

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED WORKSESSION MEETING
Monday, April 11, 2005
7:30PM**

The regularly scheduled Worksession meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Kenneth B. Bennington at 7:32PM and opened with the Pledge of Allegiance.

Also present were: George C. Egly, Jr. – Vice-Chairperson
Richard J. Manfredi – Supervisor
Thomas A. Buzby – Director of Public Works
Christopher E. Engelhart – Chief of Police
David W. Taylor – Code Enforcement Officer
Lorraine E. Leslie – Township Treasurer

Chairperson Bennington announced the Board met in Executive Session prior to this meeting in order to discuss personnel and legal issues.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. TREASURER'S REPORT – Chairperson Bennington presented the Treasurer's Report with the following balances as of March 31, 2005:

General Fund Checking	\$ 108,150.84
Payroll Checking	\$ 1,265.57
General Reserve Fund	\$ 6,946.91
Open Space Fund	\$ 809,765.42
Park and Recreation Fund	\$ 13,800.00
Road Equipment Fund	\$ 13,800.00
Fire Fund Checking	\$ 21,604.49
Debt Service Checking	\$ 177,732.07
State Highway Aid Checking	\$ 269,589.86
Escrow Fund Checking	\$1,556,506.03
Capital Projects Fund	\$ 43,266.80

Supervisor Manfredi asked Mrs. Leslie to begin providing balance sheets for all funds along with the Treasurer's Report on a monthly basis. In review of the first quarter financial statements, Supervisor Manfredi feels that consultant fees should be contained as much as possible. As such, he would like the Board of Supervisors to approve official work authorizations for any work done by the Solicitor, Engineer, or any other consultant before funding can be spent or any work can be done, as a cost containment measure.

As a cost containment measure, motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to prohibit any expenditure of funds for

consulting fees without the express authorization of the Board of Supervisors. There was no public comment.

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to approve the Treasurer's Report dated March 31, 2005, subject to audit. There was no public comment.

C. PUBLIC WORKS REPORT – Mr. Thomas A. Buzby, Director of Public Works – Mr. Buzby read the Public Works Report for the month of March 2005; a copy of which is on file at the Township office.

Supervisor Manfredi suggested that Mr. Buzby take the lead and be involved in the meeting with Mr. Wynn, PennDot, Deep Run and Mrs. Brickajlik with respect to the stormwater runoff problem along Hilltown Pike so that he can provide his expertise. Chairperson Bennington and Supervisor Egly agreed.

Public Comment:

1. Mr. Chris Kulp of 209 Mill Road asked the status of the stormsewer drain that is proposed to be installed along Mill Road. Mr. Buzby explained that the stormsewer inlet boxes and pipes have been ordered. Once the materials are received, Phase I of the project will commence, perhaps in early summer. Mr. Buzby hopes that Phase I construction, which encompasses Park Road, will take approximately one week, and Phase II, which encompasses both sides of Mill Road, could take a bit longer. Phase III of the project encompasses the remainder of the area of Mill Road. He believes the first and second phase of the project will begin in May and barring any further weather delays or other unforeseen events, should be completed in September or October of this year. Mr. Kulp's property will most likely be included with the third phase of construction. Discussion took place. The Supervisors authorized Mr. Buzby to meet with Mr. Wynn in order to provide a projected schedule for this entire project.

Mr. Buzby announced that the Township will have an overabundance of clean fill and if any residents are interested in obtaining some, they should contact the Public Works Department.

2. Mrs. Marilyn Teed of Mill Road commented that the most recent stormwater problem appears to be from the driveway above Mr. Kulp's property. She believes the problem stems from the age and deterioration of the driveway pipe, which she suggested could be inexpensively replaced in an effort to prevent further damage until Phase III of the project is completed.

3. Mr. Mike Trampe of 223 Mill Road asked how far along Mill Road Phase III of the project would go. Mr. Buzby replied that Phase III would go past Mr. Trampe's home.

D. POLICE REPORT – Chief Christopher E. Engelhart – Chief Engelhart read the Police Report for the month of March 2005; a copy of which is on file at the Township office.

