

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
MONDAY, OCTOBER 24, 2022**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John McIlhinney at 7:00 PM and opened with the Pledge of Allegiance. Also in attendance were Vice Chairman James Groff, Supervisor Caleb Torrice, Township Manager Lorraine Leslie, Township Solicitor Jack Wuerstle, Township Engineer Tim Fulmer, Chief of Police Christopher Engelhart, and Finance Director Marianne Egan.

1. ANNOUNCEMENTS: None.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the September 12, 2022, Board of Supervisors Meeting
 - b) Minutes of the October 11, 2022, Board of Supervisors Meeting
 - c) Bills List: September 27, 2022
 - d) Bills List: October 11, 2022
 - e) Bills List: October 25, 2022
 - f) Financial Statement: September 30, 2022

Motion was made by Supervisor Torrice, seconded by Vice Chairman Groff, and carried unanimously to approve items 3(a) through 3(f) on the Consent Agenda. There was no public comment.

4. CONFIRMED APPOINTMENT:

a. Michael & Dawn Ketcham – 115 Carlton Place – Fence Agreement: Mr. & Mrs. Ketcham were in attendance to request permission to install a fence on their property located at 115 Carlton Place and encroach slightly into the conservation easement area that exists at the back of their parcel. Mr. Ketcham noted no trees will be taken down with the installation of the fence which will be black aluminum and removable if the Township should need to access the easement. Solicitor Wuerstle stated since the conservation easement is conveyed to the Township, the Board of Supervisors may make an exception for the encroachment into the easement. Mr. Fulmer added there were certain areas of woodlands that had to be preserved when the subdivision was approved and suggested that should be a condition of the fence agreement.

Motion was made by Vice Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to approve the request by Michael & Dawn Ketcham, 115 Carlton Place, for the installation of a black aluminum fence in the conservation easement area with the restrictions to preserve the trees and the fence must be removable for any Township purposes per the fence agreement that will be prepared by Solicitor Wuerstle. There was no public comment.

b. Thomas & Luisa Hermann – 304 Fox Lane – Fence Agreement: Mr. & Mrs. Hermann were in attendance to request permission to install a 6' PVC fence in the easement area

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at their property located at 304 Fox Lane. Ms. Hermann stated the neighbors are all okay with the installation of the fence. She continued to state the fence will be 3' from the back of the easement with 10' drive gates at the front and the back of the property to allow accessibility. After discussion, it was stated to put the fence on the property line at the back of the property and not in the drainage easement area, and to keep the fenced in area in the open space as grass or meadow per the recorded plan. Ms. Hermann stated the neighbors are okay with the 6' PVC privacy fence because of their pool. Solicitor Wuerstle noted he will attach the letters from the neighbors as an exhibit to the fence agreement.

Motion was made by Supervisor Torrice, seconded by Vice Chairman Groff, and carried unanimously to approve the request by Thomas and Luisa Hermann, 304 Fox Lane, for the installation of a 6' PVC privacy fence on the property line at the back of the property and on the property line in the open space area as long as the open space stays as grass or meadow per the fence agreement that will be prepared by Solicitor Wuerstle. There was no public comment.

5. LEGAL:

a) Resolution 2022-015 – BOS Direct the Tax Collector of Hilltown Township to Implement the Provisions of Act 57 of 2022, for Tax Years Beginning on or after January 1, 2023: Mr. Wuerstle stated Resolution 2022-015 is regarding Act 57 which requires taxing districts, that impose taxes on the assessed value of real estate property, to adopt a resolution directing the tax collector to waive additional interest, fees, and penalties in excess of the face amount of the real estate tax provided the land owner produces certain proof including proof of ownership, testation that a tax notice was not received, and payment of the actual tax.

Motion was made by Vice Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to adopt Resolution 2022-015 directing the Tax Collector of Hilltown Township to implement the provisions of Act 57 of 2022, for tax years beginning on or after January 1, 2023. There was no public comment.

b) Resolution 2022-016 – Authorizing the Execution of a Maintenance Agreement for the Proposed Roundabout at the intersection of Route 113 and Minsi Trail: Mr. Wuerstle stated Resolution 2022-016 authorizes the execution of a maintenance agreement for the proposed roundabout at the intersection of PA Route 113 and Minsi Trail.

Motion was made by Vice Chairman Groff and seconded by Supervisor Torrice to adopt Resolution 2022-016 authorizing Supervisor Torrice to execute the maintenance agreement for the proposed roundabout at the intersection of PA Route 113 and Minsi Trail. Motion passed 2-1 with Chairman McIlhinney having the opposing vote. There was no public comment.

