HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, January 23, 2006
7:30PM

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:29PM and opened with the Pledge of Allegiance.

Also present were: Richard J. Manfredi, Vice-Chairman
Barbara A. Salvadore, Supervisor
Kenneth B. Bennington, Township Manager
Christopher Engelhart, Chief of Police
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Lynda S. Seimes, Township Secretary

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY:

B. APPROVAL OF MINUTES – Action on the minutes of the October 26, 2005 Budget Worksession Meeting – Motion was made by Supervisor Salvadore, and seconded by Supervisor Manfredi to approve the minutes of the October 26, 2005 Budget Worksession Meeting, as written. Chairman McIlhinney abstained from the vote since he was not a member of the Board at that time. Motion passed. There was no public comment.

Action on the minutes of the November 17, 2005 Budget Worksession Meeting – Motion was made by Supervisor Salvadore and seconded by Supervisor Manfredi to approve the minutes of the November 17, 2005 Budget Worksession Meeting, as written. Chairman McIlhinney abstained from the vote since he was not a member of the Board at that time. Motion passed. There was no public comment.

Action on the minutes of the November 28, 2005 Supervisor's Meeting – Motion was made by Supervisor Salvadore, and seconded by Supervisor Manfredi, to approve the minutes of the November 28, 2005 Supervisor's Meeting, as written. Chairman McIlhinney abstained from the vote since he was not a member of the Board at that time. Motion passed. There was no public comment.

C. APPROVAL OF CURRENT BILLING – Chairman McIlhinney presented the Bills List dated January 24, 2005, with General Fund payments in the amount of $90,073.20, Park and Recreation Fund payments in the amount of $1,024.30, State Highway Aid Fund payments in the amount of $804.06, and Escrow Fund payments in the amount of $28,917.42; for a total of all payments in the amount of $120,908.98.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to approve the Bills List dated January 24, 2006, as written. There was no public comment.

D. CONFIRMED APPOINTMENTS:

1. Myers Tract Subdivision (aka: Ashland Meadows Subdivision) Public Sewer Request – Mr. Ed Murphy, legal counsel for DeLuca Homes, was in attendance to present the applicant's request for consideration of serving the Myers Tract Subdivision, which previously received conditional final plan approval from the Board of Supervisors. It was originally contemplated that each of the 49 new single-family detached dwellings would be served by on-lot sanitary sewer disposal systems, for which individual Operation and Maintenance Agreements would be required.

In the course of evaluating the marketing for this project, the applicant is considering an option that would eliminate the need for individual on-lot sewer systems by connection to the Hilltown Water and Sewer Authority's public sewer system. This alternative would be accomplished through the installation of a force main from the Myers Tract Subdivision within the right-of-way of Telegraph Road to a point of interconnection with the existing public sewer system of the Authority within the right-of-way of Rt. 113 immediately south of the intersection of Rt. 113 and Telegraph Road. Mr. Murphy made it clear that the public sewer alternative would not result in any increase in density for the subdivision.

If this alternative is considered, the applicant requested guidance from the Township as to the scope of the restoration of Telegraph Road once a force main is installed within the right-of-way. More specifically, the applicant would require direction as to whether or not the Township would expect Telegraph Road to be fully overlaid as part of the installation of the force main or whether some reduced area of Telegraph Rod could be overlaid. The applicant would be prepared to install the force main in the roadway shoulder if adequate right-of-way exists. If the Township is supportive of the conversion to public sewer to serve the site, Mr. Murphy asked how quickly and in what fashion could this conversion take place since revised approvals would be required from both the Township and other regulator agencies having jurisdiction over the sanitary sewer aspects of the project.

Mr. Wynn previously met with representatives of DeLuca Homes regarding the possibility of extending the sewer lines in Telegraph Road. Specifically, there were discussions as to whether or not the public sewer lines could be placed within the shoulder or the cartway, to which Mr. Wynn advised that the Township Ordinance requirements call for full roadway overlay following completion of the project. In that respect, Mr. Wynn would not support installation of a water or sewer line in the shoulder

of the roadway because the past experience has been that when such utilities are placed in the shoulder, eventually it is in conflict with stormsewer. Discussion took place.

Chairman McIlhinney asked why the applicant is proposing use of a force main. Mr. Murphy replied that it is far more cost effective than extending a gravity main with no less efficiency. The applicant understands that the use of a force main does not inhibit any adjacent property owners that may require access to connect to the public sewer line. Chairman McIlhinney asked if the applicant would be requesting reimbursement from any property owner who may be required to connect to the public sewer line due to failing systems. It is Mr. Murphy's understanding that there are only a handful of property owners who might have the need to connect to public sewer, and therefore, he does not believe it would be practical to expect any type of meaningful reimbursement.

Mr. Jim Groff, Manager of the Hilltown Township Water and Sewer Authority, commented that additional property owners could connect to the force main as long as it is sized correctly. Mr. Groff noted that that the nearby Seylar School is experiencing difficulties with their on-site sewage treatment plant, and they may want to connect to public sewer. He explained that correspondence was sent to the Township advising that the Seylar School is interested in lowering the limits on their sewer plant. The HTWSA had concerns several years ago as to whether the Seylar School facility would operate correctly and efficiently, due to the lack of consistent flow and "food." Mr. Groff advised that the Schoolhouse Sweets property and the Roman Delight restaurant located at the corner of Rt. 113 and Telegraph Road are both operating on a holding tank, which is a temporary solution to wastewater treatment. He had spoken to the owner of Roman Delight, who is very interested in connecting that property to public sewer. Mr. Groff was most concerned about the Seylar School lowering it's plant standards because of the HTWSA's wells located nearby on Rt. 152 and on South Perkasie Road. When standards are lessened, which means they can include more of a certain parameter such as nitrate as is the case at the Seylar School, there is always a concern. The Pennridge School District has also considered lowering the standards by using methanol, which Mr. Groff would be opposed to.

Supervisor Manfredi noted that there are three Confirmed Appointments on the agenda this evening, all relating to connection to public sewer, and therefore, feels that the Board must be consistent and comprehensive while considering all three requests as a whole, rather than on an individual basis. If the Board intends to review each request on an individual basis, Supervisor Manfredi would not be in favor of a motion to extend the public sewer at this time. Supervisor Salvadore agreed that consideration must be given to areas where systems are failing and where new developments are proposed, and that the Board must plan in totality, and not in bits and pieces. The Board agreed to hear the next Confirmed Appointment prior to making any decision on this request.