Chief Engelhart advised that three speed details were conducted within the last two weeks, including twice on Rt. 309, South Perkasio Road, Broad Street, and Church Road. The highest recorded speed on Church Road was 62 mph (speed limit of 35 mph), 81 and 89 mph respectively on Rt. 309, 66 mph on Broad Street (speed limit of 45 mph), and 60 mph on South Perkasio Road. Supervisor Manfredi is concerned about the speeding along Callowhill Road between Rickert Road and Rt. 113, near the Seylar School. Chief Engelhart is aware of one officer in particular who patrols that area very heavily and he will add it to the list for future speed details. Chairperson Bennington's main concerns are with Green Street and Orchard Road. Chief Engelhart advised that Orchard Road would be the subject of a future speed detail.

Supervisor Egly asked if Chief Engelhart has read Mr. Trusal's recent letter regarding Conestoga Way. Chief Engelhart advised that Mr. Trusal has raised the same issues that were discussed in the past. With respect to Conestoga Way, previous discussion included the fact that commercial vehicles were being parked along the roadway. Chief Engelhart is seeking the Board's direction as to whether they would like to prohibit commercial vehicle parking on public Township roads or only in specific areas of the Township. The Supervisors directed Chief Engelhart to obtain further information for the Board's review.

Chief Engelhart noted that the deadline for submission of police officer applications was March 31, 2005. There were 138 applications distributed, with 78 completed applications returned. Testing, including physical agility and a written test, is scheduled for Saturday, April 17, 2005 at 9:00AM at Penn Central Middle School.

Chief Engelhart advised that there was a tactical response incident on March 17, 2005 at the Rt. 309/Swartley Road intersection, which was reflected in the Department's overtime report for the month of March. He advised that this was the Township's first call-out in Hilltown with the Central Bucks Special Response Team.

Chief Engelhart pointed out a new category on the overtime report called MIRT (Major Incident Response Team), which is a team comprised of approximately 125 officers from the entire County. This team was mobilized for some of the recent flooding and also for

presidential/vice-presidential visits. Some of these specific details are reimbursed, though some are not.

E. BUILDING REPORT – Mr. David W. Taylor, Code Enforcement Officer – Mr. Taylor presented the Building Report for the month of March 2005; a copy of which is on file at the Township office.

Mr. Taylor advised that the former Ames Department Store is proposed to be reutilized as a Vanity Fair Outlet Store, with an anticipated June 1, 2005 opening. Discussion took place. Chairperson Bennington wondered if the existing parking would be sufficient. Mr. Taylor replied that it is a retail space that meets the parking requirements. Chairperson Bennington wished to insure that this store will be clearly identified as a Hilltown Township business.

The foundation work has been installed for the Haberle Steel small office building at the former Kunkin Steel complex.

A proposal has been received for the installation of an auxiliary playground in conjunction with a daycare facility/school at the new shopping center near the Staples store.

Mr. Taylor met with several residents of Brookside Drive with respect to stormwater management issues.

Supervisor Manfredi noted the amount of year-to-date permits issued, and commented that there is a great deal of review time and multiple inspections involved with each permit. He suggested that another column be added to the report indicating the number of inspections.

F. HILLTOWN AUTHORITY REPORT – Mr. James C. Groff, Authority Manager – Mr. Groff read the Hilltown Authority Report for the month of March 2005; a copy of which is on file at the Township office.

G. ZONING HEARING BOARD REPORT – Mr. John Snyder, Chairperson – Mr. Snyder read the Zoning Hearing Board Report for the month of March 2005; a copy of which is on file at the Township office.

On behalf of their newest member, Mr. Snyder requested authorization for Mr. Joe Kirschner to attend a training course titled "Fundamentals of Zoning" at the Perkasio Borough Building on three different evenings for a total of 10 hours at a cost of \$75.00.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to authorize the attendance of the newest Zoning Hearing Board member, Joe Kirschner, at the Fundamentals of Zoning training course at Perkasio Borough at a cost of \$75.00, as noted above. There was no public comment.

On a personal note, Mr. Snyder advised that Ashby Watts was his very close friend, and that they spent many hours together working on the DARE program and at the Grand View Lawn Fete on the fingerprinting program. Mr. Snyder would like to see a page set aside in Ashby's memory to honor his service to the community.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to set aside a page of these minutes in honor of Ashby Watts for his service to the community, as noted above. There was no public comment.

