

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARY SCHEDULED MEETING  
MONDAY, JULY 27, 2015**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:07 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Richard Schnaedter, Chief of Police Christopher Engelhart, Township Solicitor Steve Harris, and Township Engineer C. Robert Wynn.

1. ANNOUNCEMENTS: Chairman McIlhinney stated there has not been an executive session since the last meeting.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
  - a) Minutes of the July 13, 2015 Board of Supervisor's Meeting
  - b) Bills List June 24, 2015 – July 10, 2015
  - c) Bills List July 15, 2015 – July 24, 2015

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

4. CONFIRMED APPOINTMENTS:

a) Dave Anderson, Toll – Regency @ Hilltown – Architectural Drawings: Mr. Anderson was presented a plan set of Regency @ Hilltown. Regency @ Hilltown received approval on April 22, 2013. Agency approvals had to be received along with some engineering work on the plan was done. They came back before the Board on April 8, 2014 and received final approval. Since that point in time, all the conditions has been satisfied, posted the bonds and securities, and started construction. House plans were submitted to the Township and a zoning comment was received by Mr. Taylor in regards to the house plans and rec building. Toll Brothers did submit rec plans to the Township prior to October of 2014 and house plans in December of 2014 as well. At that time, no comments were received from the Board or anyone else from the Township and it was their assumption that the condition of the preliminary approval of February of 2012 was satisfied by submitting the plans. Mr. Taylor did not see anything in the minutes and didn't believe there was a discussion regarding the plans. To clear the issue up, they presented engineering elevations of the product that they tend to build.

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Motion was made by Supervisor Bennington and seconded by Supervisor Groff to approve the design of the residential homes within Regency at Hilltown per the amended approval that was given in December of 2014. The motion passed 2-1 with Chairman McIlhinney having the opposing vote. There was no public comment.

5. LEGAL: Solicitor's Report –

a) Cell Tower Lease Extension Signature from BOS: Solicitor Harris stated Chief Engelhart brought to his attention that there are County antenna on the cell tower, a Township antenna, and a County equipment shelter. When the County relocates its antenna to another location, the Chief is working with the County to get them to assign the equipment shelter to the Township then the Township can move its equipment into that shelter. This was all added into the 1<sup>st</sup> Amendment to the Cell Tower Lease per Chief Engelhart's suggestion. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to approve the 1<sup>st</sup> Amendment of the Cell Tower Lease Agreement and authorize the Chairman of the Board of Supervisors to execute the Cell Tower Lease Agreement and the Memorandum of the Lease on behalf of the Township. There was no public comment.

b) Agricultural Security Applications: Solicitor Harris stated there were originally three properties submitted for the Agricultural Security Area but since one of the properties was already included, the two properties located at 3030 Fretz Valley Road (Myers) consisting of 19.2 acres, and 1239 Rt. 113 (Rosenberger) consisting of 53.522 acres were advertised for inclusion into the Agricultural Security Area. Recommendation was received by the Township Planning Commission, the Bucks County Planning Commission, the Agricultural Security Area Committee, and was published in the Intelligencer as required by law. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to adopt Resolution #2015-012 to include parcel number 15-017-050 (Myers) 19.2 acres and parcel number 15-017-053 (Rosenberger) 53.22 acres to be added to the Agricultural Security District Area. Public Comment: Henry Rosenberger stated the addresses that were given on both of the properties are the home addresses of the two applicants. Solicitor Harris stated they will be identified by the tax map parcel number. Mr. Rosenberger also asked if they can be recorded in the courthouse as soon as possible since the meeting is August 6, 2015. Solicitor Harris stated they will go out in the mail to be recorded the next day.

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c) Transfer of 313 ROW – Weis Market: Solicitor Harris stated Weis Market needs some right-of-way for drainage improvements on Route 313. An agreement was signed authorizing the stormwater facilities maintenance and monitoring agreement which requires Weis Market to maintain the improvements. They now need the Township to convey a portion of its right-of-way to PennDOT for that purpose. The plans and the deeds were submitted but Mr. Wynn stated there was not a legal description. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to authorize the Chairman to execute the deed for the Route 313 ROW for Weis Market and authorize it to be transmitted to PennDOT after the legal description is received and is approved by the Township Engineer. There was no public comment.

