

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, June 24, 2013

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Barbara A. Salvadore at 7:00PM and opened with the Pledge of Allegiance.

Also present: John B. McIlhinney, Vice-Chairman
James C. Groff, Supervisor
Richard C. Schnaedter, Township Manager
Christopher E. Engelhart, Chief of Police
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Lynda S. Seimes, Township Secretary

A. ANNOUNCEMENTS:

1) The Board of Supervisors met in Executive Session with Ms. Kris Kern of the Bucks County Open Space Program prior to this meeting; and will meet in Executive Session after this meeting to discuss real estate.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT AGENDA:

- Minutes of the June 10, 2013 Supervisor's Meeting.
- Bills List dated June 25, 2013.
- Hilltown Walk (aka: Guttman Tract) Mylars for Signature.

Motion was made by Supervisor Groff, and seconded by Chairperson Salvadore to accept and approve the Consent Agenda as noted above. Supervisor McIlhinney was opposed. Motion carried: 2:1. There was no public comment.

D. CONFIRMED APPOINTMENTS:

1) Mr. Robert G. Loughery, Bucks County Commissioner – Mr. Loughery has made it his mission to visit all 54 municipalities in Bucks County since the start of his first elected term as County Commissioner. This practice has proven beneficial to him and his fellow Commissioners to make sound decisions that affect all of Bucks County and its residents. Mr. Loughery discussed various issues faced by local municipalities, provided updates on the County's recently constructed justice center, the new Bucks County Municipal Economic Development Initiative; and several issues specific to Hilltown Township including the Rickert Road bridge closure. Mr. Loughery offered assistance to the Board whenever possible, and thanked them for their time.

E. LEGAL – Mr. Francis X. Grabowski, Township Solicitor –

1) Arinsberg Land Development – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to accept and approve the Arinsberg Land Development Holding Tank Agreement, Parking Agreement, and Stormwater Agreement. There was no public comment.

2) Hilltown Walk Subdivision – The Solicitor stated that the lender for the developer had requested a public hearing on the documents related to this project; and that two of the documents presented (utility easements through four Township-owned parcels with one being purchased with open space funds) were for underground water/sewer line easements from the Township to the Hilltown Water and Sewer Authority. The public hearing had been advertised and the properties posted by the Township pursuant to applicable state laws with the Proof of Publication and posting certification being filed with the Township.

Following an opportunity for public comment, motion was made by Supervisor Groff and seconded by Chairperson Salvadore to accept and approve the following agreements for the Hilltown Walk Subdivision – Financial Security Agreement, Subdivision/Land Development Agreement; and Stormwater Maintenance Agreement, Deed of Dedication of Internal Roadway System, Stormsewer Easement Agreement, Pedestrian Path Access Easement Agreement, Petition for Streetlight Assessment, Stormwater Maintenance and Monitoring Agreement, Clear Sight Easements, Green Street Buffer Agreement, Declaration of Covenant, Homeowners Association documentation, and two off-site Utility Easement Agreements (waterline and sewer line); and to adopt Resolution #2013-19 – Road Frontage Easement Agreement; and to adopt Resolution #2013-20 – Street Light Agreement. Prior to a vote, discussion took place.

Since the taxpayers have invested in open space, Supervisor McIlhinney feels the Township should be reimbursed for the utility easements running through the Township open space. Solicitor Grabowski noted that it is one public agency (HTWSA), who is seeking easements from another public agency (Hilltown Township), in order to provide for fire protection safety with respect to the water line extension, and to serve not only this proposed development, but to serve any properties in the area with failing systems, with respect to the public sewer line. Discussion took place.

Supervisor McIlhinney was opposed to the original motion. Motion carried: 2:1. There was no public comment.

F. PLANNING – Mr. C. Robert Wynn, Township Engineer –

1) Sustainable Waste Solutions – Proposed Zoning District Change – The Planning Commission unanimously recommended that the Board of Supervisors proceed with the amendment to rezone TMP #15-1-8 from Light Industrial to Heavy Industrial in order to

construct a resource recovery campus for the purpose of sorting, processing and transferring solid waste and recycling materials to landfill-free disposal facilities.. Mr. Randy Hendricks, president of Sustainable Waste Solutions, along with Charles Ebersole, the property owner, was in attendance to request that the Board schedule a Public Hearing for the referenced Rezoning Petition. He provided a brief slide show presentation of his proposal and a brochure (copies of which are available at the Township office).

Following a brief discussion, the date of Wednesday, September 18, 2013 at 7PM was tentatively designated as the Public Hearing to consider the Sustainable Waste Solutions Proposed Zoning District Change. **(*NOTE: Since this meeting, due to scheduling conflicts, the applicant has requested and been granted a different date for the Public Hearing; it will now be held on Wednesday, September 25, 2013).**

2) Ivy Hill Equestrian Facility – The Planning Commission unanimously recommended approval of the Ivy Hill Equestrian Facility Land Development subject to satisfactory completion of items contained in the June 6, 2013 engineering review, including waivers contained within Item #3 of the review noting specifically, however the recommendation for waiver of street improvements includes a contribution in-lieu-of construction of the required roadway improvements. Mr. Bill McNamy, the applicant's engineer, and Mr. Chris Brockett, the applicant, were in attendance to present the plan. Mr. Brockett provided an overview of the project and Ivy Hill's mission to provide equestrian therapy for those with disabilities. Discussion took place.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to grant conditional preliminary/final plan approval to the Ivy Hill Equestrian Facility Land Development, pending completion of all outstanding items contained in the June 6, 2013 engineering review. There was no public comment.

