

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, October 9, 2006
7:30PM

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:33PM and opened with the Pledge of Allegiance.

Also present were: Richard J. Manfredi, Vice-Chairman
Barbara A. Salvatore, Supervisor
Kenneth B. Bennington, Township Manager
Christopher E. Engelhart, Chief of Police
Thomas A. Buzby, Director of Public Works
Lynda S. Seimes, Township Secretary

Chairman McIlhinney announced that the Board of Supervisors met in Executive Session prior to this meeting to discuss real estate and personnel matters.

A. ANNOUNCEMENTS:

1. The Planning Commission will hold two additional special meetings to continue review of the Zoning Ordinance amendments on Thursday, October 19, 2006 at 7:00PM and on Thursday, November 9, 2006 at 7:00PM.

2. "Bucks Votes" will be providing a demonstration of the new voting machines here at the Township Building on Wednesday, October 18, 2006 from 11:00AM to 2:00PM.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. APPROVALS – Action on the minutes of the September 11, 2006 Supervisor’s meeting; Bills List dated October 10, 2006; and Treasurer’s Report dated September 30, 2006: Motion was made by Supervisor Salvatore, seconded by Supervisor Manfredi, and carried unanimously to approve the minutes of the September 11, 2006 Supervisor’s meeting, the Bills List dated October 10, 2006; and the Treasurer’s Report dated September 30, 2006, as written. There was no public comment.

D. JACK FOX COMMUNITY SERVICE AWARD – The Board of Supervisors presented Mr. John Snyder, chairman of the Zoning Hearing Board, with the Jack Fox Community Service Award for 2006. Mr. Snyder has served on the Hilltown Volunteer Fire Company since 1976, has been an elected (Board of Auditors) or appointed (Zoning Hearing Board) official with Hilltown Township since 1981, and has been a member of the Fire Police working with the Police Chief and his two predecessors for a number of years. Supervisor Manfredi explained that the criteria that was established for this

award is very minimal yet very rigorous. The award was created to honor Mr. Jack Fox, the very first recipient, who had given selflessly and who provided outstanding community service to the Township itself and other local volunteer organizations. The 2005 recipient of this award was Mr. Ken Beer. The Board thanked Mr. Snyder for his many years of public service.

E. CONFIRMED APPOINTMENTS:

1. Mr. Doug Sanders – Request for direction concerning the parking area for ball fields on the Guttman Tract (aka: Hilltown Walk Subdivision) – Mr. Doug Sanders, representing the applicant, and Mr. Scott Guidos, the applicant's engineer, were in attendance to present the plan. The plan currently proposes 30 blacktopped parking spaces, with 26 reserve spaces (in gravel) for a total of 56. Mr. Sanders advised that there are areas near the playfields where additional reserve parking could be provided, including along the edge of the roadway. It appears to Chairman McIlhinney that reserve parking could not be accommodated along the edge of the road due to a swale. Mr. Guidos explained that a walking trail is proposed along the south side of the road where additional parking could be accomplished if the road is not required to be curbed. He also noted that a swale is proposed along the opposite side of the road. Supervisor Manfredi felt that it would be unsafe to permit parking along the roadway.

Supervisor Salvatore spoke to the Township Engineer, who stated that 20 parking spaces per non-regulation playfield should be sufficient, along with reserved parking. After reviewing the plan, Mr. Guidos advised that a total of 60 parking spaces could be achieved. The Supervisors were agreeable.

The applicant is attempting to minimize the costs involved with the playfield and ultimately attempting to minimize any impervious surface area for the site. Discussion took place regarding the use of a steel grid system placed in grassy areas that can sustain the weight of a vehicle and permits grass to grow through the grid, which could be used in the reserve parking areas without generating additional impervious surface. If the cost for macadam would be less than the steel grid system for the reserve parking spaces, Mr. Guidos asked if the Board would be amenable to that. The Supervisors stated that they would make that determination when the final plan is before them.

Mr. Sanders also noted that Silverdale Borough has agreed to allow the water fountain line to be extended from their park to the area of the proposed playfields on the Guttman Tract.