2. Smith Tract Subdivision – Public Sewer Request - Mr. Dave Shafkowitz, legal counsel for the Elliott Building Group, advised that this 24 lot subdivision was granted conditional final plan approval approximately one year ago proposing the construction of a package treatment plant to serve the site. It has come to the applicant's attention that the Supervisors may be inclined to reconsider the previously approved Planning Module to permit the extension of the public sewer to the property. The applicant feels that connection of this site to the existing public sewer line, which is owned and maintained by the Hilltown Authority, would be a better long-term solution for the Township. Additionally, Mr. Shafkowitz noted that the connection to public sewer would not alter the number of building lots proposed for the site. The applicant is proposing that the connection begin at the Smith Tract on Rickert Road, then travel down Telegraph Road to the Myers Tract, picking up where it would potentially switch from force main to gravity, and then connecting to the sewer line in the Deerfield Subdivision. Mr. Shafkowitz advised that there is a parcel located at the corner of Rt. 113 and Telegraph Road, which is also owned by the Elliott Building Group and which they intend to develop in the future. If and when a public sewer line is extended in this area, Mr. Shafkowitz noted that it would provide an opportunity for connection by other businesses in the area, including those previously mentioned by Mr. Murphy. A connection to public sewer at this time for these two developments would also provide for cost sharing to extend the public sewer line.

Supervisor Manfredi commented that the Board can make amendments to the Act 537 Plan incrementally, or it can be done in totality. He is willing to consider the requests of these two developers, however he believes that a representative from the Seylar School, Schoolhouse Sweets, and Roman Delight businesses should be present to discuss their issues as well. Chairman McIlhinney stated that both applicants have indicated that they would be willing to allow the Pennridge School District to tie into this public sewer extension if they so desire, at no cost to them, and since the Township is aware of a failing sewage treatment plant at the Seylar School, he would think there would be no objection on the School District's part. Supervisor Manfredi would simply like to have a clear understanding from all parties involved, including the School District. He asked if there was some urgency that would require that a decision be made this evening. In Mr. Shafkowitz's case, there is. He explained that there is a Planning Module pending that requires action both by the Township and DEP, which is under a time limitation. Following conversations with DEP, Mr. Shafkowitz is aware that the time limitation is running short. He commented that when the Board considers these requests, they would actually be looking at globally addressing the Telegraph Road corridor for public sewer.

Motion was made by Supervisor Salvadore to notify DEP that the Township is interested in extending public sewer along the Telegraph Road corridor to service both the Smith Tract and Myers Tract Subdivisions, and for the developer's of both subdivisions to proceed accordingly in conjunction with the requirements as established by the Township

Engineer and Hilltown Water and Sewer Authority, and as required by Township Ordinances; and with the caveat that the Seylar Elementary School, Schoolhouse Sweets, and Roman Delight properties be involved in the process. There was no second to the motion.

Supervisor Manfredi stated that he would not be agreeable to approving the conversion to public sewer for these sites this evening without further dialogue and discussion with all parties involved.

Supervisor Manfredi asked Mr. Murphy at what phase of implementation the erosion and sedimentation plan for the Myers Tract is at the present time. Mr. Murphy replied that the applicant has not yet moved any dirt, however without a decision by the Board this evening, they cannot effectively market a home. Supervisor Manfredi asked when this plan received conditional final plan approval. Mr. Wynn replied that both the Myers Tract and the Smith Tract plans received conditional final plan approval on January 24, 2005. Supervisor Manfredi noted that both these plans were approved a year ago, yet there appears to be some urgency for the Board to make a decision regarding the sewage treatment this evening.

Motion was made by Supervisor Salvadore to authorize the developer of the Myers Tract, and the Smith Tract to advise DEP that Hilltown Township has permitted the extension of public sewer in the Telegraph Road corridor to serve these sites, at the direction of the Hilltown Township Water and Sewer Authority and Township Engineer, and compliance with all Township Ordinance requirements, as well as the ability for neighboring parcels (including the Seylar Elementary School) to connect to the public sewer system if they so desire without reimbursement for the public sewer extension construction. Prior to a vote, discussion took place.

Supervisor Manfredi asked if the Board of Supervisors received a formal request from the Seylar Elementary School to connect to public sewer. Supervisor Salvadore replied that the Township has received a copy of a letter from Seylar Elementary School that they would choose to lower their standards, however a formal request has not been received. Chairman McIlhinney noted that by the motion made by Supervisor Salvadore, the Board would not be requiring the Seylar School to connect to public sewer, rather the Township would be offering the ability to connect if the School District so desires.

Supervisor Salvadore's motion was seconded by Chairman McIlhinney. Prior to a vote, Public Comment was heard.

Public Comment:

1. Mrs. Jean Bolger of Rt. 152 asked what other benefit there would be, besides serving the Seylar School, to extending public sewer to the Telegraph Road corridor. Chairman McIlhinney stated that the benefit would be the elimination of the package treatment plant to serve the Smith Tract, as well as the individual on-lot experimental systems proposed to serve the Myers Tract, and the potential of failure of these systems, which would then cost the taxpayers a great deal of money to replace, when the developer would be long gone. Chairman McIlhinney reminded Mrs. Bolger that the package treatment plant at the Seylar School, which was put in at a cost of approximately $1.5 million tax dollars, is presently failing. He noted that presently, it cost the Pennridge School District approximately $60,000.00 to $70,000.00 per year to run the sewage treatment facility at the Seylar School, and that it would cost a fraction of that to serve the site with public sewer. Chairman McIlhinney would like to insure that this same mistake is not repeated with these two developments so that the taxpayers would not be required to foot the bill once again. Mrs. Bolger suggested that if a suitably sized package treatment plant was constructed to serve only the amount of proposed dwellings in the Smith Tract Subdivision, that system should not fail. Chairman McIlhinney feels that the only way to avoid additional financial burden on the taxpayers in the future to allow the developers to bear the cost of extending public sewer at this time.

