

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARY SCHEDULED MEETING  
MONDAY, DECEMBER 12, 2016**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:00 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Lorraine Leslie, Chief of Police Christopher Engelhart, and Township Engineer C. Robert Wynn.

1. ANNOUNCEMENTS: Chairman McIlhinney stated there was an executive session to discuss legal, open space, and personnel matters.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
  - a) Minutes of the November 14, 2016 BOS Meeting
  - b) Bills List November 29, 2016
  - c) Bills List December 13, 2016
  - d) Financial Report November 30, 2016
  - e) 2017 Perkasio Fire Company Agreement for Signature from the BOS
  - f) 2017 Sellersville Fire Company Agreement for Signature from the BOS
  - g) 2017 Souderton Fire Company Agreement for Signature from the BOS

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

4. CONFIRMED APPOINTMENT:
  - a) Diane Telly – Tax Collector Updates: Ms. Telly was in attendance to give an update stating 88% of the taxes were collected by the end of discount in April/early May. Liens tend to be approximately 1%. Tax Collectors are required to have certain levels of qualification and continuing education between the State legislation and the Tax Collector's Association. It covers typical administration/management, law and ethics, computer programming, etc. Ms. Telly reviewed the 2-day convention held in York, PA including Real Estate Bankruptcy and Taxes, Mortgage Lenders, U.S. Census Bureau, PA Gaming Control Board, and PA State Ethics Commission. Ms. Telly noted a resolution is done every four years in regards to commission rates for the office of Tax Collector that needs to be done by the middle of February and also

Page 2  
Board of Supervisors  
December 12, 2016

noted there are approximately 6,000 parcels that are taxable. Chairman McIlhinney stated they will review the resolution and get back to Ms. Telly.

5. LEGAL: Solicitor's Report:

a) Blooming Glen Playground Association Exemption Real Estate Taxes Signature from the Board of Supervisors: Mr. Harris stated the Blooming Glen Playground parcel is now in the name of the Township and they have to file an exemption of real estate taxes since this parcel is being used as a public park. Mr. Harris stated a motion is needed to authorize Chairman McIlhinney to execute the application. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, for Chairman McIlhinney to execute the application for the exemption of real taxes for the Blooming Glen Playground. There was no public comment.

b) Walter Agreement of Sale – Mr. Harris stated the Township is purchasing the conservation and trail easement from Mr. & Mrs. Walter in the amount of \$205,000.00 for the conservation easement and \$97,500.00 for the trail easement. Mr. Harris continued to state both figures are based upon appraisals that were conducted. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to approve and execute the agreement of sale for the Walter conservation and trail easement. There was no public comment.

Mr. Harris stated the Township is exploring the acquisition of an additional parcel of open space and requests a motion to have the property appraised. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize the appraisal of the additional parcel. There was no public comment.

Mr. Harris stated a resolution is needed to authorize Chairman McIlhinney to act on behalf of the Township with respect to the County's Open Space Program. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize Chairman McIlhinney to act on behalf of the Township per Resolution #2016-15. There was no public comment.

c) Approval and Signature from the Board of Supervisors of the Hilltown Crossing Wal-Mart Expansion Agreement to Release Financial Security – Mr. Harris stated the

Page 3  
Board of Supervisors  
December 12, 2016

improvements at the Wal-Mart Expansion have been completed and the developers have requested the financial security that has been posted be released. Mr. Harris stated he has prepared an agreement that in the event that the pad site is developed in the future, financial security will be required to be posted for the completion of the improvements at the pad site. If the developer decides they wish to change the configuration, they will have to come before the Township and seek an amended land development plan approval for the revision and post financial security for the installation. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to approve the agreement to release financial security for the Hilltown Crossing Wal-Mart Expansion with the condition that in the event that the pad site is developed in the future, financial security will be required to be posted for the completion of the improvements at the pad site. If the developer decides they wish to change the configuration, they will have to come before the Township and seek an amended land development plan approval for the revision and post financial security for the installation. There was no public comment.

Mr. Harris stated, in regards to the small office that is leased to Representative Kathy Watson, the House of Representatives has requested the Township use their form of lease. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to authorize the Township to enter into a lease for the office space for the upcoming year with Representative Watson, using the form proposed by the House of Representatives. There was no public comment.

Mr. Harris stated the Bethel Tract is going to be served with public water and public sewer by Perkasio Regional Authority and there is an agreement between HTWSA, Perkasio Regional Authority, and the Township stating Perkasio will be providing water and sewer to only the eleven approved lots of the Bethel Tract and that there will be no extensions or additional connections. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to authorize Chairman McIlhinney to execute the agreement between HTWSA, Perkasio Regional Authority, and the Township in regards to the service of water and sewer to the Bethel Tract. There was no public comment.