F. POLICE REPORT – Mr. Chris Engelhart, Chief of Police – Chief Engelhart presented the Police Report for the month of September 2006; a copy of which is on file at the Township office.

A speed detail was conducted on September 21, 2006 at the 600 block of Reliance Road, which is a 35 M.P.H. speed zone. The highest speed clocked was 64 M.P.H., with a total of 16 citations issued.

Chief Engelhart presented the new design for the police patch, which incorporates the Township seal in the middle, with the word "Police" above it. The patch is in the keystone shape, which is the original shape of patches worn by the police department back in the 1960's and 1970's.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to authorize the official Hilltown Township Police patch as orally described by Chief Engelhart, and as provided to the Township Secretary. There was no public comment.

G. MANAGER'S REPORT/PUBLIC WORKS REPORT/ZONING OFFICER REPORT – Mr. Ken Bennington, Township Manager – Mr. Bennington presented the above noted reports for the month of September 2006; copies of which are on file at the Township Office.

1. Fuel Bids: Bids were opened on Thursday, October 5th, with only one bid received for each of the three fuels. Results are as follows:

Diesel Fuel (Bid #2006-11)

Farm and Home Oil Company

8,000 gallons (picked up) Ultra Low Sulfur Diesel - \$2.2924/gallon

3,000 gallons (delivered) Ultra Low Sulfur Diesel - \$2.4624/gallon

*Above prices are firm, exclusive of taxes. Prices are for the total number of gallons listed, if more gallons are necessary, prices to be negotiated at that time.

Regular Unleaded Gasoline (Bid #2006-12)

Farm and Home Oil Company

*No firm price will be offered. Vendor will offer their pump price on day of pick-up at Telford location, less taxes. (Current price is \$2.1990/gallon).

Heating Oil (Bid #2006-13)

Farm and Home Oil Company

*Firm price of \$2.2124/gallon for a total of 14,000 gallons only, exclusive of taxes.

Motion was made by Supervisor Salvadore, and seconded by Supervisor Manfredi to award Bid #2006-11 for Diesel Fuel, Bid #2006-12 for Regular Unleaded Gasoline, and Bid #2006-13 for Heating Oil to Farm and Home Oil Company for the amounts as specified above. Discussion took place prior to a vote being taken.

Since no firm price was offered for the purchase of Regular Unleaded Gasoline, the bid was rejected.

Supervisor Manfredi amended the original motion to reject Bid #2006-12 for Regular Unleaded Gasoline, and to award Bid #2006-11 for Diesel Fuel and Bid #2006-13 for Heating Oil to Farm and Home Oil Company in the amounts as specified above. Motion was seconded by Supervisor Salvadore and carried unanimously. There was no public comment.

2. Salt Bids: Salt bids were opened on September 27, 2006 through the Bucks County Consortium. Bid results are as follows:

Salt (Bid #2006-14 through Bucks County Consortium)

Cargill, Inc. – Deicing Technology	\$44.03/ton (delivered) \$42.00/ton (undelivered)
International Salt Co., LLC	\$44.81/ton (delivered) \$44.00/ton (undelivered)
American Rock Salt	\$53.97/ton (delivered) No Bid (undelivered)
Oceanport Industries, Inc.	\$55.74/ton (delivered) \$50.00/ton (undelivered)

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to award Bid #2006-14 for Salt (through the Bucks County Consortium) to Cargill, Inc. – Deicing Technology in the amount of \$44.03/ton (delivered) and \$42.00/ton (undelivered). There was no public comment.

3. Mr. Buzby, Director of Public Works, sought authorization to advertise for bids to purchase a tandem 10-wheeler truck in 2007. Upon investigation, Mr. Buzby discovered that if the truck is bid now without taking delivery until the first quarter of 2007, and without making payment until May 1, 2007, the Township could save approximately \$15,000.00, since there is an anticipated substantial increase after January of 2007. The cost of the chassis only is \$84,000.00, with the entire purchase price estimated at \$142,000.00-\$144,000.00 if bid this year. After January of 2007, that price would increase to approximately \$150,000.00-\$160,000.00 to meet new DEP requirements. The truck would mainly be used for hauling anti-skid and blacktop for patch-paving projects. Supervisor Manfredi asked the advantage of purchasing this truck versus contracting hauling services. Mr. Buzby advised that owning the truck would facilitate hauling for projects on the spur of the moment, whereas during winter

situations, contracted trucks might not be readily available. Supervisor Manfredi had no objection to authorizing the advertisement of the bid, however he was concerned about the cost of the truck. Discussion took place.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to authorize the advertisement of the bid for a tandem 10-wheeler truck, as noted above. There was no public comment.