Mrs. Bolger commented that if these developments had not been approved, there would not be the need for public sewer to serve the Telegraph Road corridor. She asked how many existing sewer systems in the Telegraph Road corridor or surrounding area are failing. Chairman McIlhinney believes that the Roman Delight site and the Schoolhouse Sweets site are both using holding tanks because their systems have failed. Other than those two businesses and the Seylar School, Mrs. Bolger wished to note that there are no residential properties experiencing failing sewer systems. While not specifically in the Telegraph Road corridor, Chairman McIlhinney is aware of several residential properties that are experiencing failing septic systems in this general area.

Discussion took place regarding on-lot systems and package treatment plants proposed to serve both the Smith and Myers Tract Subdivisions. Mr. Groff, Manager of the Hilltown Authority, expressed concern with the type of alternate systems that DEP previously approved, and which they have since ceased to approve due to the failures that have been experienced. He noted that these alternative systems are basically small package treatment plants with moving parts such as UV bulbs and filters that require maintenance and repair to lessen the strength of the effluent going out because of the marginal soil conditions on which these sites are being installed. Mr. Groff does not believe that the average homeowner will spend the appropriate time or money necessary to run these small package treatment plants correctly and efficiently. He commented that the

maintenance of these types of systems could prove to be very costly to maintain properly, which the average homeowner may not be willing or able to afford.

Regardless of the fact that DEP has taken the position that there is a perennial stream on the Smith Tract for the system to discharge into, Mr. Wynn noted that the stream has been dry most of the summer.

2. Mrs. Alice Kachline of 529 Mill Road was opposed to extending public sewer into the RR District, and commented that a majority of Township residents who responded to the Comprehensive Plan Task Force survey were opposed as well. Mrs. Kachline recalls that the facilitator of the Comprehensive Plan Task Force was amazed with a survey return rate of over 50%. One of the questions in the survey was "Would you support a policy that limits the extension of public water and sewer service?" A response of 60% (or 1,261 individuals) responded affirmatively, with 20% responding negatively, and an additional 20% with no opinion. Therefore, Mrs. Kachline feels these survey results speaks clearly that a majority of Township residents do not want public sewer extended into the RR Zoning District. She understands that everyone has the right to develop their property, however she believes it should be developed within the rules and regulations that exist at the time.

Chairman McIlhinney commented that the survey Mrs. Kachline referred to was conducted many years ago, and noted that the mindset of the population has apparently changed since that time.

3. Mr. Joe Marino of Redwing Road referred to correspondence that was sent to DEP, which states "The report only shows 5% of the systems are malfunctioning, however independent studies show that as many as 40% and maybe more are failing." He commented that every private sewer system, including a sandmound system, begins to fail the minute it has been installed. In fact, Mr. Marino noted that several years ago, DEP actually required a secondary site for a sandmound system to be plotted. He wondered why the Supervisors would want to risk the health, safety, and welfare of the residents of Hilltown Township, knowing full well that onsite systems and package treatment plants will most likely eventually fail. Mr. Marino believes that public sewer should be extended to serve these two developments, and to serve the Seylar Elementary School and other properties with failing systems in this area. He reminded those in attendance that whether or not public sewer is extended into the RR, it will not stop one dwelling from being constructed, and it will not curtail development. Mr. Marino encouraged the Board of Supervisors to permit the extension of public sewer into the RR District to address future health concerns for the residents of the Township.

4. Mr. Hans Sumpf of Beverly Road asked if the existing residents of the Telegraph Road corridor would be offered some sort of incentive to connect to the public sewer.

Chairman McIlhinney replied that they would not, however if any of the property owners in that area are experiencing failing systems, they will be permitted to connect to the public sewer. Mr. Sumpf recalls previous discussions about offering neighboring properties connection to the public sewer line to the proposed Guttman Tract on Green Street, at no expense to them. Mr. Wynn replied that it was the same scenario in that the neighboring property owners could connect to the public sewer if they wished, paying the normal connection fees to the Authority, but those property owners would not be asked to help pay for extending the sewer line itself.

5. Mrs. Marilyn Teed of Mill Road believes that the Township should do everything possible to encourage businesses in Hilltown and should immediately address the issue of connecting the Schoolhouse Sweets and the Roman Delight properties to public sewer. Mrs. Teed agreed with Chairman McIlhinney that consideration must be given to the future generation of Hilltown residents, which can be accomplished by planning smartly, and by permitting the extension of public sewer to the RR District.

Supervisor's Discussion:

Supervisor Manfredi commented that both of these developments received final plan approval 12 months ago, yet the Board is being rushed to make a decision this evening. Mr. Murphy stated that if the Board of Supervisors decides this evening that the Township is not interested in considering serving the Telegraph Road corridor with public sewer, the developer of the Myers Tract would begin immediate construction and marketing of their subdivision tomorrow, based upon the previously approved plan. Supervisor Manfredi noted that the change to public sewer to serve either or both of these sites would require a revision to the Township's Act 537 Plan. As Solicitor Grabowski understands the motion, it was to inform DEP of the Township's decision to reconsider the Planning Module process. Mr. Wynn explained that there are already two Act 537 Plan revisions pending, one for each of these projects, and the request to DEP, if the motion passes, would be to revise the Act 537 Plan to serve these sites with public sewer instead of what is currently proposed in their Alternative's Analysis, which would be individual on-lot systems for the Myers Tract and a package treatment plant for the Smith Tract. Further, he advised that the reason for the Alternative's Analysis to go in that direction is because both of those documents indicate that public sewer is not available, and would probably change the opinion of DEP. Chairman McIlhinney concurred with those statements made by Mr. Wynn. It is Supervisor Manfredi's opinion that this would be a different, additional revision to the Act 537 Plan. He has said time and time again, that there are merits to moving forward with considering the Telegraph Road corridor for extension of the public sewer line, however Supervisor Manfredi does not understand the need for it to be done this evening, particularly when Mr. Shafkowitz has made it clear that he will be making the same request for his client's property at Rt. 113 and Telegraph

Road in the future. Further, the Board has not received a formal request from the Pennridge School District seeking the extension of public sewer to serve the site.

Supervisor Salvadore realizes the importance of this decision and asked the time line involved for Mr. Shafkowitz's project. Mr. Shafkowitz advised that there is a DEP review letter noting that the Feasibility Analysis states there is no reason why public sewer is not being extended to the Smith Tract. Therefore, regardless of whether or not DeLuca Homes participates, the Elliott Building Group would be interested in extending public sewer along the Telegraph Road corridor on its own. Mr. Shafkowitz stated that he couldn't afford to wait for additional review and dialogue with the Pennridge School District or other property owners with potentially failing systems, because he must respond to the Planning Module with DEP.