6. PLANNING:

a) Envision Land Use Subdivision – Planning Modules: Mr. Wynn stated plans were previously approved by the Board and one of the conditions of final plan approval is planning module approval by DEP. Resolution for Plan Revision for New Land Development and the booklet of the planning modules are ready to be executed by the secretary for the Envision Land Use Subdivision and sent to DEP. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to authorize the Township to execute Resolution #2015-013 for Plan Revision for New Land Development for the Envision Land Use Subdivision and forward the Planning Modules to DEP. There was no public comment.

7. ENGINEERING:

a) Traynor Subdivision – Lot 1 Requesting for Extension: Mr. Wynn stated Daniel & Patricia Traynor have asked for a one year extension for the completion of all improvements for lot 1 of the Traynor Subdivision until June 28, 2016 per their letter dated June 30, 2015. They also noted in their letter, the letter of credit is Evergreen and it is still valid. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to approve the extension for improvements for the Traynor Subdivision for lot 1 for one year until June 28, 2016 per the letter dated June 30, 2015. There was no public comment.

b) Moyer Road Bridge – Mr. Wynn stated Resolution #2015-011 authorizes the Township Manager to execute the PennDOT Agreement to include the Moyer Road Bridge in

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the Bridge Bundling Program for PennDOT to reconstruct the Moyer Road Bridge entirely with Federal funds and no local contribution. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to authorize the Township Manager to execute Resolution #2015-011 for the Moyer Road Bridge Bundling Program. There was no public comment.

8. UNFINISHED BUSINESS:

a) Beverly Slifer – Historical Society Restoration of Historical Barn (Civic Park):  
Ms. Slifer was not present.

9. NEW BUSINESS:

a) Dave Taylor – Ciocca Ford (Formerly Faulkner Ford): Dave Taylor was present to discuss the scheduled Zoning Hearing Board application for Ciocca Ford who are appealing an Enforcement Notice issued for the applicant conducting Accessory Zoning Use 15, Outside Storage and Display in the Ultimate Right-of-Way and Required Front Yard and seeks a variance to display "for sale" vehicles in the Right-of-Way of Bethlehem Pike. Mr. Taylor stated two other dealerships have been sent violations for the same issue and asked if the Board would like Solicitor Harris to attend the hearing. Supervisor Bennington questioned what other dealerships are doing the same thing. Mr. Taylor stated Car Sense, the used car dealership across from Ciocca, and Peruzzi are displaying cars where they are not supposed to display cars. Mr. Taylor stated it was initiated by a complaint by Car Sense. Chairman McIlhinney stated his opinion is to not send the solicitor to the hearing and since the Board is trying to be inviting to commercial and industrial users coming into the Township, maybe the Zoning Ordinance needs to be looked at. Supervisor Bennington stated to let the Zoning Hearing Board make the decision and Supervisor Groff agreed.

b) Scott Drumbore – H&K – Requesting for extension of hours for August of the Concrete & 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 August 1, 2015 and August 31, 2015, excluding holidays per their letter dated July 15, 2015. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of operating hours of 6:30 pm to 6:30 am at the Skunkhollow Quarry from August 1, 2015 and August 31,

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2015, excluding holidays per their letter dated July 15, 2015. The motion passed 2-1 with Supervisor Bennington having the opposing vote. There was no public comment.

