

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARY SCHEDULED MEETING  
MONDAY, JUNE 27, 2016**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:08 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Donald D. Delamater, Chief of Police Christopher Engelhart, Township Solicitor Peter Harris, and Township Engineer C. Robert Wynn.

1. ANNOUNCEMENTS: Chairman McIlhinney stated there was an executive session prior to the meeting to discuss legal matters, grading matters, and the zoning options for Hilltown Outdoor and Rosatto.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
  - a) Minutes of the May 23, 2016 BOS Meeting
  - b) Financial Report May 31, 2016
  - c) Bills List May 25, 2016 to June 13, 2016
  - d) Bills List June 13, 2016 to June 22, 2016

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 with the following correction from Supervisor Bemington: page 6(f), the sentence should state "Supervisor Bennington suggested Tice Estates after a fellow **Air Force** veteran of his died during Vietnam which will be considered. Chairman McIlhinney had the following correction: page 3(b), strike the words "in the amount of \$15,000.00 to", received clarification on page 4(b) in regards to not going forward with the survey, design, and permitting plans for the Mill Road Culvert, and had a general question if the work had been done in regards to Hilltown Ridge, page 6(g) of the minutes. It was noted the project would be discussed later in the meeting. There was no public comment.

4. CONFIRMED APPOINTMENT: None.
5. LEGAL: Solicitor's Report:
  - a) Contract for professional services – Solicitor Harris stated, he, along with the Township Manager, simplified the Contract for Professional Services and are asking for the form

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to be approved and to also authorize the Township Manager to execute the contract on behalf of the Township. Chairman McIlhinney had the following changes on the document: 1<sup>st</sup> page, under Witnesseth, 4<sup>th</sup> paragraph down should state "Whereas, Developer is **required** to post an escrow to reimburse the Township for its costs in reviewing Developer's request, and #4, the sentence should state "The Escrow Account Funds must be replenished **to its original amount** when they are depleted to twenty-five percent (25%) of the amount of original escrow required by paragraph 3 hereof. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to approve the form of the contract for professional services with the noted corrections and authorize the Township Manager to execute the contracts on behalf of the Township. There was no public comment.

b) Signing Tice Estates Plans & Agreements – Solicitor Harris stated the plans have been received, some of the agreements, and some of the payments for Tice Estates. Allison Zarro, on behalf of Pulte Homes, stated she is getting the fee-in-lieu of payments. Solicitor Harris stated there are several easements that Solicitor Ed Murphy worked on that are still outstanding. Representatives from Envision were in attendance to present the remaining documents. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to authorize the execution of the Tice Estates plans and agreements, hold all of the documents until they are reviewed, and the Township receives all of the fee-in-lieu payments. Once that is done, authorize the plans to be released to Mr. Wynn for recording and Solicitor Harris will release the agreements to Allison for recording by their title company. There was no public comment.

c) Signing Coulter Minor Subdivision Plan & Declaration – Solicitor Harris stated the plans and the declaration of restrictions and covenants have been executed by the applicants and are ready to be executed by the Board of Supervisors and recorded. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to authorize the Coulter Minor Subdivision plan and the declaration of restrictions and covenants to be executed and authorize Mr. Wynn to record the plan and Solicitor Harris to record the declaration. There was no public comment.

d) Solicitor Harris stated two zoning hearing board applications have been received: 1. Hilltown Lighting LLC – a proposed sign is scheduled for a hearing in September and they have requested a staff meeting to discuss potential alternatives which may alter the relief that they are seeking. Motion was made by Supervisor Bennington, seconded by Supervisor Groff,

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and carried unanimously to authorize a staff meeting for Hilltown Lighting LLC after the Contract for Professional Services form is revised and executed. There was no public comment.

