

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARY SCHEDULED MEETING
MONDAY, NOVEMBER 24, 2014

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 Stephen Harris, Township Treasurer Lorraine Leslie, and Township Engineer Timothy Fulmer.

1. ANNOUNCEMENTS:

a) **Chairman McIlhinney announced the Board of Supervisors met in Executive Session prior to the meeting for informational purposes.**

2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

3. CONSENT AGENDA:

- a) Minutes of the November 10, 2014 Supervisor's Meeting
- b) Bills list dated November 12th, 2014 -- November 20th, 2014
- c) Telford Fire Company 2015 Fire Agreement -- Signature from the BOS
- d) Silverdale Fire Company 2015 Fire Agreement -- Signature from the BOS

Motion was made by Supervisor Bennington, seconded by Chairman McIlhinney, to accept and approve items a) through d) on the Consent Agenda. Motion was approved 2-0 with Supervisor Groff abstaining from the vote. There was no public comment.

4. CONFIRMED APPOINTMENTS: None.

5. LEGAL: Solicitor's Report --

a) Solicitor Harris presented Resolution #2014-14, #2014-15, and #2014-16 for the conservation easements for the Hockman property, the Smith property, and the Deep Run property so they may be recorded. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to approve the execution of Resolution #2014-14 for the Hockman property conservation easement, Resolution #2014-15 for the Smith property conservation easement, and Resolution #2014-16 for the Deep Run property conservation easement. There was no public comment.

b) Solicitor Harris presented the agreement of sale to purchase the Deep Run conservation easement. Motion was made by Supervisor Bennington and seconded by Chairman McIlhinney to execute the Deep Run Valley Sports Association agreement of sale for the purchase of the conservation easement. Motion was approved 2-0 with Supervisor Groff abstaining from the vote.

c) Solicitor Harris discussed when the purchase of a conservation easement is for less than fair market value, the person who is selling the conservation easement is considered to make a charitable contribution for the balance of the fair market value. This was the case for the Smith Estate who cannot take advantage of the charitable deduction. Solicitor Harris prepared an assignment and assumption agreement for the heirs rather than the estate itself. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to authorize Chairman McIlhinney to execute the assignment and assumption agreement for the October 6, 2014 agreement of sale for the Smith property as amended. There was no public comment.

d) Vulcan Spring, Alloy & Stainless, and R. Huber Electric – Signature from BOS for Development Agreements & Final Plans - Solicitor Harris stated the development agreements are ready to be executed along with the final plans for Vulcan Spring and R. Huber Electric. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to authorize the execution of the improvement agreement, stormwater operation and maintenance agreement, and final plans for Vulcan Spring. There was no public comment. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to authorize the execution of the improvement agreement, stormwater operation and maintenance agreement, and final plans for R. Huber Electric. There was no public comment. Solicitor Harris stated although the plans have been received by the Township, he has not yet received the letter of credit for Alloy & Stainless but it should be on the next agenda.

b) Hilltown Ridge – Punch list items – Solicitor Harris stated numerous punch list items still have not been completed even after the developer provided a detailed calendar of the time frame of completion and would like approval from the Board to draw down the performance bond to complete the work. Mr. Fulmer stated they have been out to the development since the August 27, 2014 letter from the developer and some progress has been made but not significant enough to complete the items on the list. Mr. Fulmer provided an update to the developer on November 3, 2014 and since a reply has not been received, he would

Page 3
Board of Supervisors
November 24, 2014

suggest the Board act on the Solicitor's request and follow up on obtaining the financial security. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to drawn down the bond for the Hilltown Ridge Development as expeditiously as possible. There was no public comment.

6. PLANNING: C. Robert Wynn, Associates

a) Dublin Agway Land Development Sketch Plan – Mr. Fulmer detailed the sketch plan for Dublin Agway located on the corner of Route 313 and Rickert Road that was reviewed by the Planning Commission last week. In attendance to discuss the plan was Bob Showalter, Showalter and Associates, Dave Wurster, and Matt Rogers. Mr. Showalter stated the owner would like to create approximately ten parking spaces and an exit onto Rickert Road at the back of the Agway property and provide a secondary means of access. The parking lot would be used for operational purposes and parking for employees, with no expansion of use, and the applicant will seek variance approval from the Zoning Hearing Board to permit two principal uses on the parcel containing an existing residential dwelling/garage. Mr. Fulmer discussed the possibility of consolidating the property into one parcel and that there may be more issues that would need to be resolved in regards to zoning. Mr. Showalter stated the items per Bob Wynn's review letter dated November 3, 2014 would be complied with once they present the preliminary/final plans. Mr. Showalter also stated the entrance on Rickert Road would be used for deliveries and the placement of the plant materials. Mr. Fulmer discussed the possible waiver requests, and stated there are a number of large trees along Rickert Road which includes one cherry tree that would need to be taken down for sight distance. Mr. Fulmer also stated both properties have on site sewer systems but are tied into public water.