Page 4  
Board of Supervisors  
December 12, 2016

6. PLANNING:

a) Country View Development – Concept Plan: Mr. Wynn stated the Country View Development sketch plan was seen by the Planning Commission in October for the proposed development on Swartley Road and Route 309. Mr. Wynn supplied the Board of Supervisors with his review letter dated October 6, 2016 along with the Planning Commission minutes from the October 17, 2016 meeting. Mr. Wynn noted the plan that is presented this evening has been revised since being seen by the Planning Commission. Mr. Wally Rosenthal was in attendance to present his proposed project consisting of townhomes, assisted living and continuing care. The Planning Commission had an issue with parking. Mr. Rosenthal noted a statement from the Comprehensive Plan review meeting noting "The Township should examine its' parking requirements. Some uses that have parking standards may be excessive." Mr. Rosenthal stated the residents of the continuing care building will be less mobile and would not require as many parking spaces. He was hoping to have some flexibility with parking and density. Supervisor Bennington discussed his concern with the parking. Mr. Rosenthal stated there would be enough for the employees and visitation with the roads being wider to accommodate parking on both sides. Chairman McIlhinney asked if the parking spaces on the streets are included in the count of parking spaces on the plan. Mr. Wynn stated he does not know if the streets are going to be private or public. Mr. Rosenthal stated there will be a Homeowner's Association and ownership of the streets is to be determined. Chairman McIlhinney stated a full count of parking spaces and location of the parking spaces for the whole development should be done. Mr. Wynn stated in townhouse developments like this, it is not infrequent to see a parking lot especially for visitors. Mr. Rosenthal asked if it was in the realm of possibility with the design and the right aesthetics, could he count on getting the open space requirement down to twenty five percent to make the development financially viable. Mr. Wynn stated the open space requirement is 40% for the portion of the property being developed as residential and it would take a zoning ordinance change. Mr. Harris stated there is not a legal hard ship to constitute a zoning variance. Overlay would not be suggested for this project. Mr. Rosenthal stated the final detail plan will include a template for turning ratio for the commercial and assisted living area, refine the parking, density, and open space. He continued to state he will go back to the developers and state the Township is willing to be flexible and accommodating but bring more detail in the plan. Chairman McIlhinney stated the Township always wants to be flexible and accommodating but bring the plan into reality with more detail and address how the day to day operations would work at this site.

Page 5  
Board of Supervisors  
December 12, 2016

b) Tice Estates Revised Final Approval: Mr. Wynn stated the record plan for the Tice Estates has been revised to relocate an AT&T easement with no other changes. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve the revised final Tice Estates plans and authorize the execution of the plans. There was no public comment.

7. ENGINEERING:

a) Tice Estates Subdivision – Cluster Mailboxes – Mr. Wynn stated Bill Creeger, Pulte Homes, is in attendance to discuss requirements and location of cluster mailboxes now being required by the US Postal Service. Mr. Creeger had met with the US Postal Service on site to try to get them to change their mind on cluster mailboxes on a 36 lot subdivision, unsuccessfully. They did agree to the proposed location of the cluster mailbox and that there was minimal traffic. They evaluated several locations within the community at or close to open space because the boxes themselves will be part of the homeowner's association as far as maintenance and repair. It was not the best appearance to be at the entrance to the community nor was it the most logical because of traffic. They internally selected the location close to the rear of the community and out of the way that does not impact traffic flow but located at a curve. However, it is pretty wide open in that area and there will be signage that limits temporary parking. Supervisor Bennington stated convenience is more important than aesthetics and he would like to see the cluster mailbox at the entrance. Chairman McIlhinney stated perhaps there is a design to have it more colonial looking or stone work to dress it up a little but wherever the developer wants it to be is fine. Mr. Creeger stated he will dress it up with landscaping, finials, etc. to keep it in the location at the open space area at the rear of the community. Supervisor Groff stated he will agree with the location in the rear. Mr. Wynn suggested painting the curb yellow at the parking location and add signage of no parking and snow emergency route. Mr. Creeger stated the curb is belgium block and would not want to paint the curb. Mr. Wynn suggested marking the parking spaces with thermo plastic on the road itself at the three spots with no painting at the curb and the addition of signs. Mr. Harris asked if a revised plan would be needed to address these items. Mr. Creeger stated instead of a plan, he would be comfortable with a comment letter from Mr. Wynn. It was suggested to mark the changes on the sketch plan.

b) Hilltown Ridge Subdivision – Completion/Commencement of Maintenance Period – Mr. Wynn stated the work required has been completed and recommends acceptance of completion of the subdivision and commencement of the 18-month maintenance period. Motion

Page 6  
Board of Supervisors  
December 12, 2016

was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to accept the completion of the required improvements and commence the 18-month maintenance period. There was no public comment.