On January 17, 2006, Solicitor Grabowski advised that he and several Township officials, including Chairman McIlhinney, Mr. Bennington, Mr. Wynn, and Mr. Groff, met with representatives of DEP in response to a letter most recently generated in September of 2005, with respect to these particular Planning Modules as well as other related issues. The Township had been given a deadline of October of 2005, and then November, to respond to that letter. The deadline was extended by DEP until the January 17, 2006 meeting. Mr. Cleaver and Ms. Mahoney of DEP basically stated that if the Board of Supervisors is going to make a decision to reconsider how to serve these two developments for public sewer, they needed to know as soon as possible because the time frame for review by DEP is still moving ahead for both projects. Supervisor Manfredi was not certain that Solicitor Grabowski's recollection as to the purpose of that meeting was completely accurate. He thought the January 17th meeting, in addition to those items mentioned by Solicitor Grabowski, was to deal with the fact that Hilltown Township was not in compliance with the Act 537 Plan as it exists at present for malfunctioning systems in certain areas of the Township. Therefore, Supervisor Manfredi does not understand why a decision has to be made this evening.

Chairman McIlhinney called for an end to the discussion and requested that a vote be taken on Supervisor Salvadore's motion. Chairman McIlhinney and Supervisor Salvadore were in favor and Supervisor Manfredi was opposed. Motion passed. There was no further public comment.

3. Coventry Meadows I Sewer Line Re-routing Request – Mr. Robb Gundlach, legal counsel for DeLuca Homes, was in attendance to request the Supervisor's consideration of re-routing the sewer line to serve the Coventry Meadows I Subdivision, which was in fact contemplated and approved for public sewer in the Act 537 Plan and will be served by the Telford Borough Authority. This proposed sewer line re-routing would travel through the Metzger property, down Keystone Drive, and then connect with an existing Authority main on the neighboring Stock property. The

subdivision was previously granted conditional final plan approval by the Supervisors, which contemplated the use of grinder pumps and the installation of a new force main to connect the proposed homes to the existing sewer line of the Telford Borough Authority. TBA also approved of this arrangement, however once the engineering was complete and final approval granted, both the Township and the Authority had second thoughts as to the proposed route of the sewer line. Even though the proposed re-routing is much more costly, Mr. Gundlach commented that the applicant would be agreeable to the alternate route as long as the Township waives the requirement for a full width overlay, leveling course and structural paving fabric on Keystone Drive.

Chairman McIlhinney asked if the residents along Keystone Drive with failing systems would be required to contribute to the cost of the public sewer line extension construction. Mr. Gundlach replied that they would not, though they would be required to pay their fair share of the recapture fee, which would be determined by the Hilltown Authority. Therefore, if a full-width overlay is required, Mr. Gundlach noted those residents would have to pay a greater recapture fee. Chairman McIlhinney reminded Mr. Gundlach that the previous two developers indicated that they were not interested in capitalizing on the misfortune of their neighbors by asking them to repay the cost of extending the sewer line. Mr. Gundlach conferred with his client who indicated that he would be willing to waive the recapture rights on the line. Supervisor Salvadore asked if this would just be a sewer line or if the laterals would be installed as well. Mr. Gundlach replied that would be determined by the Authority. Sometimes the Authority might ask the applicant to install the laterals, which would make it easier for the existing residents to tie in later, and would then grant credit to the developer against the tapping fee. Discussion took place.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to authorize the re-routing of the proposed sewer line for the Coventry Meadows Subdivision through the Metzger property, down Keystone Drive to connect with an existing Authority main on the Stock property, and to waive the requirements for full width overlay, leveling course, and structural paving fabric on Keystone Drive, as noted above, conditioned upon the developer waiving their rights to recapture fees from existing residents on Keystone Drive. There was no public comment.

E. SOLICITOR'S REPORT –

1. Patel II Subdivision – Cash Escrow Agreement – Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to accept the Patel II Subdivision Cash Escrow Subdivision/Land Development Agreement. There was no public comment.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to **adopt Resolution #2006-9, the Road Frontage Easement Agreement, for the Patel II Subdivision.** There was no public comment.

2. Myers Tract (aka: Ashland Meadows) Subdivision – Sewage Maintenance Agreements – In light of this evening's decision with respect to serving this development with public sewer, the Board agreed to table this issue.

3. Scott Lot Line Adjustment – Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to **adopt Resolution #2006-10, accepting the Road Frontage Easement for the Scott Lot Line Adjustment;** and to **adopt #2006-11, accepting the Deed of Dedication for Road Frontage Easement for the Scott Lot Line Adjustment.** There was no public comment.

F. PLANNING – Mr. C. Robert Wynn, Township Engineer –

1. Penn Foundation Subdivision (Minor) – Mr. Rod White, the applicant's engineer, was in attendance to present the plan. The minor subdivision located on Diamond Street within both West Rockhill and Hilltown Township was unanimously recommended for preliminary/final approval by the Planning Commission subject to completion of items #2, #3, #5 and #6 of the December 1, 2005 engineering review. The Planning Commission also recommended a waiver of street improvements along the frontage of the site (deferred until development of Parcel B), as included with Item #1.A of the engineering review. Regarding Item #1.B of the engineering review, the Planning Commission unanimously passed a motion indicating that no action was required regarding the waiver request for the irregular lot line since the lot line in question is located entirely within West Rockhill Township.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to grant conditional preliminary/final plan approval to the Penn Foundation Subdivision, pending completion of all outstanding items as noted in the December 1, 2005 engineering review, including waiver of street improvements along the frontage of the site to be deferred until development of Parcel B takes place. There was no public comment.

2. Guttman Tract Subdivision (aka: Hilltown Walk) – Mr. William Benner, the applicant's legal counsel, and Mr. Scott Mill, the applicant's engineer, were in attendance to present the plan. The Planning Commission recommended the Board of Supervisors support the Hilltown Walk Subdivision Sketch Plan and the applicant's request for Zoning Hearing Board relief (4-2 vote with Mr. Kulesza and Mr. Bradley opposed). This plan has been developed with input from the Planning Commission and

requires Zoning Hearing Board relief from requirements for open space and lane lot area in order to implement.