7. ENGINEERING: This was covered earlier in the meeting.

8. UNFINISHED BUSINESS:

a) Adoption of the 2015 Budget – Township Manager Richard Schnaedter detailed the 2015 proposed budget stating there is no tax increase. The salaries have been increased for non-union employees by 3% and the union employees by 3% as per the contract, \$8,000.00 has been added for the single audit, the police department shows an increase of \$78,534 in part due to the decrease in the guaranteed interest drop from 6% to 5 ½% and a 3% increase in the required contributions, Planning and Zoning includes an additional part-time employee to

Page 4
Board of Supervisors
November 24, 2014

continue the office administration of scanning tax parcels, and an additional full time employee has been added for the public works department. The Debt Service includes normal quarterly payments completed in third quarter of 2016 and the recommended for the 2016 budget, the last three payments would be paid from the general fund and the 1.25 mills currently allotted to debt service be allocated to the general fund. Capital projects include \$50,000 for re-carpeting for the Township building and also included \$124,700 for the police department for two new vehicles, county radio program, in car video, two vascar speeding timing devices, two new tasers, replacement of three new computers, and a DVR. The Recreation and Capital Reserve budget includes \$200,000 for the Forrest Road Park and \$50,000 for the Civic Park. The Open Space Fund budget does not include any purchases for 2015 but currently has close to seven million dollars. Road Equipment budget indicates a replacement of a one ton truck for \$100,000, and a tractor for \$143,000. State Highway Fund balance reflects revenues at the 2014 level, which is a conservative estimate, with the expectation that figure will go higher. Chairman McIlhinney confirmed there is no tax increase for 2015, and questioned the Open Space Tax in the 2015 budget. Chairman Bennington thanked Township Treasurer, Lorraine Leslie, for the great job she has done for the past twenty two years. Supervisor Bennington discussed the allocation of the ambulance funds with his opinion to keep it the same. Chairman McIlhinney stated a larger allocation should go to the three volunteer/partially paid ambulance squads rather than giving it to a hospital which is for profit. Supervisor Groff questioned if the allocation was based on the number of calls and requested the numbers from Mrs. Leslie which stated: based on 2013 and divided by three, Point Pleasant would get \$5,040.00, Chal-Brit - \$19,300.00, Souderton - \$17,600.00. If it is divided by four, Grand View gets \$15,900.00, Souderton - \$10,900.00, Chal-Brit - \$12,100.00, and Point Pleasant - \$2,900.00. Mrs. Leslie confirmed the amounts are based on calls. Supervisor Groff suggested \$8,000.00 to Grand View Hospital with the remainder divvied up between the other three ambulance squads based on calls. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to give Grand View Hospital Ambulance Squad \$8,000.00 with the remainder allocated to the remaining three ambulance squads based on call percentage. Motion was approved 2-1 with Supervisor Bennington being the opposing vote. There was no public comment. Motion was made by Supervisor Groff, seconded by Supervisor Bennington, and carried unanimously, to adopt the 2015 Budget as noted with the changes. There was no public comment.

b) Bucks County Planning Commission Comprehensive Plan Proposal – Township Manager Richard Schnaedter gave an overview of the proposal of the Bucks County Planning

Page 5
Board of Supervisors
November 24, 2014

Commission to review and assist the Comprehensive Plan update for Hilltown Township. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to approve the Bucks County Planning Commission Comprehensive Plan Proposal for the **update** of the Hilltown Township Comprehensive Plan. There was no public comment.

9. NEW BUSINESS:

a) Pennridge Senior Center – Annual Report – Patricia Guth presented the annual report for the Pennridge Senior Center in detail and thanked the Board of Supervisors for their past \$1500.00 contribution. Mrs. Guth stated their membership is approximately 650 persons of which 116 are residents of Hilltown Township with the remaining from the Pennridge area. Mrs. Guth thanked the Board for participating to provide for the needs of the services of the seniors of the Pennridge area and requested their continued support. Mrs. Guth clarified for Supervisor Bennington the wages of the Director and Assistant Director are not part of the operating budget but are part of the budget of the Bucks County Association for Retired and Senior.

b) Bruce Berke – Proposed sports camp – Bruce Berke presented a detailed proposed sports camp for next summer from July 6, 2015 to July 30, 2015 from 8:45 AM to 12:00 PM at the Hilltown Township Civic Park covering many activities including soccer, basketball, tennis, baseball, softball, volleyball, a fitness trail, and cooperative games, along with a future 5-year plan. Supervisor Bennington stated his concern with the Township's liability in regards to insurance, even though it was being provided, and the Township's need to forward it to DVIT for review, along with the issue of competing with Hilltown residents in regards to the park use, and the need for field maintenance in the summer. Supervisor Groff stated he recognizes Mr. Berke's passion, but his camp conflicts with the use of the facilities along with the liability concerns for the Township. Chairman McIlhinney stated several concerns as follows: if the camp is successful, Hilltown residents would not be able to use the parks, other organized sports groups who are already using the facilities, and the maintenance schedule and the re-seeding of the fields. Chairman McIlhinney stated, since there is so many items scheduled for the parks already, to come back in future when more parkland is available.

c) Motion to suspend Open Space Tax – Supervisor Bennington stated since there is a six million dollar balance in the Open Space Fund, suspending the Open Space Tax for the year 2015 would give the residents a break for 2015 and also give the Board time to re-evaluate the use of the money. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to suspend the Open Space Tax for 2015.

