

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARY SCHEDULED MEETING
MONDAY, JANUARY 23, 2017**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinncy at 7:10 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Lorraine Leslic, Township Solicitor Stephen Harris, Township Engineer C. Robert Wynn, and Chief of Police Christopher Engelhart.

1. ANNOUNCEMENTS: Chairman McIlhinncy stated there was an executive session before the meeting and there will be one after the meeting to discuss informational matters.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the January 3, 2017 BOS Meeting
 - b) Bills List January 24, 2017

Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to accept and approve items a) and b) on the Consent Agenda. There was no public comment.

4. CONFIRMED APPOINTMENT:
 - a) Swearing in of New Police Officer – Chief of Police Christopher Engelhart was in attendance to present James William Towhey, who participated in the selection process for a new police officer to replace Officer Karte who retired several months ago. Mr. Towhey has a Bachelor of Arts degree in Administration of Justice from Penn State University, certified through Pennsylvania Municipal Police Officer’s Education and Training Commission, and a resident of Perkasio along with his wife, Ashley. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to approve the swearing in of James William Towhey as a new Hilltown Township Police Officer. There was no public comment. Magisterial District Judge, Regina Armitage, proceeded with the swearing in and gave the Oath of Office to Officer Towhey.
5. LEGAL: Solicitor’s Report:
 - a) Elizabeth & William Coyne Pool - Solicitor Harris gave an update of the Coyne

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Zoning Hearing Board Appeal. Mr. Harris stated the application started with the Coyne's seeking permission to erect their pool fence within a stormwater easement. They agreed to remove the fence if it had to be removed for maintenance of the stormwater management facility. They were issued a permit for a pool. The initial plan that was submitted for the construction of the pool showed decorative rocks that would be ten feet away from the property line. When the pool was installed, the rocks were about three feet away from the property line. As a result, the Township filed an enforcement notice asking the Coyne's to remove the rocks to at least ten feet away from the side yard. The Zoning Hearing Board upheld the Township's enforcement notice. The Coyne's filed an appeal to the Court of Common Pleas and made two arguments: 1. A patio can be within five feet of the property line 2. The definition of a pool was the body of water that consisted of the pool. The Board heard the appeal and stated they believe the pool encompasses the whole complex including patios, rocks, sliding boards, etc., and upheld the Township's decision which would require the Coyne's, in order to come into compliance, to move everything at least ten feet from the side yard. Mr. Wild, while filing an appeal on behalf of the Coyne's, at the same time communicated to Mr. Harris a proposal to remove all of the rocks that are within five feet of the side yard so there is at least a five foot setback which what it would be if there was a patio. Mr. Harris stated there are three possible actions the Board can take: 1. Uphold the Zoning Hearing Board's decision 2. Resolve the issue allowing the five foot setback 3. The Board can review the original application, original plan and photographs, and revisit the issue at the February meeting, which Mr. Harris recommends. The Board agreed to review all documents and make decision at the February 27, 2017 meeting. Mark Johnson, 3216 Berry Brow Drive, and the property adjacent to the structure, presented a written statement and photograph which will be attached and made part of the minutes.

b) Agricultural Security Area Deletion – Crawford – Resolution 2017-10 – Mr. Harris stated the Crawford property at 2612 Hilltown Pike has been sold to the Deep Run Sports Association and converted from agriculture to recreational fields and, therefore, is no longer being used for agricultural purposes. Mr. Harris continued to state this has been reviewed by the Hilltown Township Agricultural Security Area Committee, the Hilltown Township Planning Commission, and the Bucks County Planning Commission; all who have recommended that the property be removed from the Hilltown Township Agricultural Security Area. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to approve Resolution 2017-10 for the deletion of the Crawford property located at 2612 Hilltown Pike from the Hilltown Township Agricultural Security Area, authorize the execution of the

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Acknowledgement of the Deletion, and authorize Mr. Harris to record the Acknowledgement of the Deletion with the Recorder of Deeds. There was no public comment.

c) Approval of the Hilltown Outdoor LLC Operation Agreement – Mr. Harris stated the Hilltown Outdoor LLC Operation Agreement for the monument sign has four issues that he needs feedback on: 1. It was previously agreed upon that the sign would not be operated between the hours of 11:30 P.M. and 6:00 A.M. Mr. Harris clarified the sign would be available for emergency purposes 24 hours per day. It was agreed upon by the Board of Supervisors that the Hilltown Township Logo would be on the sign during the non-operation hours between 11:30 P.M. and 6:00 A.M. 2. The escrow required to be posted to guarantee the maintenance of the landscaping and accessory lighting shall be in the amount of \$10,000.00. 3. If the sign is out of order, Hilltown Outdoor will have five (5) days to complete the repairs. 4. In regards to advertisement, the Board will retain the current language in the agreement. Mr. Harris stated he will have the final draft of the agreement at the next meeting.

d) AF Partnership – Mr. Harris stated he received a three-way Stormwater Facilities Maintenance and Monitoring Agreement for AF Partnership between Hilltown Township, West Rockhill Township, and the land owner which states the land owner is responsible for maintaining all of the stormwater management facilities. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to approve and authorize the execution of the AF Partnership Stormwater Facilities Maintenance and Monitoring Agreement between Hilltown Township, West Rockhill Township, and the land owner. There was no public comment.

e) Mr. Harris stated there is a scheduled ZHB hearing on February 16, 2017 for ESPI Investment Group, LLC in regards to a request for special exception to alter the existing, non-conforming use of a machine shop with an accessory apartment to a contracting business with an accessory apartment located at 430 Fairhill Road. It was agreed upon by the Board of Supervisors for Mr. Harris to attend the Zoning Hearing to oppose and propose a continuance for a month so the applicant can make a presentation before the Board to discuss their plans for the property.