Mr. Wynn's engineering review dated December 12, 2005 and the Bucks County Planning Commission review dated December 15, 2005 were discussed. Six parcels containing 86.08 acres are proposed to be subdivided into 45 single-family detached dwelling lots, including three lots with existing dwellings. The site was recently rezoned to the CR-2 Zoning District and proposed layout utilizing provisions of Use B3 – Cluster Use Option 2, which requires a minimum lot area of 20,000 sq. ft., and a minimum open space ratio of 65%. Proposed building lots contain frontage on a internal roadway network with access to Green Street. In addition to existing manmade features, the site contains areas of woodlands, steep slopes, floodplain, regulated waters, and a pond/pond shoreline. Lots are to be served by public water and sewer facilities provided by the Hilltown Authority.

On September 26, 2005, the Board of Supervisors adopted Ordinance #2005-3, which rezoned the subject parcels into the Country Residential II Zoning District. Rezoning of the site was approved with the understanding of the applicant's intent to develop the property utilizing the single family detached Cluster Option 2 (Use B3), which is permitted by-right in the CR-2 Zoning District, for a cluster subdivision containing no more than 45 lots, including three existing single family detached dwelling lots. The sketch plan submitted with the petition for re-zoning filed by the applicant depicted a cluster subdivision layout that located a majority of development activity within an open area bounded by Green Street and resource protection areas to the north and east of the central portion of the site. The currently proposed lot layout will still involve development of this area, with added development proposed within the rear of the site, which involves additional disturbance to natural resources, and crossing of regulated waters. Although 45 lots are proposed on the current plan, size and location of lots (and roadways) necessitate additional woodland disturbance, which exceeds the allowable maximum disturbance specified in Section 160-28.D of the Zoning Ordinance. Note #7 indicates that the applicant will request a variance of this section requiring protection of 80% of the forest area.

Mr. Benner recognizes that the Zoning Hearing Board is an independent body, and is aware that the Board of Supervisors does not have the right to dictate the outcome of a Zoning Hearing variance request. However, the requests this applicant intends to make of the Zoning Hearing Board are dimensional variances, which the Pennsylvania Supreme Court has stated that a Zoning Hearing Board may consider avenues other than the traditional hardship considerations that normally ground a variance application. Mr. Benner believes that a policy statement from the governing body would be exactly that type of "other consideration" that a Zoning Hearing Board may consider favorably. Therefore, he is requesting that the Board of Supervisors provide their opinion of the

proposed sketch plan, and asked that the Supervisors notify the Zoning Hearing Board via written correspondence, that they have reviewed the sketch plan and have respectfully requested that the Zoning Hearing Board give the applicant's proposal favorable consideration.

Chairman McIlhinney believes that the applicant and the Planning Commission have come to an agreement on an extremely fine plan that still requires the granting of certain variances. From a legal standpoint, Solicitor Grabowski advised that it is purely policy as to whether or not the Board of Supervisors desire to express their opinion to the Zoning Hearing Board.

Motion was made by Supervisor Manfredi to direct the Township Engineer and Manager to craft a specific letter of policy statement relative to the sketch plan for the Guttman Tract Subdivision (aka: Hilltown Walk), while just stopping short of supporting the plan and asking for favorable consideration, and also making it clear that the applicant has done everything it has been asked to do by the Township, and to advise that the Planning Commission has supported the proposed sketch plan and the Board of Supervisors believes it is consistent with what had been requested of the applicant. Supervisor Salvadore seconded the motion. Prior to a vote, discussion took place.

Public Comment:

1. Mrs. Jean Bolger of Rt. 152 owns the property directly to the rear of the Guttman Tract and questioned the number of proposed lots on this sketch plan. Mr. Mills advised that there are 42 new lots and 3 existing lots. Mrs. Bolger wondered if it was normal procedure for an applicant to request support from the Board of Supervisors before the Zoning Hearing has been held. Chairman McIlhinney does not believe this request could be termed "normal procedure," however he stated that this instance is somewhat different since the project has been before the Township for over 1 ½ years, yet the proposal is still in the sketch plan stage of development because the Supervisors had asked the applicant to basically design the subdivision in conjunction with the Planning Commission. Further, during the rezoning process, the Board of Supervisors was made aware that there would be some variances required since the applicant was being asked to do things that normally would not be required.

Motion passed unanimously. There was no further public comment.

Mr. Benner noted that it was the Planning Commission's recommendation that Lot #19, currently owned by Mrs. Guttman, be reduced from five acres to three acres, to which the owner has consented. The existing Agreements have been amended to reflect that consideration, and therefore, the open space associated with that lot will now be changed from deed restricted open space to public open space.

3. Coventry Meadows II (Preliminary) – Mr. Robb Gundlach, the applicant's legal counsel, and Mr. Scott Guidos, the applicant's engineer, along with representatives of DeLuca Homes were in attendance to present the plan. The preliminary plan proposing 15 single family detached cluster lots on a cul-de-sac street on the Metzger Tract (former Bernie's Auto Salvage site) within the CR-2 Zoning District was recommended for approval by the Planning Commission by a 4:2 vote with Mr. Kulesza and Mr. Beatrice opposed, subject to completion of all items as contained within the January 5, 2006 engineering review, and requesting the Board of Supervisors review the minutes and comments of the members of the Planning Commission regarding this subdivision/procedure with the intent to avoid procedural review issues in the future. In addition, the following items of the engineering review are noted:

- The Planning Commission unanimously recommended waiver of Section 140-30.D requiring the cul-de-sac turnaround to include a landscaped island (Item #2.D of the engineering review).

- The applicant proposes the open space area to be owned and maintained by a Homeowner's Association, which will be merged with Coventry Meadows I Subdivision. Mr. Gundlach had advised that an easement would be granted to the Township to encompass the pedestrian trail through the open space area per Item #3 of the engineering review.

- Mr. Gundlach advised that cleanup of the site pursuant to the investigation/report prepared by Del Val Soils dated December 2004 would be accomplished prior to plan recordation and a revised "closure" report would be submitted to the Township as noted in Item #8.