H. ZONING HEARING BOARD REPORT – Mr. John Snyder, Chairman – Mr. Snyder presented the Zoning Hearing Board Report for the month of September 2006; a copy of which is on file at the Township office. Discussion took place concerning the impervious surface ratio requirements currently in the Zoning Ordinance.

I. OPEN SPACE REPORT – Mr. Jeff Lapp, Chairman – Mr. Lapp presented the Open Space Committee Report for the month of September 2006; a copy of which is on file at the Township office. A guest speaker will give a presentation to the Committee at their next meeting dealing with creative finance structures and different financial incentives for the use of open space.

Supervisor Manfredi asked when the Board could expect the Committee's recommendations identifying parcels for open space, and consideration of borrowing money to purchase as much open space as possible. As part of the fee simple purchase of properties, Mr. Lapp explained that the Committee has discussed that floating a bond or borrowing funds for the purchase is an option available to the Township. The Open Space Committee is in the process of finalizing their suggested language and recommendation to the Board of Supervisors.

J. PLANNING COMMISSION REPORT – Mr. D. Brooke Rush, Chairman – Mr. Rush presented the Planning Commission Report for their October 2, 2006 Worksession meeting; copy of which is on file at the Township office.

The Planning Commission recommends that the Board of Supervisors appoint someone to the vacancy created by Bill Bradley's resignation so that new individual can assist with the Zoning Ordinance review. Discussion took place. Mr. Rush also advised that he would not seek reappointment to the Planning Commission when his term expires on December 31, 2006.

The Board directed that the Planning Commission and the Open Space Committee receive copies of Solicitor Grabowski's July 14, 2006 review letter of the proposed Non-Contiguous Open Space Ordinance, and the "Transfer of Development Rights" booklet by the Brandywine Conservancy Environmental Management Center, which had originally accompanied that letter.

The Planning Commission recommended that Mr. Wynn do calculations on three recently completed subdivisions using the proposed CMD formulas to test the process. Supervisor Manfredi felt it was incumbent upon the Township Engineer to discuss this matter with the Board of Supervisors prior to proceeding.

K. OLD BUSINESS:

1. Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to **adopt Resolution #2006-42, authorizing the application for 2007 Community Development Block Grant Funding.** There was no public comment.

2. Motion was made by Supervisor Salvadore, and seconded by Supervisor Manfredi to **adopt Resolution #2006-43, establishing revised Rules and Regulations for the Fire Prevention Bureau.** Prior to a vote, discussion took place.

Supervisor Manfredi wondered if the Fire Prevention Bureau should remain as it is with members consisting of the chief's of the seven fire companies, or if consideration should be given to establishing a Fire Committee, with members appointed by the Supervisors. Mr. Bennington advised that the Fire Prevention Bureau members previously discussed a possible update and revision of the Resolution, with input received from all seven fire companies, which he has incorporated into this proposed Resolution. Supervisor Manfredi asked if Mr. Bennington was elected chairman by the Fire Prevention Bureau membership. Mr. Bennington replied that he assumed that responsibility because the previous chairman, former Fire Marshal, Dan Jenkins, had resigned from the Township's employ.

Public Comment:

1. Speaking for the Silverdale Fire Company, Mr. John Gillespie, chief, stated that the Fire Prevention Bureau seems to function very well as it is, and he would recommend continuation.

A vote was taken and the motion carried unanimously. There was no further public comment.

