

**HILLTOWN TOWNSHIP
SUPERVISORS' MEETING
June 8, 1987**

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

Chairman Grunmeier announced that Manager, James Singley and Chief George Egly (who is on a seminar pertaining to police matters) would not be present at this meeting.

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

Others present were: Gloria G. Neiman, Twp. Secretary
Francis X. Grabowski, Twp. Solicitor
C. Robert Wynn, Twp. Engineer
Sgt. Robert Miller (for Chief Egly)
Thomas Buzby, Roadmaster

A. APPROVAL OF MINUTES: Mr. Wynn indicated that he was questioned by a subdivision applicant (Seik Subdivision) regarding an action by the Supervisors (on Page 5 of 9 of the 5/26/87 minutes). Mr. Wynn clarified that, as stated in these minutes, the removal of a tree located on the corner of Broad Street and Upper Church Road was a requirement of this motion. There being no further comments or corrections, a motion was made by Mrs. Kelly to accept the minutes of the 5/26/87 Supervisors' Meeting as written; seconded by Mr. Pischl and carried unanimously.

B. ACCOUNTS PAYABLE: Current billing was approved by the Board as follows:

June 11, 1987 - \$11,855.25

June 18, 1987 - \$12,947.90

Motion was made by Mrs. Kelly to pay bills when due, seconded by Mr. Pischl and carried unanimously.

C. TREASURER'S REPORT: In Mr. Singley's absence, the highlights of the Treasurer's Report, dated 5/1/87 to 6/5/87, was read by Chairman Grunmeier. The report is on file at the Township office. Motion was made by Mrs. Kelly to accept the Treasurer's Report as given; seconded by Mr. Pischl and carried unanimously.

D. CONFIRMED APPOINTMENTS:

1. Appointment of Bookkeeper/Clerk. Chairman Grunmeier indicated the following background information on Mrs. Deborah Z. Henry: Mrs. Henry resides at 320 Thistle Lane, Perkasio, PA (the Pleasant Meadows' development). He indicated that Mrs. Henry has a very intensive background in bookkeeping and computer analysis. Chairman Grunmeier indicated that this candidate has been interviewed by the Township Manager, Mr. Singley. Motion was made by Mr. Pischl to hire Deborah Z. Henry as part-time Bookkeeper/Clerk, retroactive as of June 1, 1987 with a one year probationary period; motion seconded by Mrs. Kelly and carried unanimously.

2. Bux-Mont Trash Transfer Station - Chairman Grunmeier stated, "Tonight we have to make a decision on the proposed Bux-Mont Trash Transfer Station.....at this time, Mr. O'Neill, I would ask you if you want to give us an extension so you can do a complete traffic study for this proposed project." Mr. O'Neill replied, "No sir". Chairman Grunmeier stated, "I will read a letter and I will use the plural and if, at the end of the reading of this letter, if the Supervisors are in agreement, they will so state and we will take a vote

on the site development plan of Bux-Mont. At this time, Chairman Grunmeier read the statement, a copy of which is attached to these minutes. After reading the statement, Chairman Grunmeier asked, "At this time, I would ask the Board of Supervisors if they are in agreement with this statement". Mrs. Kelly and Mr. Pischl both indicated their agreement. Chairman Grunmeier asked for a vote. At this time, Mr. Grabowski, Township Solicitor, indicated that he had additional information to be presented before a vote is taken. Mr. Grabowski read from correspondence received by the Township, dated 6/4/87, from Attorney Schwartz concerning the Bux-Mont Refuse Service Site Development application. Mr. Schwartz indicated in this letter, "In accordance with testimony presented at the Board of Supervisors fact finding hearings held 5/20/87 and 5/27/87, I herewith submit to you for your consideration in reviewing the Bux-Mont application, the following: (1) A fully executed deed of dedication to Hilltown Township, dedicating the area between the existing title tract and the ultimate right-of-way line on Spur Road on accordance with Section 403 of the Hilltown Township Ordinance. (2) A traffic count taken by McMann Associates, Transportation Engineers, on May 26, 1987 at the O'Neill & Son, Inc. Trash Transfer Station on Spur Road in Hilltown Township. (3) Affidavit of Robert Humphrey, 818 Lonely Road, Sellersville, PA." Mr. Grabowski read from the affidavit in which Mr. Humphrey states he was employed by O'Neill & Sons from 1982 through 1986 as a full-time truck driver. Mr. Humphrey stated that O'Neill & Sons operate an open pit trash transfer facility and that operations are completely "open air" often resulting in trash remaining on the facility and open to the air overnight. Mr. Grabowski indicated that this statement was signed and notarized on June 3, 1987.

