rights when making these comments. Mr. Grunmeier stated to Mr. Curry that he and the Board of Supervisors would like to have both sides of the story and that is why it was suggested they have his deposition. Mr. Curry's refusal to do so leads us to believe, after taking statements from Chief Egly and Sgt. Miller, that these charges are unfounded."

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

Respectfully submitted,

(Mrs.) Gloria G. Neiman
Township Secretary