Prior to the approval action of the Planning Commission, a motion was made by Mr. Marino and seconded by Mr. Beer to grant conditional preliminary plan approval subject to completion of items contained within the January 5, 2006 engineering review plus acknowledgement of the need to clarify, in the future, the procedure when plans are approved by Stipulated Agreement. That motion did not pass on a 3:3 vote, with Mrs. Hermany, Mr. Kulesza and Mr. Beatrice voting no.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to grant conditional preliminary approval to the Coventry Meadows II Subdivision, pending completion of all outstanding items as noted in the January 5, 2006 engineering review. There was no public comment.

4. Hillside Estates (aka: Murphey Tract Subdivision)- This four-lot subdivision located on Skunkhollow Road received a unanimous recommendation for

final plan approval subject to completion of all items as contained within the December 5, 2005 engineering review.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to grant conditional final plan approval to the Hillsides Estates Subdivision, pending completion of all outstanding items as noted in the December 5, 2005 engineering review. There was no public comment.

5. Malin Subdivision – Act 537 Planning Modules have been resubmitted for this subdivision located on South Perkasie Road, which received conditional final approval by the Board of Supervisors on July 26, 2004. One of the conditions was approval of Planning Modules by PADEP. This issue has been delayed due to correspondence filed with PADEP by PWTA, advising that PWTA maintains a service area within Hilltown Township. Apparently, there is a resolution of this issue with PADEP and the Modules have been submitted for the Board's approval and forwarding to PADEP. Proposed lots will be connected to sanitary sewer facilities provided by the Hilltown Authority.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to **adopt Resolution #2006-12, authorizing the Planning Modules for the Malin Subdivision to be forwarded to PADEP.** There was no public comment.

G. ENGINEERING – Mr. C. Robert Wynn, Township Engineer –

1. A & T Subaru (Extension) – Correspondence has been received from A & T Subaru requesting an extension to complete miscellaneous cleanup of items required pursuant to their land development plan.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to accept the applicant's request for an extension for A & T Subaru in order to complete miscellaneous cleanup of items required pursuant to the land development plan. There was no public comment.

2. Hilltown Chase Subdivision – Dedication and Street Lights – If dedication of the subdivision and internal streets in the Hilltown Chase Subdivision is accepted this evening, the 18-month maintenance period will commence. Mr. Wynn advised that there are some miscellaneous items still remaining, which are weather-related and will be accomplished this spring. In addition to the posting of the financial security in the amount of $182,386.60 for the 18-month maintenance period, there are additional costs to be deposited with the Township. Acceptance of the roadways would also allow the Township Public Works Department to remove the snow within the development. Mr. Wynn noted that the developer of this subdivision has an obligation to plow the internal

roadways during the maintenance period. While this works fine in the Orchard Hill Subdivision, for instance, where the developer currently has a staff to maintain the private roadways and parking lots, Hilltown Chase is rather unique since an existing Township roadway – Beverly Road – was extended to allow access to the development, by the removal of the temporary cul-de-sac bulb. In order for the Public Works Department to turn the plow around, they must enter the site and then turn around in the first internal roadway intersection to leave the site. This was done during the first snowfall of this year, ahead of the developer's snowplow, which prompted several phone calls to the Township wondering why part of the road was plowed and part was not. Mr. Wynn calculated Liquid Fuels mileage for the total length of the roadway times two years, and it is his understanding that the developer will be contribute $2,336.10 toward the Township's cost for plowing the remaining roadway in the development. It is Mr. Wynn's recommendation that the Township accept this monetary contribution to plow the remainder of the road within the Hilltown Chase Subdivision. Mr. Dave Shafkowitz, legal counsel for Hilltown Chase Associates, advised that a maintenance bond has been provided to the Township Solicitor, and the applicant will provide $2,336.10 toward the Township's cost for plowing as noted above.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to **adopt Resolution #2006-13, accepting the streets in the Hilltown Chase Subdivision for dedication, as noted above.** There was no public comment.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to **adopt Resolution #2006-14, Declaration of Public Purpose for the street within the Hilltown Chase Subdivision, as noted above.** There was no public comment.

There is also an open space area within this project that is to be dedicated to the Township. Many months ago, a resident of the Hilltown Chase Subdivision claimed that he may have a legal interest in the open space via a judgment against the developer, which Solicitor Grabowski advised has been resolved to everyone's satisfaction. The deed for the open space has been presented to the title insurance company for recording.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to **adopt Resolution #2006-15, accepting the open space of the Hilltown Chase Subdivision under the terms of the Zoning Ordinance.** There was no public comment.

Mr. Shafkowitz introduced the new vice-president of operations for the Elliott Building Group – Mr. Michael Gianotti, who will now be responsible for the site development.

Additionally, unrelated to the dedication issue is discussion of a complaint received from a resident of the Hilltown Chase Subdivision regarding the illumination of his front yard/dwelling and the intensity of the streetlight located in the cul-de-sac turnaround area of Paige Trail. Mr. Wynn recommended that the Board authorize the reduction in the wattage of the streetlight at 52 Paige Trail from 9,500 lumens to 5,800 lumens.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to authorize the reduction in the wattage of the streetlights within the turnaround area of Paige Trail from 9,500 lumens to 5,800 lumens, an approximately 40% reduction, within the Hilltown Chase Subdivision, as noted above. There was no public comment.

3. Orchard Hill Subdivision (Sections 4 and 5) Dedication – Mr. Wynn's correspondence to the applicant dated January 5, 2006 was discussed. Mr. Wynn recommended acceptance of dedication of the subdivision and streets (Sections IV and V) and commencement of the 18-month maintenance period. The developer has provided a maintenance bond in the amount of $92,078.11, which will be effective until July 23, 2007, to guarantee the 18-month maintenance period. Additionally, a check in the amount of $17,690.00 has been forwarded to the Township, which includes the soft costs for the project. Solicitor Grabowski also presented an Agreement of Modification to the original Agreement that provides for the introduction of the bond company who issued the bond in the amount of $92,078.11.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to accept dedication of the subdivision and streets (Sections IV and V) of the Orchard Hill Subdivision and commencement of the 18-month maintenance period, and to authorize the execution of an Agreement of Modification, as noted above. There was no public comment.

4. Hilltown High School Roof Replacement – Approval has been received from the Pennsylvania Historical and Museum Commission and Bucks County Office of Community Development to advertise for replacement of the slate roof and gutter/downspouts. Mr. Wynn requested authorization to advertise for administrative bid openings on March 20, 2006 for consideration at the March 27, 2006 meeting.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to authorize the advertisement of administrative bid openings for the Hilltown High School Roof Replacement on March 20, 2006 for possible award at the March 27, 2006 Board of Supervisor's Meeting. There was no public comment.