Mr. Grabowski further indicated that the appeal to the Environmental Hearing Board has been docketed under Docket #87-201W. The Honorable Maxine Wolfman, Chairman of the Environmental Hearing Board has directed that documentation be completed within 75 days of the date of this order (5/29/87) and that Hilltown Township shall file a preliminary memorandum on or before 8/11/87 which shall contain enumerated items. The Commonwealth and Bux-Mont shall then file an answering pre-hearing memorandum within 15 days after receipt of the Township's memorandum. Mr. Grabowski stated that no reply has been received thus far of which he has received a copy.

Mr. Grabowski stated that the items received from Bux-Mont Refuse are, apparently, the items which Mr. Schwartz wanted to present to the Board at the last meeting and that the Board could take these items into consideration when making their decision. Chairman Grunmeier also stated, "There was some confusion by the general public.....the O'Neill that is there on Spur Road now is not related to Richard O'Neill of Bux-Mont." He also read from a memo to the Supervisors from Clarence Myers, Zoning Officer, in which Mr. Myers stated that on 6/2/87 he interviewed Mrs. Catherine M. O'Neill, President of O'Neill & Sons, Inc., 1065 Spur Rd., Souderton, PA. Mr. Myers reported that Mrs. O'Neill stated, "We are in the trash collection business -- we pick up trash from private homes, commercial and industrial places of business.....we do not accept trash from other haulers or individuals." She further indicated that, on very rare occasions, if there are two partially loaded trucks, they might unify their loads so as to necessitate only one trip to the landfill. Mr. Myers advised the Board in his memo that, in his opinion, "Mrs. O'Neill's use of the property at 1065 Spur Road, Souderton, PA, is in compliance with Article II, Section 262 and Article IV, Section 404 G14, of the Hilltown Township Zoning Ordinance". He further indicated that the

only area deemed as a possible violation would be those rare occasions when, according to Mrs. O'Neill, two partial loads are unified. For this reason, Mrs. O'Neill has been notified to have this practice stopped. Chairman Grunmeier also read a letter from Mr. Myers to Mrs. O'Neill in which she is notified to cease and desist said practice immediately. Mrs. O'Neill also indicated she was not related to Mr. Richard O'Neill.

At this time, Chairman Grunmeier entertained a motion for approval or denial of the Bux-Mont Land Development. Motion was made by Mr. Pischl to deny the land development plan of Bux-Mont; motion seconded by Mrs. Kelly and carried unanimously. Chairman Grunmeier indicated that the motion was based upon his statement and the statements made in the engineer's review letter of 5/19/87.

E. TOWNSHIP MANAGER'S REPORT: This report was read by Chairman Grunmeier.

1. Old Business:

a) Fire Loans - Legal documentation for the Line Lexington Fire Company Loan is being finalized by Mr. Grabowski. Mr. Grabowski reported that he has scheduled a meeting with Mr. Klee (Union National Bank) on Tuesday, June 9th to review all documents and that paperwork should be ready for execution at the next Supervisors' meeting.

b) Adventure Park has paid approximately 90% of 1986 taxes and are current with 1987's amusement tax.

c) Neshaminy Watershed - Letters have been sent to the P.C. and HTWSA regarding their appointees -- awaiting their meetings for response. Mr. Grabowski informed the Board that at their last meeting, Mr. William Curry volunteered to be a representative for the Authority (letter confirming this will be forthcoming).

d) Quarry - Information has been furnished to Mr. Hendricks as requested. Correspondence has been received from State Representative Joseph Petrarca, Chairman of Mines and Energy.

e) Municipal Building Contract - Mr. Grabowski reported that the written contract is now in the process of being drafted and his office will forward copies to the Supervisors for their review.