H. HILLTOWN FIRE COMPANY REPORT – Mr. Mike McGinnis – Mr. McGinnis read the Hilltown Fire Company Report for the month of March 2005; a copy of which is on file at the Township office.

I. SILVERDALE FIRE COMPANY REPORT – Mr. Tom Loudon – Mr. Loudon read the Silverdale Fire Company Report for the month of March 2005; a copy of which is on file at the Township office.

J. PLANNING COMMISSION REPORT – Mr. D. Brooke Rush, Chairperson – Mr. Rush read the minutes of the Planning Commission Worksession meeting of April 4, 2005; a copy of which is on file at the Township office.

Mr. Rush received a pamphlet entitled "Pennsylvania Byways Program for the Hometown Streets Safe Routes to School Program." He explained that it is basically a grant program by PennDot for trails and other street improvements. Mrs. Lynn Bush of the Bucks County Planning Commission is aware of the program, noting that PennDot will award approximately \$3 million dollars in grant funding. The Supervisors were agreeable to pursuing this program and asked Mr. Rush to obtain additional information.

Discussion took place concerning the proposed Barn Ordinance, the entire Zoning Ordinance update process, and the subdivision/land development submission process.

The Planning Commission requested a joint meeting with the Board of Supervisors. Supervisor Manfredi felt that the Planning Commission should focus on moving forward with the Zoning Ordinance amendment before a joint meeting is held with the Board of Supervisors. Discussion took place. Supervisor Manfredi believes that the Board of Supervisors should meet with Mrs. Bush of the Bucks County Planning Commission to

determine the progress of the Zoning Ordinance amendment. Chairperson Bennington and Supervisor Egly agreed.

At the Planning Commission Worksession meeting, Mr. Beatrice had asked what the current procedures were for vacancies on the Planning Commission. Supervisor Manfredi explained that last year, he had advocated advertising each time there is a vacancy on a Board or Commission in order to open the opportunity to more residents of the Township. After much discussion however, it was decided when there was a vacancy on a Board or Commission, there would be an advertisement placed in September or October, which would be the pool from which the Supervisors would choose to fill vacancies when they arose. This was the policy that was determined by a majority vote, though Supervisor Manfredi stated that he was not in favor of it. He would be more than happy, however, to re-establish a policy that a vacancy is advertised every time.

Motion was made by Supervisor Manfredi to change the Board's policy for the filling of board/commission vacancies, so that every time there is a vacancy on a Board or Commission, there is an advertisement for that specific vacancy. Supervisor Egly wondered if sufficient funds were available in the 2005 Budget for advertising. Discussion took place.

Supervisor Manfredi amended his original motion to add that should the budget for advertising vacancies on Boards or Commissions be projected to be exceeded, the Township Treasurer should make recommendations to the Board of Supervisors as to a supplemental appropriation from another account to cover that expense.

Public Comment:

1. In previous years, Mrs. Jean Bolger of Rt. 152 recalls that every time there was a vacancy on a Board or Commission, the vacancy was advertised. Chairperson Bennington agreed that was correct. Mrs. Bolger wondered why and how that policy was ever changed. Discussion took place.

Motion was seconded by Supervisor Egly and carried unanimously. There was no further public comment.

In order to provide for smoother communication and flow of information between the Planning Commission and the Board of Supervisors, Supervisor Manfredi had previously suggested that the Planning Commission consider whether it would be beneficial for them to reverse the dates of their regular and Worksession meetings in order to allow additional time for review of plans. Mr. Rush noted that the Planning Commission did discuss that suggestion, however no recommendation was ever made. Discussion took place.

Mrs. Denise Hermany, member of the Planning Commission, feels that the Planning Commission should not be expected to provide direction or recommendations the evening they first receive sketch plan proposals. She believes that the Planning Commission should accept the sketch plan at their regular meeting, and then review it at their Worksession meeting, which would provide additional time for review by the Planning Commission.

Public Comment:

1. Mr. Joe Marino of Redwing Road wished to clarify that applicants for Board or Commission vacancies must reapply each time a vacancy is advertised, and the Supervisors agreed that was correct.

K. PARK AND RECREATION BOARD REPORT – Mr. Jon Apple, Chairperson – Mr. Apple presented the Park and Recreation Board Report for the month of March 2005.