3. Review of Proposed Zoning Ordinance Amendments and Other Ordinances – Discussion took place. Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to instruct the Township Manager to meet with the Township Solicitor and Engineer to review the minutes of the special meetings where the various Ordinances were discussed, and to direct the Solicitor and Engineer to prepare those draft amendments in Ordinance form for consideration by

the Board of Supervisors at the regular meeting in November. There was no public comment.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to instruct the Township Manager to contact the Delaware Valley Regional Planning Commission to begin discussions on a Transfer of Development Rights Program.

Public Comment:

1. Mrs. Eleanor Cobb of Rickert Road asked the Board to clarify and define Transfer of Development Rights. Supervisor Manfredi explained that it is a program by which the development rights of a certain property can be transferred to or exchanged with another property in the Township for development. In essence, he noted that it allows one property to be preserved in one area of the municipality, while permitting the development of another property located in an area that might be more suitable for development. Mrs. Cobb asked if the property that is preserved would then be used for open space, and Chairman McIlhinney replied that it would. Supervisor Manfredi commented that the adoption of a TDR Program is a tool that could be used to manage growth more effectively, to preserve more land, and to direct the growth to areas of the Township that are more appropriate for development.

There was no further public comment.

Discussion of the various Ordinance amendments followed.

a. Sewer Ordinance – Section 140:

- Chairman McIlhinney suggested that the following language be struck from Article 1, Section 140-42.J, Item #3, “**the proposed land development or**”
- The Supervisors suggested that the words “**may**” and “**can**” in Article 1, Section 1409-32.J, Item #4 be uniform throughout that paragraph, and should include additional language as suggested by Chairman McIlhinney (in bold at end of paragraph, as noted below).

For instance “That each proposed lot is in compliance with Requirements 1 through 3 above except that each proposed lot may (or **can**) at the discretion of the Board of Supervisors at a public meeting, may (or **can**) be served with an On-Site Community Treatment Facility in lieu of an individual on-lot, in-ground sewage disposal system, **provided it results**

in no increase in density in a proposed land development or a proposed subdivision.”

Motion was made by Supervisor Manfredi, and seconded by Supervisor Salvadore, unanimously to forward these recommended revisions to the Township Solicitor for finalization and for review and possible authorization for advertisement of a Public Hearing at the next Board of Supervisor’s meeting.

Public Comment:

1. Mr. Brooke Rush asked when the Planning Commission would have the opportunity to review this proposed Ordinance amendment. Chairman McIlhinney replied that once the Board has reviewed the revised draft and authorized the Ordinance for Public Hearing, the Hilltown Township and Bucks County Planning Commissions will have the opportunity to review and comment.

Mr. Rush requested further clarification of this amendment. Chairman McIlhinney explained that a developer would be required to prove, via on-lot soil testing results, how many individual on-lot in-ground systems could be achieved that are in compliance with the BCHD, DEP, and the Act 537 Plan. Lengthy discussion took place.

Motion carried unanimously. There was no further public comment.

b. Sewer Ordinance – Section 124:

- Chairman McIlhinney suggested that the following language be added to Article 1, Section 124-2A.2, Item (b), following the end of that paragraph, **“There is a requirement that the ‘T’s’ and laterals be laid to the right-of-way line at each property without charge to the owner, along the route of the main sewer line extension to the proposed development.”**

Public Comment:

1) Mrs. Nancy Rourke, who resides at the intersection of Midway and Blue School Roads, asked the procedure involved if a property owner wished to connect to the public sewer line after it had been extended past their property. Chairman McIlhinney explained that the sewer line would already have been installed at the right-of-way line to the property, and all that would be required would be to make application to the Board of Supervisors and to the HTWSA for connection.

2) Mr. Brooke Rush of the Planning Commission asked if the developer would be permitted to take advantage of recapture costs. Supervisor Manfredi stated that the

Supervisors specifically removed the developer's ability to collect recapture costs as a condition of approval to extend the public sewer line.