2. New Business:

a) Road Bids - Chairman Grunmeier read Mr. Singley's following recommendations on bids received June 4, 1987:

(1) Road Signs - On Hold.

(2) Line Striping - On Hold.

(3) Stone: Blooming Glen Quarry

2A Modified	\$3.45 per Ton
1B Crushed	\$5.25 per Ton
#4 Crushed	\$3.85 per Ton
#2 Crushed	\$4.75 per Ton
#5 Modified	\$4.05 per Ton
3A Modified	\$3.55 per Ton
3A Crushed	\$3.85 per Ton

Motion was made by Mr. Pischl to approve the stone bids of Blooming Glen Quarry with prices as stated, subject to review of Roadmaster, Tom Buzby and the Township Manager; motion seconded by Mrs. Kelly and carried unanimously.

- (4) Bituminous Seal Coat: Loder & Sharp
 .5525 per square yard
 1.07 double application
 .94 RC-250 patch oil

Motion was made by Mr. Pischl to award the Bituminous Seal Coat bid to Loder & Sharp at the prices stated, subject to review by the Roadmaster; motion seconded by Mrs. Kelly and carried unanimously.

At this time, a resident questioned the bidding procedure and Mr. Buzby explained the bid process to him.

- (5) ID-2 Leveling Course Installed: Haines & Kibblehouse - \$27.92 per Ton. Motion was made by Mr. Pischl to award the bid to Haines & Kibblehouse at a cost of \$27.92/Ton, subject to review by the Roadmaster; motion seconded by Mrs. Kelly and carried unanimously.

- (6) Asphalt: Blooming Glen Quarry

ID-2 Top	\$20.00/Ton
ID-2 Binder	\$18.00/Ton
FJ-1	\$23.50/Ton

Motion was made by Mr. Pischl to award the asphalt bid to Blooming Glen Quarry at the prices stated, subject to review by the Roadmaster; motion seconded by Mrs. Kelly and carried unanimously.

- (7) Pipe: A/C Pipe - William Clausen Co. \$2,820.50.
 Motion was made by Mr. Pischl to award the bid to A/C Pipe, William Clausen Co. at \$2,820.50, subject to review by the Roadmaster; motion seconded by Mrs. Kelly and carried unanimously.

All above bids were awarded on the recommendation of the Township Manager.

F. POLICE REPORT: The May 1987 report was ready by Sgt. Robert Miller; same is on file at the Township Office.

G. PUBLIC WORKS REPORT: The report dated 4/26 to 5/23/87 was given by Roadmaster, Tom Buzby; same is on file at the Township Office.

H. PLANNING & ENGINEERING REPORT:

1. Mr. Wynn reported that last February, the Township received an Act 537 revision done by Spotts, Stevens & McCoy for Telford Borough Authority. DER is requiring that an Act 537 Plan revision also be executed by all the townships that are affected by the Telford Act 537 Plan. Mr. Wynn indicated that this includes a portion of Hilltown Township between Central Avenue and Summit Avenue (a one block area from County Line Road to Washington Street). DER is requesting that the Supervisors adopt an Act 537 Plan revision for this project. Mr. Wynn suggested that a representative of either the Authority or Spotts, Stevens & McCoy be contacted and asked to attend a Supervisors' Meeting to give an overview of all documentation. The Board agreed and instructed the Township Manager to send a letter to this effect.