Mr. Apple announced that Memorial Day services would be held on Monday, May 30, 2005 at the Hilltown Civic Park at 10:00AM. The Park and Recreation Board has discussed reviving Theater Camp and is considering doing it in-house, which would be difficult, so Mr. Apple does not believe it will happen this year. The Park and Recreation Board is also in the process of arranging a memorial tree planting for Mr. Jack Fox, who recently passed away. Discussion took place.

L. OPEN SPACE COMMITTEE REPORT – Mr. John Wietecha, Chairperson – Mr. Wietecha presented the Open Space Committee Report for the month of March 2005. At their last meeting, the Open Space Committee began preparation of a brochure advising of different ways to preserve land, such as conservation easements, development rights, buy-outs, etc.

M. CONFIRMED APPOINTMENTS:

1. Mrs. Mary Brennan, Village of Dorchester – Telford Borough Authority Sprinkler Issue – Mrs. Brennan asked the results of the meeting that the Board of Supervisors had with the Telford Borough Authority last week. Chairperson Bennington explained that the Board of Supervisors met with Telford Borough Authority on Thursday, April 7, 2005, and discussed the history of the situation. He advised that the Board of Supervisors had listened to the seven fire companies who service Hilltown, when they recommended the installation of sprinklers for fire protection for all new construction in Hilltown Township. The Telford Borough Authority happens to provide public water service to the area of the Village of Dorchester, which was given to them back in the 1970's. Chairperson Bennington noted that Hilltown Township attempted to take back the Telford Borough Authority coverage area in the early 1990's, however after

negotiations with TBA, the Court ordered that TBA be allowed to continue with their coverage for that area of Hilltown Township. Therefore, Telford Borough Authority is free to charge whatever they wish to provide service in their coverage area. At the April 7th meeting, Chairperson Bennington commented that TBA did mention that the Village of Dorchester is the only development in their coverage area with fire protection sprinklers, and that they have no intention of charging their other customers for fire protection costs for this one specific development. The TBA also mentioned that Village of Dorchester residents have meters which cost \$643.00 per dwelling, which will have to be replaced in approximately 10 years at their cost, as well the cost of any line replacement that may be necessary. The Telford Borough Authority further advised that they conducted a fire protection survey, which included responses from the Hilltown Authority, and the North Penn Authority. All three Authorities fees are fairly close in proximity when adding the total cost of either 30,000 gallons per month usage, or 40,000 gallons per month usage including their fire service charge. It is Chairperson Bennington's personal opinion, that there is nothing more the Board of Supervisors can do at this point.

Supervisor Manfredi had made a motion at a previous meeting for the Township to take whatever legal action is necessary to protect Hilltown residents and their rights, however it is the Township Solicitor's legal opinion that there is nothing Hilltown Township can do since this matter was previously litigated, and therefore provides for no further legal recourse. At the meeting with TBA, Supervisor Manfredi asked numerous questions about their methodology and how they arrived at the fee they were charging the Village at Dorchester's residents. The Telford Borough Authority members were willing to provide this information as public record, but noted that Hilltown Township has threatened to sue and they would discuss the matter no further.

Mrs. Brennan suggested that perhaps the Township needs another Solicitor for this matter and offered to assist with finding one. Personally, Supervisor Manfredi was agreeable to obtaining a second opinion. Mrs. Brennan noted that TBA is charging Village of Dorchester residents a fee of \$106.00 per household every six months. The Hilltown Authority, for the same service, is charging a fee of \$36.00 per household every six months, and the North Penn Authority charges \$18.00 per household every six months. Mrs. Brennan questioned the legality of the disparity of rates being charged by TBA, commenting that it is stealing from the residents of the Village of Dorchester.

Supervisor Egly commented that the Supervisors cannot control Authorities because they are an entity of their own. The difference in this particular case is that the Telford Borough Authority runs two separate lines with one specifically designated for fire protection sprinklers, and the Hilltown Authority, for instance, has only one line. Mrs. Brennan is very upset because the fire sprinklers were installed in her development at the

request of the Hilltown Supervisors. Mrs. Brennan urged the Board to hire another Solicitor to pursue this matter further.