2. Rosato – the applicant would like to build a pool in the back yard but there is an issue whether or not there is an ephemeral stream that has been raised by the neighbors. It was noted that the application has been reviewed by the Zoning Officer and the Engineer. Motion was made by Supervisor Groff, seconded by Supervisor Bennington, and carried unanimously to authorize Solicitor Harris to write a letter on behalf of the Township for the application.

c) Solicitor Harris discussed the Hilltown Ridge development stating work had started in early May but stopped. At the last meeting, the Board made a motion that if the work was not done by May 31, 2016, the engineer will calculate the cost to complete the work. If the work is not completed by this evening, then the Township would draw down the performance bond in the amount of the uncompleted work. Mr. Wynn stated they had worked on all three basins, filled in some ruts, seeded the basins, and landscaped around one of the basins. Mr. Wynn stated he will go out and get an itemized list of all of the work that has not been done and will provide the numbers to Solicitor Harris. Solicitor Harris stated he will write the bonding company to state that the Township has authorized the draw. No action was taken because it had been previously authorized.

6. PLANNING:

a) Proposed Subdivision Ordinance Amendment (Authorization to advertise) – Mr. Wynn stated the Bucks County Planning Commission recommended approval without any revisions and it was also reaffirmed by the Township Planning Commission. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to authorize the advertisement of the proposed Subdivision Ordinance Amendment #2016-001 as presented by Mr. Wynn. There was no public comment. Supervisor McIlhinney asked that Mr. Wynn work on obtaining information in regards to a grading plan ordinance.

7. ENGINEERING: None.

8. UNFINISHED BUSINESS: None.

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9. NEW BUSINESS:

a) Property Appraisal Proposals – Township Manager Donald Delamater stated he received two appraisal proposals from: Benchmark Appraisal Group in the amount of \$3,950.00 and Equity Appraisal Co., Inc. in the amount of \$5,000.00. Mr. Delamater stated he recommends the Board go with Benchmark Appraisal Group in the amount of \$3,950.00. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to accept the appraisal proposal in the amount of \$3,950.00 from Benchmark Appraisal Group. There was no public comment.

b) Complaint about Traffic & Noise along Hilltown Pike – Township Manager Donald Delamater stated an email was received in regards to trucks traveling along Hilltown Pike and wanted to bring it to the attention of the Board. Mr. Lawrence Keefe, 6 Cedar Hill, was present. Mr. Keefe gave a brief history of Hilltown Pike from the beginning of horse and buggy's to PennDOT declaring Hilltown Pike a state road. The road has transitioned from a county road to a major thruway. Recently, the truck traffic and the noise has increased significantly, not to mention the increased speed of the vehicles. The primary source of the noise is the trucks coming out of Haines and Kibblehouse. The trucks drive fast with full loads and their engines are used to brake . . . jake breaking. The roadway has deteriorated and as the trucks hit the potholes, it sounds like an explosion. The worst area is between Keystone Road and Swartley Road. The trucks are running at 3:00 or 4:00 in the morning till midnight or after, six days a week and occasionally on Sunday. Mr. Keefe made some suggestions: 1. Get PennDOT involved and make them aware of what the problem is. 2. Get the roadway fixed; use a different type of asphalt. 3. Consider passing an ordinance making jake breaking illegal in the Township. 3. Trucks should have limited hours when they can operate. 4. Reduce the speed limit to 25 mph from Church Road to Line Lexington. 5. Consider having trucks use Township Line Road for the return trips to the quarry. Chairman McIlhinney stated he is not the only one who has concerns and noticed, in the last month, they have used their jake brakes for no reason on flat roads and it is the quarry trucks. The Board is in agreement to investigate having an ordinance eliminating the jake brake in the Township but believes they have to go through the State for that. It is the starting point. Mr. Wym will get the information that they need to start the process. There are agreements in place with PennDOT in regards to the hours but the Township can investigate it. The state highway is in control of the speed limits. The Township can petition the State in regards to the speed limits but it is very rare to reduce the speed limit on a State highway.