2. Mr. Wynn reported that the installation of the box culvert in the Pleasant Meadows' Subdivision has been delayed due to an error in location of the culvert and that this has been resolved by the developers. However, the U.S. Army Corps of Engineers has advised that all work must cease due to potential involvement with wetlands. Mr. Wynn met with Mr. Marty Miller, Enforcement Agent for the Army Corps of Engineers, who advised that the permit process may take

6 to 8 months and during that time, construction would not be permitted. Mr. Wynn reported that Mr. Miller has arranged a meeting in Philadelphia this week which Mr. Wynn will attend to attempt to resolve the paperwork so that construction may proceed. At this point all work has stopped.

I. SOLICITOR'S REPORT:

1. Mr. Grabowski reported (on behalf of the Hilltown Township Water & Sewer Authority) that the Authority has issued a lawn watering ban last Thursday, June 4, 1987. He explained that Well #1 and Well #5 have sufficient resources to take care of all customers except when everyone waters their lawn at the same time. Further, the Authority is experiencing difficulty due to the fact that new lawns are being planted at the same time in several of the new developments, thus causing too much of a demand on the 10,000 gallon water tank. The Authority has provided a staggered schedule whereby residents can water their lawns. (Mr. Grabowski stated that 35,000 to 40,000 gallons is pumped by the Authority on a rainy day; however, on Monday of last week, a very hot day, 120,000 gallons of water were pumped). Mr. Grabowski further noted these possible solutions to this problem: (1) A much larger storage tank, which would have to be built at a much higher elevation than the Township; or (2) Interconnection with North Penn, Sellersville, or Perkasie Water Authorities to use their storage tanks. However, he noted that Perkasie water system is very complicated; and Sellersville tank is too small to serve both municipalities; which leaves an interconnection with North Penn to use their storage tank on old Route 309. He indicated that this would be a long term solution and, in the meantime, the water ban appears to be the most effective method.

3. Mr. Grabowski also reported on Well House #1 in the Pleasant Meadows' development. A complaint was received by Mr. Grunmeier of a "geyser" at this location. Mr. Grabowski ascertained that the cause of the problem with Well #1 was due to an electrical contractor who hit an electrical override switch on Well #5 in Silverdale which allowed Well #5 to run continuously and thus started a chain reaction causing Well #1 to shoot water into the air. Mr. Grabowski discussed this situation with the Water Superintendent who advised that an Emergency Directive is available which lists persons and plumbing contractors to contact in the event of such an emergency. Chairman Grunmeier indicated that this "chain of command" listing be sent to all Supervisors, the Roadmaster, Township Engineer, Township Manager, and the Police Chief.

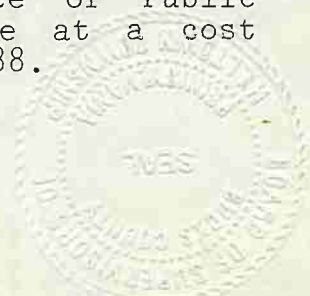
J. PUBLIC COMMENT

1. Fred Scholl, 309 Spur Road, thanked the Supervisors for their "hard work" and "especially their decision" regarding the Bux-Mont Transfer Station.

2. Toni McMillan, 4425 Bethlehem Pike, Telford, questioned the status of the Janos Liptak property. Mr. Grabowski reported that there is no real progress other than the Township is awaiting contempt proceedings to be brought before the Bucks County court.

K. CORRESPONDENCE

1. Gum Insurance - Motion was made by Mr. Pischl to approve Resolution #87-23 to approve acceptance of Public Official's Liability Policy with Gum Insurance at a cost of \$7,267, effective July 14, 1987 to July 13, 1988.



2. Correspondence received from Agway concerning four shares of stock from Montgomery Bucks Farm Bureau. Mr. Grabowski explained, in the past, Farm & Home Oil Co. issued stock to customers. Mr. John Snyder (a previous Township Auditor) stated that years ago (before it was named Farm & Home) it was the Farm Bureau Fuel Oil which was part of a cooperative whereby customers received a fraction of a share. The Board directed the Township Manager to contact Agway/Farm & Home to obtain a duplicate of the shares. At this time, the Board placed the resolution on hold.