Chairperson Bennington asked if the residents of Village at Dorchester questioned the developer, W. B. Homes, about the sprinkler systems in their new dwelling, the two meters, and the cost that might be involved prior to purchase. Mrs. Brennan had no idea about the sprinklers when she purchased her home, and had no idea that the Telford Borough Authority was the servicing water company until she moved in. Chairperson Bennington advised that W.B. Homes should have provided a full Disclosure Statement advising what the two meters were for, and approximately how much the utility bills would be. He felt that it was a logical question for a new homeowner to ask the developer prior to moving in. Discussion took place.

Mrs. Brennan would like the Board of Supervisors to settle this issue for the residents of Village at Dorchester, commenting that they should not be forced to pay \$106.00 every six months for nothing. Chairperson Bennington commented that if a dwelling in that development catches fire, the sprinkler system would help protect the residents, their belongings, and their home. Mrs. Brennan agreed, however unless there is a fire, it is not costing Telford Borough Authority a cent since it is not using any water.

Chairperson Bennington advised that the Hilltown Authority currently charges \$125.40 for 30,000 gallons of water usage, however the Telford Borough Authority currently charges only \$83.50 for the same amount of water usage. Mrs. Brennan feels that she and the other residents of her development are being penalized because the Township required the installation of fire sprinkler systems for new construction. She is grateful for the service that is provided in the event it is ever needed, however Mrs. Brennan believes that the cost being charged is ridiculous. Chairperson Bennington commented that there is a rate reduction of 10% from homeowner's insurance for having fire sprinkler systems installed. Mrs. Brennan commented that it would take at least 25 years to recoup that savings, and does not believe that the two can be compared.

Supervisor Manfredi advised that the Telford Borough Authority told the Supervisors that no one else from the Village at Dorchester had a problem with the sprinkler issue besides Mrs. Brennan. His response was that he had attended at least two meetings where there was a room full of Village at Dorchester residents who were very unhappy with this issue. Supervisor Manfredi confirmed that the service area of the Village of Dorchester was given to the Telford Borough Authority in the early 1970's, and by court order, in the 1990's, that service area was guaranteed to them. Finally, there is an opinion from the Township Solicitor, whose opinion the Board of Supervisors is bound by, stating that there is nothing the Township can do with respect to the fees being charged by the TBA. Supervisor Manfredi would be willing to pursue a second opinion on the Township

Solicitor's legal opinion, even though it would be an additional legal expense. However, he reminded Mrs. Brennan that the Board is bound by the opinion of the Township Solicitor, and if they act outside that opinion, the Supervisors would be personally liable. Chairperson Bennington asked what the second opinion would be on, if the Board were to proceed with that suggestion. Supervisor Manfredi replied that the second opinion would be a review of whether or not the Township had any recourse to assist the residents of the Village of Dorchester in this matter. He advised that Solicitor Grabowski's opinion was that due to the settlement in the 1990's, there is nothing more that the Township can do for these residents. Chairperson Bennington reminded Supervisor Manfredi that it was not Solicitor Grabowski's opinion, rather it was the court affirmation made in the 1990's with respect to the 1970's assignment of district to the Telford Borough Authority. It is Supervisor Egly understanding that an Authority may set the rates that they charge their customers, and therefore, the Township has no recourse. He does not believe it would be prudent to use other taxpayer's money to obtain a second legal opinion, when it appears this is a losing battle.

Public Comment:

1. Mrs. Linda Constantine of the Village of Dorchester had worked with the Inspector General as an investigator for 12 ½ years until retirement. She questioned an earlier comment made by Supervisor Egly regarding the lack of control municipalities have over Authorities. Chairperson Bennington explained that Authorities are basically autonomous and function under the regulations of the Municipalities Authorities Act. The Hilltown Township Board of Supervisors simply appoints the members of the Hilltown Water and Sewer Authority. However, Supervisor Egly noted, the Hilltown Supervisors do not appoint members to the Telford Borough Authority. Since the Telford Borough Authority does not appear to be responding favorably, Mrs. Constantine wondered if perhaps a group of residents might be more effective. Chairperson Bennington agreed that it might be helpful if a large contingent of dissatisfied Village at Dorchester residents attended a TBA meeting to voice their displeasure. Mrs. Brennan noted that her husband personally presented the TBA with a petition signed by every resident of the Village at Dorchester, so they are certainly aware of the magnitude of displeasure with the rates they are charging. It appears to Mrs. Constantine that any local Authority of any kind who provides services for residents must answer to some governmental agency.