6. PLANNING:

a) Bethel Subdivision Final Plan - Mr. Wynn stated Gia Raffaelli and Rich Carol are in attendance seeking final plan approval for the Bethel Subdivision. The Planning Commission recommended final approval contingent upon the outstanding items within the December 22, 2016

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C. Robert Wynn review letter, all of which are non-plan items. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to grant final approval for the Bethel Subdivision contingent upon the outstanding items within the December 22, 2016 C. Robert Wynn review letter. There was no public comment.

b) Mirarchi/Glah Lot Line Adjustment - Mr. Wynn stated Mr. Mirarchi is seeking a lot line adjustment to adjust the lot line between two parcels for the driveway on the lot that was purchased ten years ago. The Planning Commission recommended final approval contingent upon C. Robert Wynn's review letter dated December 27, 2016 along with the waiver contained in the waiver letter dated January 16, 2017 in regards to street improvements. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to grant the Mirarchi/Glah Lot Line Adjustment contingent on C. Robert Wynn's review letter dated December 27, 2016 and the waiver letter dated January 16, 2017 requesting a waiver of street improvements. There was no public comment. Mr. Wynn noted that the barn is removed. Mr. Harris discussed the various deeds that will be required for the lot line adjustment. Mr. Mirarchi stated he is aware and is in the process of taking care of the deeds.

7. ENGINEERING:

a) Tice Estates Subdivision – Mr. Wynn stated the developer has requested to revise the berm along Route 152 at the Tice Estates Subdivision to increase the height by two feet, from six feet to a maximum height of eight feet. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to deny the developer's request to increase the berm by two feet, from six feet to eight feet along Route 152 of the Tice Estates Subdivision. There was no public comment. Mr. Wynn stated he spoke to Pulte Homes in regards to eliminating the guiderail and change from a split rail fence to a more decorative wrought iron fence that is six feet high at the berm. This is a change to the plan and requires the Board of Supervisor's authorization. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize Pulte Home to change from a split rail fence to a wrought iron fence at the berm and to remove the guiderail between the curb and sidewalk. There was no public comment.

b) Floodplain Ordinance – According to FEMA, Mr. Wynn stated the Floodplain Ordinance requires an amendment to revise the map date to March 21, 2017 as the last revised date and advertise the ordinance upon receipt of PEMA. Motion was made by Supervisor Bennington,

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seconded by Supervisor Groff and carried unanimously, to authorize Mr. Wynn to prepare a Floodplain Ordinance amendment with the last revised date of March 21, 2017 and advertise it for the February meeting. There was no public comment.

b) Zoning Ordinance Amendment – Mr. Wynn stated he drafted a zoning ordinance revision that affects various sections of the Zoning Ordinance. He would like authorization to forward the zoning ordinance revision to the Township Planning Commission for review and input and added he will also add revisions regarding pools. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize Mr. Wynn to forward the zoning ordinance revision to the Township Planning Commission for their review and input. There was no public comment.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) Scott Drumbore – H&K – Requesting for extension of hours for February of the Concrete and Asphalt Plant at the Skunkhollow Quarry – Chairman McIlhinney stated H&K has requested to operate the concrete batch plant, asphalt batch plant, and the crushing plant between the hours of 6:30 pm to 6:30 am, Monday through Saturday, between February 1, 2017 and February 28, 2017, excluding holidays, for the PennDOT projects per their letter dated January 17, 2017. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of hours for the month of February per their letter dated January 17, 2017 with the exception of striking the part in the letter in regards to "and/or private customers." The motion passed 2-1 with Supervisor Bennington having the opposing vote. There was no public comment.

b) Ms. Leslie asked for permission to bid Mr. Buzby's road paving projects. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve Mr. Buzby's road paving projects when they are ready to go out on bid. There was no public comment.

c) Ms. Leslie presented the Tax Collector Resolution for salary and interim bills. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to adopt Resolution 2017-11 to set the Tax Collector salary for the years 2018, 2019, 2020, and 2021, including the interim bills. There was no public comment.

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d) Ms. Leslie presented the Tax Collector Resolution for tax certifications. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to adopt Resolution 2017-12 establishing the commission rates for tax certification fees. There was no public comment.

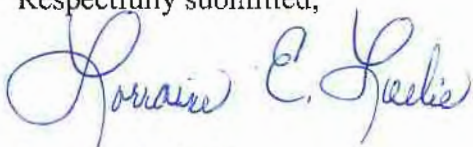
10. SUPERVISOR'S COMMENTS: Ms. Leslie announced the Easter Egg Hunt will be on April 8, 2017 at 10:00 A.M. at the Civic Field.

11. PUBLIC COMMENT: None.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, the January 23, 2017 Hilltown Township Board of Supervisors meeting was adjourned at 8:05 PM.

Respectfully submitted,



Lorraine E. Leslie
Township Manager

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