3) Mrs. Denise Hermany of the Planning Commission questioned what the developer would be responsible for in terms of laterals and the existing homes that may face a proposed development. Chairman McIlhinney replied that the laterals would be coming off the new sewer line. Lengthy discussion took place.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to authorize the Township Solicitor to revise the proposed Sewer Ordinance Amendment (Section 124), as specified above and to include the additional language to Section 124-2.A.2(b) as proposed by Chairman McIlhinney, to be placed in Ordinance form and on the agenda of the next Supervisor's meeting for consideration to authorize for advertisement of Public Hearing. There was no further public comment.

c. Snow and Ice Ordinance: Motion was made by Supervisor Manfredi to consider and discuss the proposed Snow and Ice Removal Ordinance. For discussion purposes, Supervisor Salvadore seconded the motion.

- Supervisor Manfredi advised that the original intent of this Ordinance was to require the clearing of sidewalks in limited areas of the Township for the safety of children who are required to walk to school. Lengthy discussion took place.
- It was determined that the Township Solicitor should contact the Pennridge School District to determine the distance that children are required to walk to school without being bussed.
- The Board directed that the following language be removed from Section 2, **"or any bus loading and unloading areas of a public or school transportation system,"**
- The Board agreed that **"Section 3, Responsibility for Removal From Roofs,"** should be removed in its entirety.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to direct the Township Solicitor to make the above noted suggested revisions to the proposed Snow and Ice Removal Ordinance, while taking into account the Supervisor's original intent, and to provide the revised Amendment to the Board of Supervisors for review and consideration at a meeting within the next 30 days.

d. Bed and Breakfast Ordinance:

- This amendment is not currently in Ordinance form. Supervisor Manfredi referred to the motion he made earlier directing the Township Manager to meet with the Solicitor and Engineer to have this, and other amendments, placed in Ordinance form for consideration at the next meeting.

e. Re-Establishing and Reconfirming the Planning Commission

- Supervisor Manfredi suggested that consideration be given to compensating Planning Commission members for their attendance at public meetings at the same rate the Zoning Hearing Board members are currently compensated. Supervisor Manfredi suggested that the following language be added to Section 3, Qualifications; Compensation, Item B, which should state “All members shall serve **at such compensation as may or may not be set by Resolution by the Board of Supervisors, from time to time.**” Chairman McIlhinney was opposed to the proposal to compensate Planning Commission members, and Supervisor Salvadore felt the Board should discuss the issue further.
- Discussion took place as to whether the specific Planning Commission meeting dates (first Monday of the month for Worksession and third Monday of month for Regular) should be addressed in the Ordinance itself as is currently done. Supervisor Manfredi suggested that the following language should be added to Section 7 – Meetings, Item A, to state “**Meetings of the Commission will be held in accordance with the meeting schedule as set annually at the Reorganization Meeting of the Board of Supervisors by Resolution.**” Chairman McIlhinney was opposed to this language change, and after discussion, Supervisor Manfredi withdrew the suggestion for language revision.

Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to direct the Township Solicitor to amend Section 3.B of the proposed Ordinance to reconfirm and re-establish the Planning Commission with the additional language as noted above, and to provide to the Board for review and consideration at their next meeting. There was no public comment.

f. Re-Establishing and Reconfirming the Park and Recreation Board: Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to authorize the advertisement of the draft Park and Recreation Board Ordinance for Public Hearing. There was no public comment.

g. Other Ordinance Amendments: The Board briefly discussed various other Ordinance amendments that were addressed at the July 22nd special meeting, including the Barn Ordinance, Accessory Family Apartment Use Ordinance, Trades Business Ordinance, Farmstead Ordinance, Bed and Breakfast Ordinance, and Buffer Ordinance. The Board noted that the Township Solicitor and Engineer had been tasked with putting these amendments in Ordinance form, however that had not yet been accomplished.

In order to be compliance with the Zoning Ordinance, Chairman McIlhinney advised that impervious surface must be included within the Trades Business Ordinance, as well as the Farmstead Ordinance.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to direct that the Trades Business Ordinance and Farmstead Ordinance be placed in Ordinance format by the Township Solicitor, and to incorporate and list impervious surface ratios from the current Zoning Ordinance in both Ordinance drafts. There was no public comment.

h. Trades Business Ordinance: Supervisor Manfredi commented that the original intent of this Ordinance was to permit trade uses in the RR District if that use would facilitate preserving an existing barn or would permit a tradesman, such as a carpenter, to utilize their existing facilities to supplement income. Chairman McIlhinney believes that the original intent also involved encouraging owners of three-acre tracts not to subdivide by providing them with another avenue for additional revenue by operating a trades business on their site. Supervisor Manfredi agreed, but felt that the Ordinance should refer to specific trade uses, and should contain clear and concise provisions with respect to hours of operation to prevent someone from taking advantage of the Ordinance and thereby violating the rights of their neighbors. Discussion took place.