2. Mrs. Jean Bolger of Rt. 152 believes that the Public Utility Commission (PUC) would govern the Telford Borough Authority. She agreed that Authorities can be difficult to deal with at times. It is Mrs. Bolger's opinion that the issue comes down to a group of individuals in the Telford Borough Authority and their egos, who will not listen to reason. Mrs. Bolger stated that it is not costing TBA any money to put water in the

sprinkler system in the Village of Dorchester, and those residents should not be charged this outrageous fee. She encouraged the residents and the Board of Supervisors to begin a letter writing campaign to the media and the PUC to publicize this price gouging and to put the pressure on the Telford Borough Authority to reduce the sprinkler rates. Discussion took place.

Mrs. Constantine wondered if the early 1990's Court decision could in any way be reconsidered so that it could be overturned or reversed. Supervisor Manfredi read portions of the legal opinion rendered by Solicitor Grabowski, dated January 14, 2005, which states "Based upon the information that I have been able to gather this week, it is my reasoned opinion that a Hilltown Township challenge to the Telford Borough Authority rate structure, based upon the facts as I have presented them within this correspondence, would not be successful, and would be very expensive." The Supervisors provided Mrs. Constantine with a copy of Solicitor Grabowski's opinion letter dated January 14, 2005.

Supervisor Manfredi commented that this experience should help the Board appreciate the Hilltown Authority and the courtesy they show. He feels that the Manager and Board of the Hilltown Authority deserves a great deal of credit for the way they deal with their ratepayers and the Board of Supervisors.

3. Mr. Sal Boscha of Village at Dorchester expressed his displeasure with the thought that there are other taxpayers this Board considers when he and his neighbors are burdened with the Telford Borough Authority. He noted that there are no children living in the Village at Dorchester, however the residents continue to pay school taxes, and they do not have their roads plowed or maintained by the Township. Mr. Boscha commented that the residents of the Village of Dorchester are taxpayers, yet they do not get the benefit of those taxes that they pay. Mr. Boscha does not feel as though he and his neighbors are being treated fairly in this situation.

4. Mr. Marvin Rohrs of Village at Dorchester is disturbed by the Board's remark that he and his neighbors are a minority of taxpayers. The Board denied ever making such a comment. Mr. Rohrs commented that he and his neighbors are paying over three times the amount of what the Hilltown Authority charges for the fire protection sprinkler systems. Chairperson Bennington agreed, however he noted that Mr. Rohrs is paying less for the water service itself through the TBA. Mr. Rohrs stated that the two fees are not the same and should not be combined. He stated that there are fire hydrants located throughout his development, and wondered how TBA could justify the rates they are charging. Supervisor Manfredi explained that the TBA would not provide an answer when asked that question at last week's meeting. The Board of Supervisors was simply told that TBA would provide to them what is a matter of public record, and no more. Mr. Rohrs urged the Board of Supervisors to appeal to the State, to the PUC, and to

whoever else might be able to help, on behalf of the residents of Village at Dorchester. Lengthy discussion took place.

5. Mr. Cose Reinches of Village of Dorchester commented that the misconception is that the actual water rate from TBA is so much lower than the Hilltown Authority rate. He believes that is the case because TBA's fee is being subsidized by the residents of the Village of Dorchester with the \$106.00 charge for sprinklers every six months. Supervisor Manfredi stated that the TBA told the Board of Supervisors that it was not fair to spread the total cost of providing that sprinkler system to one development in Hilltown Township to their other Telford Borough Authority ratepayers. Mr. Reinches commented that there was no additional charge to TBA to install those lines in the Village at Dorchester, because the developer was charged a tapping fee. Therefore, the meter, the lines, and everything else involved, was already paid for at the time the residents purchased their homes. With 83 dwelling units, at a cost of \$106.00 every six months, Mr. Reinches believes that Telford Borough Authority is saving their other ratepayers \$17,596.00 per year in fees because they are "gouging" the residents of the Village of Dorchester with this sprinkler charge. Mr. Reinches wished to make it clear that the residents are not objecting to the sprinkler systems in their homes, but rather they object to the price they are being charged by TBA.

6. Mr. Harry Mason of Morgan Lane felt that it was odd that there was no other new residential construction within the area that is serviced by the Telford Borough Authority. Discussion took place.