G. ENGINEERING – Mr. C. Robert Wynn, Township Engineer –

1) Traynor Subdivision – Extension Request – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to grant a 12 month extension to the Daniel Traynor Subdivision for completion of improvements until July 23, 2014. There was no public comment.

2) Estates at Hilltown – Extension Request – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to grant a 12 month extension for completion of improvements at the Estates at Hilltown Subdivision until June 8, 2014. There was no public comment.

3) Johnson Subdivision – Extension Request – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to grant a 12 month

extension until July 26, 2014 for completion of improvements for the Johnson Tract Subdivision. There was no public comment.

4) Our Lady of Sacred Heart Church – Tree Waiver – The land development plan for Our Lady of Sacred Heart Church included installation of 13 deciduous trees within landscape islands and around the perimeter of the parking lot. The plan specified installation of 7 red maple and 6 Japanese Zelkova canopy trees which have not been installed. In the spring of 2012, the church requested relief from installing the 7 red maples due to apparent conflicts with other facilities in the vicinity of the parking lot. At the 5/29/12 Supervisor's meeting, request for relief from installation of 7 red maple parking area trees was tabled in consideration of other incomplete requirements of the Land Development Waiver approval. Supervisor McIlhinney would prefer that the 7 red maples be planted at the church, versus the Japanese Zelkova trees, and Chairperson Salvadore agreed. She further suggested that the trees the applicant is seeking a waiver for be planted at the Forest Road Park in-lieu-of on site at the church. Discussion took place.

Motion was made by Supervisor McIlhinney, and seconded by Chairperson Salvadore to authorize waiver of the 7 perimeter parking lot landscaping red maple trees for the Our Lady of Sacred Heart Land Development, provided those 7 trees are installed at the Forest Road Park in a manner satisfactory to the Township; and that the proposed 6 Zelkova trees (interior parking area trees) be installed as red maples. Supervisor Groff was opposed. Motion carried: 2:1. There was no public comment.

5) Moyer Road Bridge – Inspection/Repairs Needed – Mr. Wynn's correspondence dated June 18, 2013 was discussed. Cracks located on the webs of both fascia beams at mid-span below an open joint is now coded by PennDot as "One-High Priority" Maintenance item. Based upon Mr. Wynn's review of bridge inspection reports dating back to 1980's, the cracks in both fascias have existed for at least that long. PennDot has revised their assessment of these cracks based upon a study completed in 2010. A One-High Priority Maintenance Item should be addressed within 6 months of the date of the inspection or by not later than August 19, 2013. Rather than replacing the entire fascia beams at a very high expense, PennDot has advised that a repair may be made to the concrete curb on the top of the beam which would eliminate the open joints. The Public Works Department could make the repair, utilizing additional services by Lloyd Simons at an estimated cost of \$10,000, saving the Township costs relative to preparation of specifications and seeking three competing proposals. The Board unanimously agreed to Mr. Wynn's suggestion of repairs by the Public Works Department.

H. NEW BUSINESS:

1) H&K Quarry – Request for Extension of Hours of Operation – July 2013 – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried

unanimously to approve the request for extension of hours for H&K Quarry for the month of July 2013. There was no public comment.

I. SUPERVISOR'S COMMENTS:

1) Supervisor Groff requested that the Board establish a date for the Public Hearing to consider the Telegraph Road TND Re-zoning Request. It was noted that a majority of the Board previously passed a motion at their April 22, 2013 meeting to hold a Public Hearing for this proposal, however a hearing date had never been determined. Supervisor McIlhinney was opposed. Discussion took place.

While Supervisor McIlhinney was opposed, both Chairperson Salvadore and Supervisor Groff were amenable to advertising a Public Hearing to tentatively be held on Wednesday, September 25, 2013 at 7PM to consider the Rezoning Request of the applicant for the Telegraph Road TND. **(NOTE: Due to a scheduling conflict since the June 24th meeting, this advertised Public Hearing for the Telegraph Road TND Rezoning Request will be held on Wednesday, September 18, 2013 at 7PM instead).**


J. PUBLIC COMMENT:

1) Mr. David Christ speaking as a member of the Planning Commission explained that there is a PC member, Barry Casper, who has only attended one meeting in 2013, which is in violation of the Ordinance creating the Planning Commission. He asked the Board to consider removing Mr. Casper from the Planning Commission, and soliciting other interested individuals to fill that vacancy. Mr. Schnaedter had previously sent a note to Mr. Casper with his last PC meeting packet regarding meeting attendance, however Mr. Casper has not responded. Following discussion, Supervisor Groff suggested that Mr. Schnaedter once more reach out to Mr. Casper, this time via a phone call, to gauge his interest in continuing as a member of the Planning Commission.

K. PRESS CONFERENCE: There were no questions from the press.

L. ADJOURNMENT: Upon motion by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously, the June 24, 2013 Hilltown Township Board of Supervisors meeting was adjourned at 8:32PM.

Respectfully submitted,


Lynda Seimes
Township 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).