Public Comment:

1. Mr. Harry Mason of Morgan Lane cautioned the Board that adding too much protection in the Ordinance might result in neighbors using the provisions to settle a grudge.

2. Mrs. Eleanor Cobb of Rickert Road asked how the Trades Business Ordinance differs from the Barn Ordinance. Chairman McIlhinney replied that the Barn Ordinance was proposed to provide additional use opportunities for existing barns and to preserve existing older barns. Supervisor Salvadore read the "Purpose" section of the proposed Barn Ordinance, which states, "In order to encourage the continued use and preservation of barns and to facilitate their appropriate reuse." Chairman McIlhinney stated that the Trades Business Ordinance refers to properties over three acres in size located in the RR

District, where a tradesman had the opportunity to supplement their income. Discussion continued.

There was no further public comment.

i. Accessory Use Ordinance: Supervisor Manfredi advised that his original intent for this Ordinance was to make it easier for families to take care of their ill and/or elderly loved ones, and noted that it was never intended to address Accessory “Apartments.” He wished to insure that once this Ordinance is redrafted and put into Ordinance form, the word “apartment” should be stricken.

4. Land Use Forum – Supervisor Manfredi asked that the Board provide the Township Secretary with a number of possible dates to hold the next Land Use Forum, which had originally scheduled for the fall. Discussion took place. Because time is so short, the Supervisors decided to hold the Land Use Forum in either December or January of 2007 at the latest.

Public Comment:

1. Mr. Joe Marino of Redwing Road felt that a date for the Land Use Forum should be set after the Board determines who will be involved, what will be discussed, the specifics on the participants, and after the agenda has been set.

2. Mrs. Alice Kachline of Mill Road questioned the viability of holding another Land Use Forum, when she has not seen any specific results from the first two that were held in 2004 and 2005. Supervisor Manfredi defended the process, noting that the Conservation Management District is a positive step that was proposed as a result of those first two meetings, as well as the potential to preserve the White Chimney Farms property, however the process was stopped by his fellow Supervisors and was not able to reach its full potential. He stated that this Forum would be on a broader spectrum of topics and would incorporate not only residential uses, but commercial and industrial uses as well. Further, he suggests that this Land Use Forum be held at the Middle School to accommodate a larger number of participants.

Mrs. Kachline implored the Board to take the Comprehensive Plan and the Act 537 Plan into consideration, particularly the survey that was conducted during the Comprehensive Plan review, where a majority of responding residents opposed extension of public sewer into the RR District.

L. NEW BUSINESS:

1. 2007 Board and Commission Vacancies – Chairman McIlhinney referred to the lack of applications received for the board and commission vacancies for the year 2007, and suggested that the previous system of holding applications on file for the calendar year be reinstated. Lengthy discussion took place.

The Board authorized re-advertisement of the 2007 Board and Commission vacancies with no deadline date for receipt of those applications. Chairman McIlhinney commented that the Board of Supervisors has the right to appoint anyone they choose to the various Boards and Commissions.

2. Motion was made by Supervisor Manfredi, seconded by Supervisor Salvadore, and carried unanimously to authorize the advertisement of an Ordinance to install a regulatory stop sign (Stop Except Right Turn) in the Reserve at Hilltown Subdivision. There was no public comment.

3. Motion was made by Supervisor Manfredi to table adoption of the Resolution reconfirming and re-establishing the Hilltown Open Space Committee, and to schedule a joint special meeting with the Board of Supervisors and the Open Space Committee at 7:00PM on either November 13, 2006 or December 11, 2006, just prior to the regularly scheduled Supervisor's Worksession meeting.