3. H & K Quarry: Chairman Grunmeier read a letter (dated 6/2/87) from Representative Joseph Petrarca (Chairman, House Committee on Mines & Energy Management) to Representative Ben Wilson. Chairman Grunmeier requested that Mr. Singley send correspondence to the Board regarding the status of the proposed meeting with Supervisors, residents, and Quarry personnel; and further suggested that Representative Wilson also be asked to attend.

4. Chairman Grunmeier read a letter received from INTEX regarding groundwater investigation for Hilltown Village. INTEX proposes distribution of a questionnaire to residents and businesses of Hilltown Village to obtain information regarding well specifications, water quality, and groundwater consumption in the area; also they propose to review well drilling files kept by DER. Cost of preliminary investigation is quoted not to exceed \$790. Cost of further studies could vary greatly but is expected to fall between \$2,500 to \$4,500. INTEX indicated they could begin the preliminary investigation within two weeks. Mr. Grabowski explained that this request for proposal was probably forwarded to INTEX by the Authority's Engineer, Cowan Associates, Inc. Motion was made by Mr. Pischl to enter into an agreement with INTEX to distribute a questionnaire to homes in Hilltown Village to gain information regarding well specifications, water quality, and groundwater consumption in the area at a cost not to exceed \$790 for the preliminary investigation; motion seconded by Mrs. Kelly and carried unanimously.

L. SUPERVISOR'S COMMENTS:

1. Mr. Pischl requested that Mr. Singley update the Board on status of proposals to be requested of professional planners for update of the Township Zoning Ordinance.

2. Chairman Grunmeier questioned status of Act 47, Mr. Wynn indicated this is "in the works".

3. Chairman Grunmeier stated that he attended the Pennridge Chamber of Commerce dinner on Saturday, June 6th. The Chamber presented the "Good Neighbor Award" to the Hilltown Township Town Watch for their services provided to Hilltown Township. Also, the "Youth's Citizen Award" was presented to Andrew Rothstine. Chairman Grunmeier indicated that this was a "very nice affair" and that "we can be very proud of the Hilltown Town Watch and Mr. Rothstine".

4. Chairman Grunmeier and the Board members complimented Mr. Singley, Township Manager, on his fine work in composing the Emergency Management Plan for the Township of Hilltown. Chairman Grunmeier directed (with the Board's approval) that copies be sent to: Mr. Richard McCoach, PEMA Coordinator; Township Manager; Chief of Police; Township Roadmaster; Township Solicitor; Township Engineer; Township Secretary; and the Line Lexington Fire Company. He further noted that Mr. Singley would like responses sent by June 18, 1987 if there are any problems noted with the proposed plan.



M. PRESS CONFERENCE: A conference was held to answer any questions or concerns of those reporters present.

There being no further business, a motion of adjournment was made at 8:37 P.M.

Respectfully submitted,



Gloria G. Neiman
Township Secretary



The Hilltown Township Board of Supervisors have to arrive at a decision pertaining to the proposed Bux-Mont Trash Transfer Station located on Spur Road, Tax Parcel #15-1-58-6, Hilltown Township, Bucks County, Pennsylvania.

We, the Hilltown Township Board of Supervisors and I am sure many residents, realize trash is becoming a very large problem. Many landfills which accepted trash are being closed. Our municipal trash has to go somewhere, where is the key question.

Approximately 1½ years ago, the Hilltown Township Board of Supervisors, realizing trash would become a large problem, approved a trash transfer station located on Progress Drive, Hilltown Township, Bucks County, Pennsylvania, to be known as the Alderfer & Frank Transfer Station.