c) Solicitor Harris stated the Board had previously executed the Improvement Agreement and the Financial Security Agreement to be held by him pending receipt of the other approval documents. Solicitor Harris has received the documents, \$16,000 Recreational Fee, \$13,530 Fee-in-Lieu, \$21,500 Engineering Escrow, and the final plans for the Reserve at Hilltown Phase Two for signature. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to execute the plans for the Reserve at Hilltown Phase Two and refer them to Mr. Wynn for recording if they are in compliance to the terms of final plan approval as well as the stormwater management facilities. Public Comment: Shane Benedict, 433 Elizabeth Way, commented on the lack of communication with the builder in regards to the construction entrance next to his home at the Reserve at Hilltown development. He has a meeting with the builder the day after they dug up the front lawn, put fencing up around the property, and cut off electric to a lamp post. It impacts the lawn, mailbox, existing trees, and also the disruption of his personal life with his family and children. He stated he would like them to consider potential entrance alternative off of Hilltown Pike or possibly Church Road and would like the Board to look for options and help the community deal with the issue. Chairman McIlhinney questioned Mr. Wynn on any possible entrance alternatives with Mr. Wynn responding the plan has been around for a very long time and there is no access to Church Road. It was always envisioned that this would be the access as a natural extension to another phase within the development just as the development was phased to begin with. Mr. Wynn stated this was the same plan that the Board has always been looking at. Chairman McIlhinney stated the contractor should do a better job with communicating, contact the residents, and set up ground rules. Mr. Benedict stated there in excess of ten to fifteen children that are playing in that area on a daily basis and that needs to be taken into consideration and maybe contractor traffic or construction traffic can be directed off of Hilltown Pike. Mr. Wynn stated Hilltown Pike is a PennDOT road and a new NPDES permit could take up to six months to receive a modification approval. Mr. Benedict stated Mr. Maczonis apologized and he doesn't want a six month delay or huge costs, but would like them to be fair and re-route the construction/contractor traffic. Mr. Wynn will check out the area off of Hilltown Pike. Supervisor Bennington asked Mr. Wynn, in consideration of the kids and their safety, to speak to the contractor to make sure he understands the Board is very concerned about construction vehicles, speed, watch out for kids, and to work with the residents. Tim Howard, Nicholas Drive, questioned the guidelines, work hours, and the

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placement of porta pottys at the development. He stated the contractor should show some consideration to the residents, make sure the equipment is locked up and secure, and maybe some additional police presence on weekends and evenings. Chairman McIlhinney suggested they meet with the contractor and Mr. Wynn and convey all of the concerns.

c) John Pignatelli, 722 Hilltown Pike, stated he has an older septic system that needs to be upgraded and requested permission to access the township property at 2301 Keystone Drive for the purpose of routing a single sanitary sewer line to the public system. Proper permits would be acquired along with the payment of EDU's. Chairman McIlhinney asked if the Township allows the easement, would he consider an easement on his property so the neighbors on either side of his property could also connect. Mr. Pignatelli stated he would consider it but down the road he is considering putting up a garage. Chairman McIlhinney stated the easement would go down the property line and would not interfere with any future garage that Mr. Pignatelli might be considering. Chairman McIlhinney stated it will be left at that until the Township looks into it further. Supervisor Groff stated he agrees with that as well, it's a valid point, and a very good idea.

f) Township Manager Schnaedter stated two meetings previously; the Board authorized the Civic Association a contribution of \$3,000.00 specifically to pay for the cost of the fireworks. The \$3,000.00 was the cost last year and this year the cost came in at \$3,500.00 and they are requesting the Board to reconsider their previous motion for the contribution to the fireworks from the approved amount of \$3,000.00 to \$3,500.00 due to the actual cost of the fireworks. Chairman McIlhinney stated it started as a contribution for the Township to assist and it turned into the Township paying the bill but he can understand the fact there was a change of personnel and they may have lost track of the cost and is willing to take that into consideration, however, he hates to see every year when they come in, it suddenly goes up as if there is a bottomless well to pay the bill. Manager Schnaedter stated they were very embarrassed by the request and very upset that the contract came in at \$3,500.00. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to rescind the prior motion of the contribution of \$3,000.00 for the fireworks and change the contribution to \$3,500.00 for the fireworks. There was no public comment.

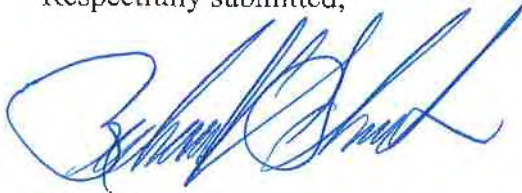
10. SUPERVISOR'S COMMENTS: None.

11. PUBLIC COMMENT: Mr. Pignatelli stated he brought his two sons from Troup 139 who is working on their Eagle Scout doing citizenship in their community.

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12. PRESS CONFERENCE: No members of the press were present.
13. ADJOURNMENT: Upon motion by Supervisor Groff, seconded by Supervisor Bennington, and carried unanimously, the July 27, 2015 Hilltown Township Board of Supervisors Meeting was adjourned at 7:58 PM.

Respectfully submitted,



Richard C. Schnaedter  
Township Manager/Secretary

(\*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).