7. Mrs. Constantine wondered how difficult it would be to place a referendum on the ballot on whether or not an Authority from one municipality could retain the service area of another. Chairperson Bennington explained that this was the crux of the 1992 Court decision when the Hilltown Authority attempted to regain control of that service area from TBA. Mrs. Constantine commented that sometimes, when you don't win in court, you go to the public through a referendum. Supervisor Manfredi advised that if the legal opinion is indeed correct, it would take a statutory and legislative change to "fix" that. Lengthy discussion took place.

Chairperson Bennington suggested that Mrs. Constantine and the other residents of Village at Dorchester review the Township Solicitor's legal opinion, and attend the next TBA meeting to express their displeasure. The Board of Supervisors will also request that the PUC review this matter. Mr. James Groff, Manager of the Hilltown Authority advised that Municipal Authorities are not governed by the PUC, rather they answer to their ratepayers and follow guidelines established by the Municipal Authorities Act.

The Board of Supervisors agreed to attend the next Telford Borough Authority meeting along with the residents of the Village of Dorchester.

N. OLD BUSINESS:

1. At the March 28th meeting, the Supervisors authorized the Township Solicitor's review of Deep Run's request to draft a letter of support for the development of the Rt. 152/Fairhill Road site so that Deep Run can obtain their Erosion and Sedimentation Control permit from the County for half the cost.

Motion was made by Supervisor Manfredi, and seconded by Supervisor Egly to authorize the letter of support for Deep Run's development of the Rt. 152/Fairhill Road site in order to obtain their Bucks County Erosion and Sedimentation Control permit.

Public Comment:

1. Mrs. Jean Bolger of Rt. 152 was surprised that Deep Run would be seeking a reduction of costs when Mr. Sumpf, president of Deep Run, recently advised that they wished to purchase the Township's open space property at Rt. 152/Fairhill Road. She is tired of the Board of Supervisors constantly catering to Deep Run's various requests for use of Township property, relief from waivers or fees, etc. and she also questions Mr. Sumpf's intimations that he speaks to the Board members privately about various issues, outside of the public forum. Supervisor Egly commented that he has not had private conversations with Mr. Sumpf. Mrs. Bolger noted that many children from other municipalities participate in Deep Run's programs, yet it appears that Hilltown Township is the only municipality who is asked to provide funding or land for Deep Run's use. Discussion took place.

2. Mr. Jack McIlhinney of Broad Street believes that Deep Run does a remarkable job for this community by servicing 1,700 families, and feels that the least Hilltown Township can do is to write a letter of support for them. He commented that Hilltown Township appears to have no problem supporting the new Senior Center, the local volunteer fire companies, and even Dublin EMS. If Hilltown had to provide recreational services for all children in the Township as Deep Run does, Mr. McIlhinney stated that there would be a public outcry over taxes.

Motion passed unanimously. There was no further public comment.

2. Mr. Dan Preston of the North Penn Water Authority had previously been before the Board asking if the Supervisors would be interested in them painting their water tank located on the Rt. 309 bypass with "Welcome to Hilltown Township" this spring. A motion was made at the December 13, 2004 meeting to authorize the Township Manager to meet with Mr. Preston to discuss and determine a design to be painted on the water tank, pending review and approval by the Supervisors. Due to the absence of a Township Manager, Mr. Preston is now seeking direction from the Board of

Supervisors since the painting is scheduled to take place in the near future. Discussion took place.

Motion was made by Supervisor, seconded by Supervisor, and carried unanimously to authorize the wording "Welcome to Hilltown Township" to be painted on the North Penn Water Authority water tank located on the Rt. 309 bypass, in lettering of a size that provides for clear visibility from the roadway. There was no public comment.

3. At a previous meeting, the residents of Endslo Lane had requested that the Board designate the open space along W. Creamery Road across the street from the Municipal Building as a "scenic vista" in order to avoid any future destruction as was previously caused by Deep Run during the Turkey Tournament last Thanksgiving weekend. This designation would make that open space parcel off-limits for use by any sports organization use, including Deep Run.

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to designate the open space parcel across W. Creamery Road from the Municipal Building (bordered by Endslo Lane) as a scenic vista, not to be used by any sports organization. There was no public comment.

