

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARY SCHEDULED MEETING
MONDAY, MARCH 27, 2017**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:03 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Lorraine Leslie, Township Solicitor Stephen Harris, Township Engineer C. Robert Wynn, and Chief of Police Christopher Engelhart.

1. ANNOUNCEMENTS: Chairman McIlhinney stated there was an executive session prior to this meeting for informational purposes.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the February 27, 2017 BOS Meeting
 - b) Financial Report February 28, 2017
 - c) Bills List March 14, 2017
 - d) Bills List March 28, 2017

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

4. CONFIRMED APPOINTMENT: None.
5. LEGAL: Solicitor's Report:
 - a) Firearms Amendment Ordinance - Solicitor Harris stated he will revise the Firearms Ordinance into a single document and will have it for the April meeting.
 - b) Medical Marijuana Ordinance for discussion - Mr. Harris stated the medical marijuana ordinance defines the growing and dispensing facilities in accordance with the Medical Marijuana Act. The Ordinance that is drafted would permit dispensing facilities in the PC-1 Zoning District and would permit the growing processing facilities in the LI and HI Zoning Districts. The State Act defines a growing processing facility as a manufacturing use so to be consistent with the State Act, it is limited to those two zoning districts. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize the

Medical Marijuana Ordinance be sent to the Township Planning Commission and to the Bucks County Planning Commission for their 30-day review. There was no public comment.

c) Aperio Homes, LLC Stormwater Facilities Installation, Maintenance & Monitoring Agreement – Mr. Harris stated Aperio Homes, LLC has a minor subdivision which requires a Stormwater Facilities Installation, Maintenance & Monitoring Agreement. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously authorizing Chairman McIlhinney to execute the Aperio Homes, LLC Stormwater Facilities Installation, Maintenance & Monitoring Agreement and then he recorded by Solicitor Harris. There was no public comment.

6. PLANNING: None.

7. ENGINEERING:

a) Walter Easement Clearing – Mr. Wynn stated he solicited five proposals for clearing the Walter pedestrian easement and three bids were received. The low bid was J. F. Landscaping, Inc. in the amount of \$9,070.00. The two other bids were \$10,500.00 and \$13,050.00. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to award the Walter easement clearing to the low bid from J. F. Landscaping, Inc. in the amount of \$9,070.00. There was no public comment.

b) Paving, Sealcoat, Friction Course Paving Bids – Mr. Wynn stated he received the following bids for road projects:

Bid 2017-1 is for installation of bituminous sealcoat on various roadways in the Township and two bids were received. The low bid was from Asphalt Maintenance Solutions, LLC with the unit price of \$1.26/Square Yard for a total of \$83,119.68. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to award Bid 2017-1 for bituminous sealcoat to Asphalt Maintenance Solutions, LLC in the amount of \$83,119.68. There was no public comment.

Bid 2017-2 is for superpave leveling/wearing course installation on Fairhill Road and four bids were received. The low bid was from Blooming Glen Contractors, Inc. in the amount of \$206,770.00 at \$66.70/Ton for both leveling and wearing. The other bids that were received varied from \$212,140.00 to a high of \$235,445.00. Motion was made by Supervisor Bennington,

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seconded by Supervisor Groff and carried unanimously to award Bid 2017-2 for superpave leveling/wearing in the amount of \$206,770.00 subject to project approval by PennDOT.

Public Comment: Kathy MaCaulay, South Perkasio Road, stated 3 or 4 years ago the Township did a great job on her road. She is curious why the Township is not paving the road. Supervisor McIlhinney stated the Township has many other roads to pave.

Bid 2017-3 is for ultra-thin friction course material on various roadways and an alternate add to do a portion of Tall Oaks Drive and one bid was received. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to award Bid 2017-3 for ultra-thin friction course to Asphalt Maintenance Solutions, LLC in the amount of \$180,137.82 which includes the alternate add of a portion of Tall Oaks Drive. There was no public comment.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) Scott Drumbore – H&K – Requesting for extension of hours for April 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 April 1, 2017 and April 30, 2017, excluding holidays, for the PennDOT projects per their letter dated March 20, 2017. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of hours for the month of April per their letter dated March 20, 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.