Each municipality in the Commonwealth is mandated to enact an Act 97 Plan. An Act 97 Plan means the disposal of municipal waste. We are finalizing plans with Alderfer & Frank to complete our Act 97 plan and provide a safe environment for our residents. Many trash to steam plants and trash transfer stations have been proposed for various parts of Bucks County and have met with great opposition. This commonly is known as the **NIMBY syndrome (Not In My Back Yard)**. This is not the case in Hilltown Township. Having said this, along comes Bux-Mont's proposal for yet another transfer station to be located in Hilltown Township. It has been stated by Mr. O'Neill that their trash comes from Montgomery County and Lower Bucks County. Our question to Mr. O'Neill is -- **Why not put your transfer station in Montgomery or Lower Bucks County?**

Let's analyze the proposed Bux-Mont Transfer Station:

Item 1. Site: Approximately 2.53 acres, located adjacent to Spur Road, narrow in width and of substandard conditions, to be capable of handling large trucks for a long period of time. Two dangerous intersections, one at each end of Spur Road. Also, the proposed station would be located close to a residential area.

Item 2. Hilltown Township Holding Tank Ordinance: Ordinance #83-3 and Resolution #83-20 -- A holding tank under the guidelines of the Township may be installed if, within two years, public sewers are provided. No public sewers are proposed for this area. The liquids generated by this proposed facility, according to Bux-Mont representatives, would be approximately 1,000 gallons per week. This figure is unrealistic. Liquids generated at the Alderfer & Frank facility are estimated at 1,050 gallons per day on 1250 Tons of trash.

Item 3. Section 508 of the Hilltown Township Zoning Ordinance, Noise: This section has not been adequately addressed.

Item 4. Section 510 - Dust, Fumes, Vapors and Gases have not been adequately addressed.

Item 5. Section 512 - Odor has not been adequately addressed.

Item 6. Fencing of Facility has not been adequately addressed (an opaque enclosure should be around complete facility).

Item 7. Section 505 - Cutting of Trees: Bux-Mont has publically admitted they are in violation. The Board should proceed with the issuance of a citation for this infraction of the Zoning Ordinance.

Item 8. Permits: The purpose of the Department of Environmental Resources is to protect the environment and provide environmental safety to the residents of the Commonwealth. Knowing the area where Bux-Mont proposes to locate this transfer station, we cannot understand why a DER permit was issued to Bux-Mont without Township input.

Item 9. Bucks County Planning Commission Review: The Bucks County Planning Commission does not ordinarily review any site development plans containing only one building. Our question is -- **Why was this plan reviewed by the Bucks County Planning Commission and given a positive review?**

Item 10. Control of Traffic: Mr. O'Neill has stated, he will control the traffic and direction of travel of the trucks coming into and leaving the site. Since outside haulers other than Bux-Mont will be coming into this site, we realize this statement is ridiculous!

Item 11. Psychological Effect: The psychological effect on the community has not been properly addressed. Is Hilltown Township to be known as the "**trash capital**" of Bucks County?

Item 12. Bux-Mont representatives have proposed a 250 Ton per day facility but have publically stated that they have a DER permit for 500 Tons of trash per day. They also stated, operations would be from 7:00 A.M. to 5:00 P.M., but have a DER permit for 7:00 A.M. to 11:00 P.M.

Item 13. Complete Traffic Study: Mr. Schwartz stated that it would take 4 to 6 weeks to do a complete traffic study. He was asked three times by the Board of Supervisors for an extension so this survey could be completed; but he refused.

Item 14. DER Appeal: The Township has filed an appeal with DER and is still waiting for correspondence on the outcome of that appeal.

Item 15. Bux-Mont Refuse Services, Inc. has not signed contracts with landfills, to our knowledge, to accept their waste materials.

With all of the fifteen concerns not being addressed satisfactorily, the most important question is yet to be answered. **The health, safety and welfare of the residents of Hilltown Township!** This proposed facility is **not** in the best interests of the Township and could be detrimental to the health of our residents.