H. NEW BUSINESS:

1. Mr. Buzby, Director of Public Works, requested authorization to bid the purchase of two dump trucks, which are currently included in the 2006 Budget.

During the process of preparing specifications for the purchase of these two trucks, Mr. Buzby was reminded that the Federal Emissions Standards will be changing, which will incur a price increase of anywhere from $2,000.00 per $5,000.00 per truck, and therefore, he would like to move on this as soon as possible in order to save approximately $4,000.00 to $10,000.00 total. Once this bid has been awarded, Mr. Buzby explained that the Township will most likely not take delivery for approximately nine months. He estimates that the cost of these trucks with the cinder spreaders will be approximately $98,500.00 per truck.

Chairman McIlhinney asked the average life span of dump trucks. Mr. Buzby replied that they are normally in service for approximately 14 or 15 years.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to authorize the advertisement of a bid to purchase two 2006 Dump Trucks as noted above. There was no public comment.

2. Mr. Buzby also requested authorization to purchase a water jet pipe-opening machine, since the existing 1973 pipe opening machine is in disrepair and parts are no longer available. Though not a specifically approved budget item for 2006, this machine could be purchased with road equipment contingency funds in the amount of $25,734.00. Mr. Buzby explained that this water jet pipe opening machine is much more efficient and more powerful than the present machine.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to authorize the purchase of a water jet pipe-opening machine in the amount of $25,734.00. There was no public comment.

3. The Planning Commission has requested authorization to advertise for an additional special Worksession meeting on January 26, 2006 to continue the review of the Zoning Ordinance amendments.

Motion was made by Supervisor Salvadore and seconded by Supervisor Manfredi to authorize the advertisement of an additional special meeting on January 26, 2006 to continue the review of the Zoning Ordinance amendments. Prior to a vote, discussion took place.

Chairman McIlhinney questioned the purpose of this special meeting particularly since it is his understanding that review of the Zoning Ordinance amendments have been tabled. Supervisor Manfredi commented that the Planning Commission is made up of a group of volunteers who have spent a great deal of time working on several of the proposed Zoning Ordinance amendments that the Supervisors had very specifically requested. He asked one member of the Planning Commission if this special meeting is being requested in order to complete what the Commission has been working on to this point, and Supervisor Manfredi was told that was the case.

Chairman McIlhinney was opposed. Motion passed. There was no public comment.

4. Mr. Bennington requested authorization to advertise a vacancy for the unexpired term on the Open Space Committee, which was created by the resignation of Joe Marino, who was recently appointed to a vacancy on the Planning Commission. This vacant position's term will expire on December 31, 2008.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to authorize the advertisement of the vacancy on the Open Space Committee, as noted above. There was no public comment.

5. A request has been received from Mr. Mario Maurizio for a staff sketch plan meeting with Mr. Wynn and Mr. Bennington in order to discuss the possible subdivision of his property located at 1320 Green Street. The applicant has provided the required $750.00 escrow.

6. The Sellersville Fire Company 2006 Fire Protection Agreement was available for signature by the Board of Supervisors following this meeting.

7. Mr. Bennington is seeking the appointment of a member of the Board of Supervisors to the Agricultural Security District Committee. This appointment would replace Mr. Bennington, who previously served on that committee while he was a member of the Board of Supervisors.

Motion was made by Supervisor Manfredi, and seconded by Chairman McIlhinney, to appoint Supervisor Salvadore as the Supervisor representative to the Agricultural Security District Committee. There was no public comment.

8. Mr. Bennington requested authorization for the attendance of the Township Treasurer and himself at the PELRAS Annual Conference in State College, PA from March 28th through March 31st, for which funds have been budgeted. If funds have been appropriated for this expense, Supervisor Manfredi did not feel it was necessary to

seek authorization from the Board for budgeted attendance at a conference. Supervisor Salvadore suggested that the Township Secretary attend the Conference as well.

9. Mr. Bennington received a complaint from a resident regarding the intersection of Callowhill Road and Rt. 113, expressing concern that she was unable to make a right turn on red and sat at the traffic signal for upwards of five or six minutes.

After speaking with Chief Engelhart and Mr. Buzby, Mr. Bennington discovered that when the traffic light was initially installed, PennDot required specific "No Turn on Red" signage due to the limited sight distance, and the turning radius required for school buses to turn safely onto Callowhill Road from Rt. 113 headed toward the Seylar Elementary School. With respect to the resident's complaint about the excessive amount of time required to wait at that red light, both Mr. Buzby and Mr. Bennington actually tested the intersection in their own vehicles and found that the front wheels of your vehicle should be positioned either directly on, or just across the stop line adjacent to the "Stop Here on Red" sign. By stopping there, the timing mechanism will be triggered correctly, and will change from red to green in approximately 20 to 25 seconds. The Board directed Mr. Bennington to send a letter to the resident with the explanation as noted above.

10. Mr. Bennington referred to the current Resolution #82-6 relating to Towing Services in the Township, which the Board has discussed with Chief Engelhart in the past. The Resolution must be revised to reflect that the towing services and the impoundment yard are required to be within the municipality's borders. One of the towing services currently operating within Hilltown Township is not actually located within the confines of the Township.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to authorize the Township Solicitor to review Resolution #82-6 with respect to Towing Services, after the Supervisors have had an opportunity to make their recommendations, in order to revise the current Resolution. There was no public comment.

11. Mr. Bennington and Mr. Wynn submitted a grant application for "Project Save-A-Tree, Plant-A-Tree" through the Pennsylvania Home Builders Association, whereby they would plant $5,000.00 worth of trees if the Township agreed to do in kind service. However, due to the strong, positive response to this first-time grant, Hilltown Township was not successful in obtaining the grant this year.

I. <u>MYLARS FOR SIGNATURE:</u> Oskanian Tract Subdivision

J. PUBLIC COMMENT:

1. Mrs. Marilyn Teed of Mill Road feels that the sketch plan presented this evening for the Guttman Tract was a beautiful plan. She encouraged the Planning Commission and the Board of Supervisors to work more positively with developers, while keeping in mind the natural resources and topography of a site.

