

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARY SCHEDULED MEETING  
MONDAY, JULY 28, 2014**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:05PM 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, and Township Engineer C. Robert Wynn.

1. ANNOUNCEMENTS:

a) **Chairman McIlhinney announced the Board of Supervisors will meet in Executive Session after this meeting to discuss personnel matters.**

2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

3. CONSENT AGENDA:

- a) Minutes of the June 23, 2014 Supervisor's Meeting
- b) Bills list dated June 25<sup>th</sup> – July 18<sup>th</sup>, 2014
- c) Financial Report June, 2014

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. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to expedite the building permit for Kelly Much, located at 3232 Berry Brow Drive.

4. CONFIRMED APPOINTMENTS: None.

5. LEGAL: Solicitor's Report –

a) Solicitor Harris presented the draft Fire Company Billing Ordinance and the draft Hazardous Materials Response Costs Ordinance for Board discussion. Supervisor Bennington stated the first fire company responding to an incident should be the fire company that proceeds to do the billing. Solicitor Harris stated he would add the map to the ordinance as an exhibit that will show the different fire company areas. Supervisor Groff agreed with Supervisor Bennington's comment. Chairman McIlhinney questioned Solicitor Harris on the legality of the ordinance. Solicitor Harris stated the Township has no authority to act on this ordinance.

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Solicitor Harris stated the intent of the ordinance is to allow the fire companies to recover what the insurance company will pay and to not pursue the homeowners. Solicitor Harris stated he will revise the ordinance to include the map to show the coverage area and add that the fire companies can pursue up to the insurance company limits.

Discussion ensued regarding the Hazardous Materials Response Costs Ordinance which currently is for industrial incidents involving hazardous materials. Solicitor Harris indicated the list of hazardous materials is extensive. Chairman McIlhinney stated this ordinance should be kept to industrial and commercial incidents. The ordinances have been sent to the emergency management team but he has not received responses as of yet. Solicitor Harris stated he will revise both ordinances prior to the next meeting. He will then advertise them for a public hearing and a Board meeting in September.

Solicitor Harris spoke of baseline documentation, which includes descriptions of natural features and photographs of current conditions, is needed as part of the purchase of open space easements. He stated as the Board of Supervisors move forward, they would have it available.

6. PLANNING: C. Robert Wynn, Associates

a) A&T Chevrolet Land Development Waiver Request (Bethlehem Pike) - Todd Myers, Cowan Associates, was in attendance to present the plan for a request of Waiver of Land Development. The project, which consists of the construction of a 1,960 sq. ft., two-story vehicle detailing building at the southeast corner of the A&T Dealership, has obtained verbal approval from the Zoning Hearing Board from the two variances requested for the increased impervious surface on the property in excess of the maximum permitted (60%) for uses in the LI Zoning District, and relief from parking requirements. Mr. Wynn stated the site was subject to Land Development in 1999 and was constructed in 2001. Mr. Wynn's review letter dated May 27, 2014 was discussed. Mr. Myers stated the applicant will comply with all of the items listed in the review letter. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to approve the A&T Subaru Land Development Waiver Request (Bethlehem Pike) contingent upon Mr. Wynn's Engineering Letter dated May 27, 2014, the written Zoning Hearing Board decision, and the Planning Commission comments. There was no public comment.

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b) Alloy & Stainless Fasteners Land Development: Phase 1 – Preliminary/Final, Phase 2 – Preliminary (Schoolhouse Road) – Todd Myers, Cowan Associates, was in attendance to present the Phase 1 Preliminary/Final Plan and Phase 2 Preliminary Plan. The project proposes to be expanded by the phase one construction of a 24,044 sq. ft. addition on the rear of the existing building and phase two construction of a 30,000 sq. ft. free standing building at the rear of the site. Mr. Myers stated the applicant has obtained a favorable interpretation from the Zoning Hearing Board from the variance to permit increased woodland disturbance. Mr. Wynn's review letter dated July 1, 2014 was discussed with Mr. Myers stating the applicant will comply with all of the items listed in the letter. The June 5, 2014 waiver letter request was recommended by the Planning Commission. Mr. Meyers stated they would like to offer a fee in lieu of the 241 replacement trees or plant them somewhere else in the Township. It was suggested that the trees be used for the riparian buffer as part of the MS4 project. Mr. Meyers discussed the waiver in regards to the parking area being within twenty feet to the building and the concern for employee safety. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to approve Phase 1 – Preliminary/Final and Phase 2 Preliminary for Alloy & Stainless Fasteners Land Development contingent upon Mr. Wynn's engineering letter dated July 1, 2014, the written Zoning Hearing Board Decision, the Planning Commission recommendations, and the waiver letter dated June 5, 2014. There was no public comment.

c) Huber Electric Land Development Preliminary Plan (Keystone Drive) – no one was present at the meeting. No action taken.

d) Hilltown Development Concept Plan (Hilltown Pike – Line Lexington) – no one was present at the meeting.