Public Comment: Jim Hoffman, 217 Chandler Way, gave a follow up to the February comments and questions that he had about the quarry contract. He thanked the Board of Supervisors for the suggestion to meet with Scott Drumbore and to take a tour of both quarries. He put together six items and is waiting for Mr. Drumbore to finish up his part in writing. Mr. Hoffman stated he is concerned that everything is addressed from the original contract from 2005. There was a proposal in 2012 that was signed in 2013 although he was not able to see evidence of it on the Township website. He continued to state things are moving along in a positive way and he still has some suggestions but will hold on to them until the end of the meeting.

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b) Barbara Matkowski – Civic Association asking for donation for fireworks for the Hilltown Township Community Day and Movie in the Park - Barbara Matkowski was present to ask for \$3,500.00 for the fireworks for Community Day which will be held on October 14, 2017. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize a \$3,500.00 donation for the fireworks for Community Day. There was no public comment.

Sara Prebis was present to ask for \$1,550.00 total for two movies in the park (Lego Batman Movie and Sing) to be held on June 16, 2017 and July 21, 2017. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize a total of \$1,550.00 for two movies in the park. There was no public comment.

c) Fox Rothschild requesting staff meeting regarding the Henofer Tract of Fairhill Road – Ms. Leslie advised the Board of Supervisors Fox Rothschild requested a staff meeting for the Bennett Tract and the escrow has been paid. Motion as made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize a staff meeting with Fox Rothschild for the Bennett Tract. There was no public comment.

10. SUPERVISOR'S COMMENTS: Supervisor Bennington clarified with Ms. Leslie the Easter Egg Hunt is on April 8, 2017 at 10:00 A.M. at the Civic Park, rain or shine.

11. PUBLIC COMMENT: Jim Hoffman, 217 Chandler Way, followed up on the six impact areas that are definitely considered in the base contract of 2005. Mr. Drumbore had stated to him that they really don't use the double shift and do not operate 24 hours a day. There may be five or seven hours a day extra, but not twelve. There is no measurement of the impact of that extra work. The 2005 contract was amended in 2012 with a proposed amendment that was signed by Mr. Drumbore but not executed by the Township. After further discussions from H&K, it was fully executed back in November of 2013 and asked why it wasn't up on the website. Supervisor Groff stated the amendment has nothing to do with Skunk Hollow Quarry. The amendment has to do with Blooming Glen Quarry and specifically dealt with tipping fees for things they hauled into the quarry. Nothing has changed in the agreement of 2005; the basic substance is still the same. It was noted that there was a public hearing. His suggestions are: 1. After the fact each month, H&K know how many extra hours they ran at each of the two quarries and could report back to the Township the information. Mr. Drumbore stated he is going to make an honest attempt at taking a cut at the impact. 2. Continue the open dialog between the quarry and the Township and quantify the hours they are actually running.

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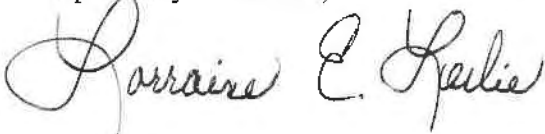
Chairman McIlhinney stated the Township does have open dialog with H&K due to the financial interest and the safety of equipment and the residents. There has never NOT been an open dialog with H&K.

Kathy MaCaulay, South Perkasio Road, questioned the impact study of ground water and if the figures are from 2005, how do they affect the residents in 2016 and how far down is the water table now compared to what it was when they started? Supervisor Groff stated this is something that is handled by the Bureau of Mines and it not something that the Township controls or regulates. Chairman McIlhinney added there are guidelines and H&K has a responsibility in regards to wells that are affected within so many feet of the quarry.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, the March 27, 2017 Hilltown Township Board of Supervisors meeting was adjourned at 7:33 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).