Mrs. Teed also believes that members of the public should be permitted to attend sketch plan meetings between developers and the Township staff. Supervisor Manfredi explained that sketch plan meetings with the Township staff were occurring on a regular basis and when a great deal of plans were submitted of a controversial nature, these sketch plan meetings were occurring, but the Board was not always aware of what transpired at those meetings. Therefore, the Board made a requirement in the Ordinance that the Board of Supervisors be publicly notified of staff sketch plan meetings, and that a report of the content of that meeting would be provided to the Board at a later date. For lack of a better description, Supervisor Manfredi commented that it is a "pre-submission conference." Further, Chairman McIlhinney noted that applicants must provide a $750.00 escrow to pay for the Township Engineer's time, and the Township Solicitor's time, if his presence is required. Mr. Wynn noted that these sketch plan meetings with the staff are not much different from a resident meeting with the Building Inspector, or the Zoning Officer, or the Township Manager regarding a permit application, for instance and felt that it would be very cumbersome to have to publicly notify the Board of Supervisors or advertise such a meeting. He assured Mrs. Teed that sketch plan staff meetings are simply an information gathering session. For the record, it is Mrs. Teed's opinion that the public should be notified and permitted to attend any and all sketch plan meetings with Township staff.

2. Mrs. Alice Kachline of Mill Road felt that Chairman McIlhinney was very rude and completely out of order earlier in the meeting when she wanted to make further comments addressing statements that she had previously made that were incorrect. Mrs. Kachline stated that the Comprehensive Plan survey, which she referred to earlier, took place in 2002, which was not that many years ago as Chairman McIlhinney intimated. Mrs. Kachline felt that it was a dark day in Hilltown Township when this Board of Supervisors approved the extension of public sewers into the RR District, particularly since a majority of residents have been opposed to that for years. With the extension of public sewers into the RR being approved, Mrs. Kachline warned the Board that it is opening Pandora's box to rampant development.

Chairman McIlhinney stated he was sorry that Mrs. Kachline felt he had insulted her, but stated that the procedure for Public Comment was adhered to for an extended period of time during that particular agenda item, and reminded Mrs. Kachline that there is not an ongoing Public Comment period throughout the meeting. With respect to Mrs. Kachline's

other comments, Chairman McIlhinney noted that she is entitled to her opinion, however he believes that a majority of Township residents would prefer the extension of public sewer in cases where the alternate would be individual systems that would eventually fail and have to be replaced at the taxpayer's expense. Mrs. Kachline disagreed, and noted that the 2002 survey clearly stated that residents do not want Hilltown Township to become another Warminster or Montgomeryville. Chairman McIlhinney replied that the course of action Mrs. Kachline is espousing would result in this Township installing public sewers in the entire Township ten years from now at an expense that no one could afford. He believes it is most prudent to have public sewers installed now at the developer's expense, to replace currently failing systems including the $1 million dollar plus system at the Seylar Elementary School.

A year ago, Supervisor Salvadore would have agreed 100% with Mrs. Kachline, however she has spent a great deal of time with Mr. Groff of the Hilltown Authority getting a tremendous education about sewage facility issues, has studied and now understands soil maps, and has learned an awful lot about what this Township can and cannot do with respect to sewer. Supervisor Salvadore feels that the decision made this evening was an appropriate one for that site at this time, and commented that the Board is not advocating public sewers in every single area of the Township. Further, Supervisor Salvadore reminded Mrs. Kachline that there would be no additional density in any of these developments as a result of public sewer. She would challenge anyone to spend some time with Mr. Groff, getting an education on soil maps and the cycle of water going back into the ground, and its affects on Hilltown Township.

K. SUPERVISOR'S COMMENTS:

1. Supervisor Manfredi asked for clarification as to whether the developer of the Myer's Tract will be responsible for the full width cartway overlay of Telegraph Road. Mr. Wynn replied that they would.

2. Supervisor Manfredi recalls that late last year, the Board of Supervisors made a motion to check with incoming Supervisor McIlhinney and with representatives of Penn Central Middle School for available dates to schedule the final Land Use Summit. Chairman McIlhinney feels that this Board should first investigate the feasibility of an additional Land Use Summit, consider what the topics might be, and then determine whether or not it should be pursued. Supervisor Manfredi noted that the Land Use Summits were a very specific beginning step to a process of stakeholder input concerning land use in Hilltown. He explained that the first two Summits were attended by primarily boards and commissions, as well as the stakeholders at the time, in order to discuss how the Township can deal with the affects of growth and land use. Supervisor Manfredi believes that the final Land Use Summit should be held basically to summarize everything that took place at the previous two meetings. He reminded the Board that the

previous two Land Use Summits were open to public attendance, however the general public was not given an opportunity to participate. Therefore, this final Summit would be the public's opportunity to comment on what was presented at previous meetings. Chairman McIlhinney disagreed, and stated that he does not consider this a conclusion of the process. He advised that the only issue that was discussed in great depth at those first two Summits was cluster development and/or conservation cluster development with either 6,000 sq. ft. or 12,000 sq. ft. lots. However, the Land Use Summit, as envisioned buy Chairman McIlhinney, was to be a complete consideration of all types of land use in the Township, and was not to be confined to conservation cluster developments. Therefore, to say that this is the end of discussion of land use in Hilltown Township, in Chairman McIlhinney's opinion, would be an incorrect statement, since there are many other land uses involved including commercial, industrial, residential, rural, and high density, which is all part of the permitted land use. Supervisor Manfredi has always said that the Land Use Summit was only the beginning of the process and feels that this Board should provide the general public with an opportunity to see what took place at the first two Summits by holding the third and final Land Use Summit.

Supervisor Salvadore was not present at the first two Land Use Summits, however she suggested that the Board survey those that did attend to determine if there is need for an additional meeting. Mr. Joe Marino of Redwing Road does not believe it would be fair to survey those individuals, since they were specifically selected and the invitees did not include a cross section of the general population of this Township. Mr. Marino suggested that the Board draft an agenda for a final Land Use Summit, and then decide whether or not a third meeting is worthwhile or necessary.

L. PRESS CONFERENCE: A conference was held to answer questions of those reporters present.

M. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously, the January 23, 2006 Supervisor's Meeting was adjourned at 10:27PM.

Respectfully submitted,

Lynda Seimes
Township Secretary
(*These minutes are not considered official or approved until voted upon by the Board of Supervisors at a public meeting).