Page 6
Board of Supervisors
November 24, 2014

Public Comment: Jean Bolger questioned if the six million dollar balance was normal for Open Space. Chairman McIlhinney stated the money has been accumulating. Solicitor Harris stated the money cannot be used for anything else. Ms. Bolger also questioned if Deep Run uses the parks, do other people get to use the parks. It was confirmed by Chairman McIlhinney that other organizations can use the parks and are all scheduled.

d) Lease Agreement for Katherine M. Watson Office – Township Manager Richard Schnaedter presented a copy of the current lease agreement for Katharine M. Watson's office and her desire to renew the current lease at the same rate. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to continue the lease agreement for Katharine M. Watson, at the same rate, for 2015.

Public Comment: Jean Bolger questioned the amount of the lease. Chairman McIlhinney stated the monthly lease is in the amount of \$250.00.

e) Request for Extension of Hours of Operation for H&K Materials – Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to approve the H&K Materials extension of hours from 6:30 PM to 6:30 AM, Monday through Saturday, between December 1, 2014 and December 31, 2014, excluding Holidays, at the H&K Skunk Hollow Plant per the November 21, 2014 letter. Motion approved 2-1 with Supervisor Bennington being the opposing vote. There was no public comment.

10. SUPERVISOR'S COMMENTS: Chairman McIlhinney announced the December 8, 2014 Board of Supervisor's meeting will be held at 4:00 PM due to other commitments and wished a nice Thanksgiving to everyone.

11. PUBLIC COMMENT:

John Weissman, 1307 Route 113, followed up on his proposal presented at the September 22, 2014 Board meeting in regards to the installation of a cross walk. Chairman McIlhinney stated the Board of Supervisor's will support the effort of the proposed cross walk but it is a state highway and PennDOT would make the decision. Chairman McIlhinney suggested Mr. Weissman get in touch with Kathy Watson and she would put him in touch with the proper people at PennDOT to listen to his request. Mr. Fulmer stated a permit would have to be issued for the installation of a crosswalk by PennDOT and it would have to be maintained by the person who applies for the permit. He stated Hilltown Township has never been responsible for a line stripe crosswalk on a State highway. He also suggested contacting Kathy Watson and PennDot

Page 7

Board of Supervisors

November 24, 2014

could provide what they are looking for in terms of an application process and go through with the request to PennDOT before coming back to the Township. Mr. Weissman also stated he has purchased new basketball nets, and is willing to donate them, for the Blooming Glen Park and would like permission to install them. Chairman McIlhinney questioned if it may be a liability issue in regards to the nets and kids getting their fingers caught in them. Township Manager Richard Schnaedter asked Mr. Weissman to contact him and he will look into the nets and have the Township install them.

Mr. Rosenberger, 1239 Route 113, questioned the suspension of the Open Space Tax and if it would need to be stopped by referendum. Chairman McIlhinney responded the Open Space Tax is just being suspended and not stopping. Also, he applied in April 2013 for preservation of Quarry Road and Minsi Trail, has not heard anything from anyone, and asked what actions is the Township taking to actually solicit or look for opportunities to preserve farms. Chairman McIlhinney stated the Board looks at the properties being proposed, had three properties that were just cleaned up this year, and pursues the properties that are worthwhile being pursued.

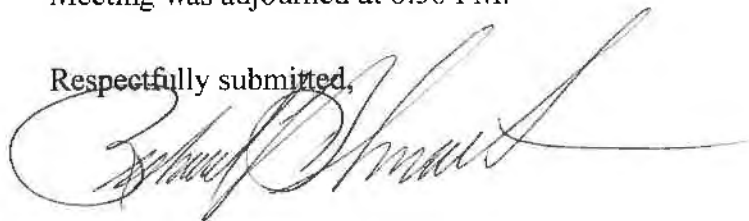
Mr. Shawn Barnes, 300 Quarry Road, gave an update from the August 22, 2014 letter from the H&K Group. Mr. Barnes, after three months from the date of the letter, does not feel satisfied and, after being woken up on November 16, 2014 to a back-up alarm, is not acceptable. Per his observation, they need a more robust measure than what is listed in the letter. He does not observe anybody flagging the vehicles that are backing up. He re-iterated the back-up alarm from the Rahn's truck at his home that could hardly be heard, and would have not have any complaints what so ever if they incorporated that particular alarm on all their vehicles because, he guaranteed, he would not hear any of their alarms.

12. PRESS CONFERENCE: No members of the press were present.

Page 8
Board of Supervisors
November 24, 2014

13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, the November 24, 2014 Hilltown Township Board of Supervisors Meeting was adjourned at 8:50 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Richard C. Schnaedter", written in black ink.

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).