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Carl Wagner, 601 Hilltown Pike at Swartley Road, stated there have been many accidents, cars speeding, and trucks using their jake brakes at his property. When the aluminum body trucks are empty, they are going up the hill faster than when they are coming down. There is a pothole at his property in the middle of the curve and beyond that; there is a pot hole that is getting bigger. He stated something has to be done about the condition of the road. He would like the Township to get PennDOT for a review of the condition of the road. He proposed the speed gets enforced on Hilltown Pike by the police. Mr. Wagner stated the jake brakes have greatly reduced since Mr. Keefe's email went out. Chairman McIlhinney stated the Township can start by investigating the jake brake ordinance. Mr. Wagner stated they need some help because it is getting unbearable. He also stated there are two street lights at the curve and the lights have been out for four months.

c) Complaint about intersection of Keystone Drive & Schoolhouse Road – Mr. Dale Feenstra, Richland Township, was in attendance to relay an issue that he had when a vehicle ran right through the stop sign at Keystone Drive and Schoolhouse Road. He could have been seriously injured or possibly even killed. He would like to see that intersection changed to a four way stop rather than just a two way stop. Mr. Wynn stated in order to put a multi way stop sign up at an intersection on any public road in the State; you must meet PennDOT criteria for establishing the four way stop sign. Examples are: meets all the warrants for a traffic signal, equal volumes on both roads, and sufficient number of accidents that could be cured by a four way stop sign. He does not believe the intersection would meet those warrants. Mr. Wynn continued to state there should be a left hand stop sign also installed on the approach. That is something the Township can do but not solve all of the problems. Mr. Feenstra stated anything is better than nothing at all and he needed to come out and speak his mind. Chairman McIlhinney stated the Township will investigate the area.

Dave Christ, 426 Schoolhouse Road, echoed what Mr. Feenstra stated earlier. He continued to state there have been numerous accidents at that intersection. Cars on Schoolhouse Road are going 45-50 mph. It is a dangerous road and it needs a four way stop sign.

d) Bucks County Tour of Honor Contribution – Township Manager Donald Delamater stated this has been an annual request in the amount of \$550.00 for a ¼ page ad in the November 2016 edition of the Bucks County Veteran ID Card Directory. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to approve a donation for the Bucks County Tour of Honor Contribution in the amount of \$550.00 which includes a ¼ page ad. There was no public comment.

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e) Scott Drumbore – H&K – Requesting for extension of hours for July of the Concrete and Asphalt Plant at the Skunkhollow Quarry – Township Manager Donald Delamater 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 July 1, 2016 and July 31, 2016, excluding holidays, for the PennDOT projects per their letter dated June 15, 2016. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of hours for the month of June per their letter dated June 15, 2016 with striking the part in the letter in regards to private customers. The motion passed 2-1 with Supervisor Bennington having the opposing vote. There was no public comment.

f) Gregg Adelman, Kaplin/Stewart (Hilltown Outdoor, LLC) – requesting a Staff Meeting – Solicitor Harris stated this item has already been acted on.

g) Public Works requesting to purchase a Dump Truck – Township Manager Donald Delamater stated the Public Works Director is requesting an additional \$7,451.00 over the \$157,451.00 2016 budgeted amount for the purchase of a new dump truck that will be purchased through COSTARS with a three year warranty. There are sufficient funds to cover the purchase. It was noted there is an additional \$1,800.00 for an additional two year warranty. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, to approve \$159,251.00 for the purchase of a new dump truck through COSTARS including the additional two year warranty. There was no public comment.

10. SUPERVISOR'S COMMENTS: Supervisor Bennington asked Police Chief Chris Engelhart how the 5K at the Calvary Church went. Chief Engelhart stated there were not any problems. Township Manager Donald Delamater stated they had one of their movies in the park and, despite the cold; it went very well with approximately 75 people who participated. The next movie is July 15, 2016 and Zootopia will be showing. Information is sent out to Deep Run to circulate it through their organization, the Township website, and promote it through the Reporter. This is the last movie of the year.

11. PUBLIC COMMENT: Wally Rosenthal, 530 Rosy Lane, questioned if there are digital signs permitted on Route 309. Chairman McIlhinney stated they are permitted with restrictions and the information can be found in the Zoning Ordinance.

Dave Christ, Chairman of the Planning Commission, updated the Board of Supervisors on the Comprehensive Plan Update stating there should be a final draft by the fall and questioned if the Board of Supervisors are interested in proceeding with the business survey that was discussed a

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few months back. It was the consensus of the Board of Supervisor's for the Planning Commission to bring the survey to an upcoming Board work session or regular meeting for review.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, the June 27, 2016 Hilltown Township Board of Supervisors Meeting was adjourned at 8:10 PM.

Respectfully submitted,



Donald D. Delamater  
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).