Prior to a vote, Supervisor Salvadore asked what the agenda would consist of. Supervisor Manfredi replied that it would be an open discussion.

Motion carried unanimously. There was no public comment.

4. McGrath Home Re-Zoning Request Public Hearing – Supervisor Manfredi was disappointed that the date chosen for the first Public Hearing for McGrath Homes was November 21, 2006, which was not convenient since he would be out of town on business that day. Supervisor Manfredi stated that the ideal first date would be November 30th, with a second Public Hearing scheduled in early December. Lengthy discussion took place. While he may be late for the start of the Public Hearing, Supervisor Manfredi noted that he would make every effort to return in time to attend.

Motion was made by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously to authorize advertisement of the first McGrath Homes Re-Zoning Request Public Hearing for Tuesday, November 21, 2006 at 7:00PM. There was no public comment.

M. SUPERVISOR'S COMMENTS:

1. Supervisor Manfredi intends to introduce a Resolution for consideration at the first meeting in November establishing clear standards for a transparent and open government and conduct of its individual members.

N. PUBLIC COMMENT:

1. Mr. Joe Marino of Redwing Road disagreed with a comment Supervisor Manfredi made earlier stating that if Supervisor Salvatore had seconded his motion regarding non-contiguous open space at an earlier date, the Cinnabar Farms/White Chimney Farms consolidation proposal might have been accomplished. He noted that a Non-Contiguous Open Space Ordinance was impossible to consider as evidenced by Solicitor Grabowski's correspondence dated July 14, 2006. Therefore, it would not have mattered when Supervisor Salvatore seconded the motion because the premise was illegal even then. Supervisor Manfredi does not necessarily believe that the premise of non-contiguous open space is illegal, and feels that the Township has the ability to change the Zoning Ordinance to allow for non-contiguous open space. He noted that it is the Township Solicitor's opinion that it is better to develop a TDR program rather than pursuing non-contiguous open space. While Supervisor Manfredi accepts Solicitor Grabowski's opinion, he does not necessarily agree with it. He further reminded Mr. Marino that Solicitor Grabowski did not provide that legal opinion until July, which was quite some time after it had been requested. Discussion took place. Mr. Marino encouraged the Board of Supervisors to move forward, rather than looking to the past.

2. Mrs. Eleanor Cobb of Rickert Road asked if she understood correctly that the Supervisors are seeking applicants to fill various board and commission vacancies, yet they intend to choose an individual from applications they currently have on file. Chairman McIlhinney explained that the Board of Supervisors is permitted to appoint any individual to any board or commission at any time.

Mrs. Cobb has attended several special meetings where the proposed Ordinance amendments were discussed. During the course of those meetings, her copies of the amendments became marked up, so she sent her husband to the administrative office to obtain clean copies. When Mr. Cobb asked Mr. Lupinacci, the Zoning Officer, for additional copies of the amendments, Mr. Lupinacci advised that he was not aware of any proposed changes to the Zoning Ordinance. Mrs. Cobb finds it very odd that the Zoning Officer would be unaware of any proposed zoning changes. Supervisor Manfredi stated that until zoning amendments are adopted, Mr. Lupinacci, in his role as Zoning Officer, would not necessarily be aware of any changes proposed to the Zoning Ordinance.

3. Mrs. Nancy Rourke questioned a statement made earlier that referred to the correlation between density and public vs. private sewer systems. Chairman McIlhinney explained that a developer would have to prove that a lot could be served by an on-site DEP approved system, which in turn would determine the density for that particular parcel. Mrs. Rourke asked how many on-site DEP approved systems are on the White Chimney Farms site. Chairman McIlhinney replied that the White Chimney Farms Subdivision received conditional final plan approval for 20 new lots, and that the approval pre-dates this Ordinance that the Supervisors are considering at this time. Lengthy discussion took place.

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

P. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor Manfredi, and carried unanimously, the regularly scheduled meeting of the Hilltown Township Board of Supervisors of October 9, 2006 was adjourned at 10:25PM.

Respectfully submitted,

Lynda Seimes
Township Secretary

(*These minutes are not considered official until approved by the Board of Supervisors at a public meeting).