c) Preserves Subdivision – Completion/Commencement of Maintenance Period – Mr. Wynn stated the improvements required has been completed and is on the agenda for acceptance of completion and commencement of the 18-month maintenance period. Mr. Harris stated the Township has to approve the dedication agreement with Toll Brothers. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to accept the completion and commencement of the 18-month maintenance period for the Preserves Subdivision, accept the Deed of Dedication and authorize the Township to enter into the dedication agreement with Toll Brothers with Resolution #2016-16. There was no public comment.

d) Blooming Glen High School Subdivision – Mr. Wynn stated he drafted a plan of subdivision to deed off the former high school from the rest of the park playground. There is currently too much impervious surface on the lot containing the high school. There is about 2,000 square feet of asphalt that could be removed so the plan could be compliant with the maximum permitted surface of 65% for other uses. Mr. Wynn is requesting the Township authorize the road department to get an area removed and restored. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to approve the removal of approximately 2,000 square feet of asphalt at the site of Blooming Glen High School in order to proceed with the subdivision to be in compliance with the ordinance. There was no public comment.

Mr. Wynn stated the adjoining property owner has access to the rear of the property with garages and apartments only through the school property. Mr. Wynn would like the Board to authorize discussions with the property owner to grant a 15' wide easement on the existing paved driveway on the high school property. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to authorize Mr. Wynn to pursue the adjoining property owner to grant a 15' wide easement. There was no public comment.

Mr. Wynn stated he would like authorization to contact clearing contractors to clear the easement to the Walker property. Motion was made by Supervisor Bennington, seconded by Supervisor

Page 7  
Board of Supervisors  
December 12, 2016

Groff and carried unanimously, to authorize Mr. Wynn to contact clearing contractors to clear the easement to the Walker property. There was no public comment.

8. UNFINISHED BUSINESS:

a) Adoption of the 2017 Budget – Ms. Leslie stated there is no tax increase and the budget has stayed the same since the Board of Supervisors authorized it for advertising and stated it was advertised for a minimum of twenty days and was available in the office for anyone who wished to review the budget. Supervisor Bennington stated Ms. Leslie did a magnificent job, as always. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to adopt the 2017 Hilltown Township Budget. There was no public comment. Chairman McIlhinney thanked Ms. Leslie and noted she did a great job.

b) Chairman McIlhinney noted they announced Ms. Leslie's appointment to Township Manager at the last meeting, effective November 18, 2016, but did not vote on it. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to appoint Lorraine E. Leslie as the Hilltown Township Manager. There was no comment.

9. NEW BUSINESS:

a) Scott Drumbore – H&K – Requesting for extension of hours for January 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 January 1, 2017 and January 31, 2017, excluding holidays, for the PennDOT projects per their letter dated December 6, 2016. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of hours for the month of January per their letter dated December 6, 2016 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.

10. SUPERVISOR'S COMMENTS: Supervisor Bennington wished everyone a Merry Christmas and a Happy New Year and thanked the staff, the police, the road crew, the boards and authorities, the solicitor, the engineer, and his fellow Supervisors for a fantastic year and thanked

them very much. Chairman McIlhinney agreed with Supervisor Bennington. Supervisor Groff stated he agreed 100% and Happy Holidays to everyone.

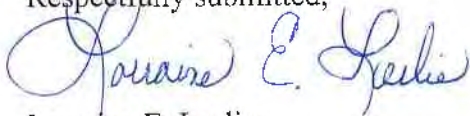
11. PUBLIC COMMENT: Junc Brower, Swartley Road, and spoke about her concerns about Mr. Rosenthal's proposed development and asked the Board to keep her in mind. She continued to state Swartley Road is a small road and has a creek. She is afraid they are going to come in there and make it huge with many cars. Chairman McIlhinney stated the improvements will be done on the property frontage but beyond that, they will have to see what it is being proposed. Supervisor Bennington stated to keep an eye on the website for reference to when Mr. Rosenthal comes in again.

Ryan Hillback, HIOA Board Member for the Hilltown Walk Community off of Green Street, has serious concerns about Green Street and asked the Board's consideration that the Silverdale Borough 25 MPH speed limit be extended out past the community to protect their children. Additionally, thirteen of the homes hack up to Green Street so lowering the speed limit would be helpful in reducing some of the noise. Also, further up on Green Street, there are two locations that are bridge-like locations because there are no guard rails in those locations. They ask that when the time comes for their community to be dedicated, they receive notice so that they may participate and be helpful and proactive. Once dedicated, they ask consideration that their speed limit in their community be lowered to 15 MPH. Mr. Wynn stated lowering the speed limit on Green Street is a good idea. Chief Engelhart stated it would be an enforcement nightmare. The development is not on Green Street and it would be very difficult for people to abide to the 25 MPH where it is wider and more open. Chief Engelhart stated a study could be done on the road.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, the December 12, 2016 Hilltown Township Board of Supervisors meeting was adjourned at 8:15 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).