4. With respect to the Brickajlik drainage issue on Hilltown Pike, Supervisor Manfredi visited the site last Saturday during the rainstorm, when it was very apparent that this issue must be resolved in a timely manner. He noted that there was a tremendous amount of water flowing from the northwest direction that was contributing mightily to the flooding on Hilltown Pike, and was in fact back-flowing toward the Brickajlik property.

5. When the Deep Run Thunderhawks were before the Board last year to accept a Commendation, Supervisor Manfredi stated that a suggestion had been made that when "Welcome to Hilltown Township" signs were purchased, language be placed on the signs recognizing that Hilltown is the home of the championship Thunderhawks team. Supervisor Egly noted that funds have not been budgeted for that purpose. Supervisor Manfredi suggested that local businesses be solicited to see if they would be willing to donate funding to purchase those signs. Lengthy discussion took place.

Public Comment:

1. Mr. Joe Marino suggested that the Township contact one of the sign companies who do business in Hilltown, requesting a price quote and explaining what the Board is hoping to accomplish, and perhaps the sign company would be willing to donate the sign.

The Board directed Mrs. Leslie to contact Letterco, a local sign company.

2. Mrs. Alice Kachline of Mill Road had provided the Board with price quotes for "Welcome to Hilltown Township" in the recent past. She suggested that developers be requested to donate funds to purchase signs when they are before the Township with their development plans. Discussion took place.

O. MYLARS FOR SIGNATURE: None.

P. PUBLIC COMMENT:

1. Mrs. Alice Kachline of Mill Road announced that on Tuesday, April 26, 2005, the Hilltown Civic Association would be holding its semi-annual Candidate's Night for the positions of Supervisor, Tax Collector, and Penridge School Board here at the Municipal Building at 7:30PM.

Mrs. Kachline requested a status report on the Township's search for a new Manager. Chairperson Bennington commented that the Board is in the process of interviewing for the position.

2. With respect to the Village at Dorchester issue, Mr. Walter Drill of 2515 Hilltown Pike believes that the information regarding the sprinkler system and the cost involved should have been disclosed to the buyer by the developer prior to purchasing the dwelling. Discussion took place.

3. Mr. John Kachline of Mill Road is concerned that the Township will get into the same predicament with the Cinnabar Farms proposal for extension of public sewer through the East Rockhill Authority as is being experienced by the Village at Dorchester. Supervisor Egly replied that the homeowners in that development will be purchasing their sewer capacity through the Hilltown Authority, not through the East Rockhill Authority, and the rates would be determined by the Hilltown Authority.

4. Ms. Susan Brickajlik of Hilltown Pike discussed the issue of disclosure with respect to the Village at Dorchester, and was under the impression that it is the buyer's responsibility to recognize any problems within two years of purchasing the home for the seller to be responsible. Discussion took place.

Mrs. Brickajlik asked if the Board has provided a response to Deep Run regarding their request to extend the lease on the Fairhill Road/Rt. 152 open space property. Chairperson Bennington replied that the Board has made no determination at this time. Supervisor Manfredi commented that he has seen no compelling reason to extend the lease by an additional 20 years.

At other Supervisor's meeting while discussing the stormwater runoff problem near the Deep Run site at Callowhill Road, Mrs. Brickajlik provided suggestions for Deep Run to obtain funding to assist with the stormwater problem and to have a site study completed. She even spoke privately to Mr. Sumpf, however he told her the ideas were not feasible. Mrs. Brickajlik presented a copy of fund raising information for the Fairhill Road/Rt. 152 site, which she obtained from the Deep Run website.

5. Mrs. Barbara Salvadore of Forest Road does not believe that Dublin EMS ever received any funding from Hilltown Township. She noted that fire companies receive tax monies from municipalities, not EMS services.

Q. SUPERVISOR'S COMMENTS: None.

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

S. ADJOURNMENT: Upon motion by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously, the April 11, 2005 Hilltown Township Supervisor's Worksession meeting was adjourned at 9:58PM.

Respectfully submitted,

Lynda Seimes
Township Secretary
(These minutes were transcribed from tape recordings taken by Mrs. Lorraine Leslie,
Township Treasurer).

**IN LOVING MEMORY
OF ASHBY C. WATTS**

February 27, 1942 – April 4, 2005