6. PLANNING:

a) Resolution 2022-017 – 2214 Keystone Drive Sewage Facilities Planning Module: Mr. Tim Fulmer stated 2214 Keystone Drive is a single-family home lot that is currently occupied

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by a house that is being removed and replaced with a new house. The existing house was served by an on-lot septic system and the new house is proposed to be served by public sewer provided by Hilltown Township Water and Sewer Authority which exists along Keystone Drive within the frontage of the site. Because the lot is located outside the current Act 537 Public Sewer Area, DEP requires that the Township amend its Act 537 Plan to include the lot in the Public Sewer Service Area before it is allowed to be connected. Mr. Fulmer requested adoption of Resolution 2022-017 for Plan Revision for New Land Development so the sewage facilities planning module documents for 2214 Keystone Drive can be sent to PADEP for review and approval.

Motion was made by Supervisor Torrice, seconded by Vice Chairman Groff, and carried unanimously to adopt Resolution 2022-017 for Plan Revision For New Land Development and the sewage facilities planning module documents for 2214 Keystone Drive be sent to PADEP for review and approval. There was no public comment.

7. ENGINEERING:

a) Ordinance 2022-002 - Zoning Omnibus Amendment Public Hearing: Tim Fulmer stated the Zoning Omnibus Amendment was advertised twice for a public hearing. The hearing was opened for the Zoning Omnibus Amendment. Motion was made by Supervisor Torrice, seconded by Vice Chairman Groff, and carried unanimously to adopt Ordinance 2022-002 for the Zoning Omnibus Amendment. There was no public comment. The hearing was closed for the Zoning Omnibus Amendment.

b) Proposed Ordinance Amendment – Stockpiling of Yard Waste within Public Right of Way: Mr. Fulmer stated he drafted an ordinance which proposes to amend Chapter 137 of the Township Code of Ordinances to prohibit the stockpiling of yard waste within public right of way areas and requested a motion to advertise the ordinance for adoption at a future meeting. Motion was made by Supervisor Torrice, seconded by Vice Chairman Groff, and carried unanimously to authorize the advertisement of the proposed ordinance amendment to prohibit the stockpiling of yard waste within public right of way areas to be adopted at a future meeting. There was no public comment.

8. UNFINISHED BUSINESS:

a) PA Commission on Crime & Delinquency – Grant Application – (Accreditation): Motion was made by Vice Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to table the PA Commission on Crime & Delinquency – Grant Application – (Accreditation) until there is a further legal review to discuss the obligations. There was no public comment.

9. NEW BUSINESS:

a) H&K Extension of Hours – November 1 – 30, 2022: Ms. Leslie stated H&K has

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requested to operate the concrete batch plant, asphalt batch plant, and the crushing plant between the hours of 6:30 pm to 6:30 am, Monday through Saturday, between November 1, 2022, and November 30, 2022, excluding holidays, for the PennDOT projects per their letter dated October 14, 2022. Motion was made by Vice Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to grant the extension of hours between November 1, 2022, and November 30, 2022, for the Concrete, Asphalt and Crushing Plant at the Skunkhollow Quarry per their letter dated October 14, 2022, with the exception of striking the part in the letter in regard to "and/or private customers." There was no public comment.

10. SUPERVISOR'S COMMENTS: None.

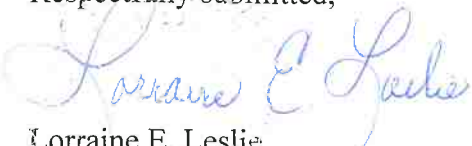
11. PUBLIC COMMENT: Debra Young, 733 Minsi Trail, discussed the concerns regarding the property located at 714 Minsi Trail including junk cars, appliances, trash, furniture, environmental issues, and serious public health and safety concerns. It was noted it has gone on for over 10 years and the property has been cited in the past. After a lengthy discussion, Solicitor Wuerstle stated he will review the file with the Zoning Officer and possibly pursue other avenues with the Health Department and/or Environmental Agencies.

Wally Rosenthal, 530 Rosey Lane, stated he knows the person that the prior residents were speaking about.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Torrice, seconded by Vice Chairman Groff, and carried unanimously, the October 24, 2022, Hilltown Township Board of Supervisors regularly scheduled meeting was adjourned at 7:52 PM.

Respectfully submitted,



Lorraine E. Leslie
Township Manager

(*NOTE: These minutes were transcribed from notes and recordings and should not be considered official until approved by the Board of Supervisors at a public meeting).