7. ENGINEERING: C. Robert Wynn, Associates

a) Bid Award – Bid #2014-002 - Bituminous Sealcoat – Mr. Wynn stated the bids for the proposed bituminous sealcoat project were opened on July 15, 2014. Bids were received from Asphalt Maintenance Solutions, LLC in the amount of \$76,847.00 and Dosh-King Emulsions, Inc. in the amount of \$88,502.00. Mr. Wynn recommended the bituminous sealcoat project be awarded to Asphalt Maintenance Solutions, LLC in the amount of \$76,847.00 conditional upon satisfactory receipt of performance and payment bonds and Certificate of Insurance required by contract documents. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to award the bituminous sealcoat project to Asphalt Maintenance Solutions, LLC in the amount of \$76,847.00. There was no public comment.

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b) Johnson Tract Subdivision – Request of Extension – Mr. Wynn stated the applicant has requested an extension for the completion of the improvements for the Johnson Tract for a period of one year until July 26, 2015. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to approve the extension request for the Johnson Tract Subdivision until July 26, 2015. There was no public comment.

c) Traynor Subdivision – Lot #1 – Request of Extension – Mr. Wym stated the applicant has requested an extension for the completion of the improvements for lot one for the Traynor Subdivision for a period of one year until June 28, 2015. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to approve the extension request for the Traynor Subdivision until June 28, 2015. There was no public comment.

d) Mr. Wynn noted the Mill Road Bridge is still on track to be completed by August 22, 2014. It was the consensus of the Board to have Supervisor McIlhinney pick out the stone facade.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) Robert Showalter – Requesting for staff meeting – Dublin Agway Expansion – Mr. Showalter was not present for the meeting.

b) H&K Quarry- Request for extension of hours of operating hours for August, 2014, Both Concrete/Asphalt Batch Plants – Before the Board discussed the extension of hours for the H&K Quarry, they asked that Mr. Drumbore give an update on the activity of the backup noise at the Blooming Glen contractor shop. He stated that they had limited the backup activity but he had received emails from Mr. Barnes on 6/23/14, 6/25/14, and 6/27/14 in regards to the noise. By 7/17/14, Mr. Barnes still heard back up alarms. Mr. Drumbore stated they reduced the back-up activity but have not eliminated it. Upgrading the fence would be expensive and wouldn't do anything to stop the noise. Mr. Barnes provided white noise back-up alarm literature to Mr. Drumbors. Mr. Drumbore stated they are willing to see a demo. They will look into it and report back but are not committing to anything since they are in compliance with the ordinance. Mr. Barnes distributed a map that showed the distance between his house and the noise (1575 feet). After discussion, Chairman McIlhinney suggested trying something, such as a person standing behind the truck or the white noise alarms, and report back to the Board in thirty days. H&K has requested to operate 6:30 pm to 6:30 am, Monday through Saturday for the

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month of August, excluding holidays. Motion was made by Supervisor Groff, seconded by Supervisor McIlhinney, to grant the extension of operating hours for August, excluding holidays, according to the request letter dated July 11, 2014. Motion passed 2-1 with Supervisor Bennington being the opposing vote. There was no public comment.

c) Jihane Fazio, AECOM & PennDOT – Sellersville Bypass, Preventive Maintenance & Pavement Preservation – Jihane Fazio, AECOM and Madeleine Fausto, PennDOT, were in attendance to discuss PennDOT's SR 309 preventative maintenance project. It consists of approximately 3.2 miles in Hilltown and includes mill and overlay, guiderail upgrades, drainage upgrades, signing upgrades, and structure repairs limited to deck replacements, overlays or superstructure replacements. The design of the project will be complete by early 2018 with the construction to be done from mid-2018 to the end of 2020. The 35 million dollar project is being funded by State and Federal funds. It was stated that they will work with the Township Engineer along with the school district and emergency service providers.

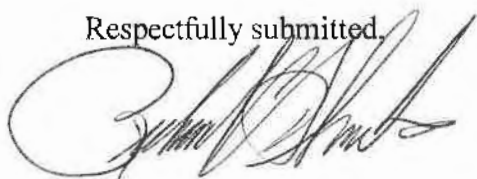
10. SUPERVISOR'S COMMENTS: Chairman McIlhinney stated the area of the lawn refuse collection will be relocated to make it look better. Supervisor Groff questioned the paving of the walking trail at the park along with County feedback in regards to the funding for the municipal park.

11. PUBLIC COMMENT: None.

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

13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, the July 28, 2014 Hilltown Township Board of Supervisors Meeting was adjourned at 8:50 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).