

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, April 22, 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. A moment of silence was observed in light of recent events experienced in Boston and Texas.

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

A. ANNOUNCEMENTS:

1) The 2013 Household Hazardous Waste Collection Schedule has been released by the Bucks County Commissioners. Collections in this area include Sat. June 1st at the Upper Bucks Vo-Tech School at 3115 Ridge Road; and Sat., Sept. 14th at Quakertown Community High School at 600 Park Avenue; both from 9AM to 3PM. For the complete schedule and a listing of accepted products, please visit www.buckscounty.org/recycling.

2) Chairperson Salvadore noted that today is 43rd National Earth Day.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT AGENDA:

- Minutes of the March 25, 2013 Supervisor's Meeting.
- Bills Lists dated April 9, 2013 and April 23, 2013
- Financial Report for the month of March 2013
- Mylars for Signature – Coventry Meadows II and the Preserves.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to approve and accept the Consent Agenda as noted above. There was no public comment.

D. CONFIRMED APPOINTMENTS:

1) Mr. Henry Rosenberger – Presentation of original painting of Hartzell-Strassburger Historical Building – Mr. Rosenberger and his wife Charlotte of Rt. 113 were in attendance to present an original painting by Rich Godshall of the Hartzell-Strassburger Historical Homestead to be displayed in the municipal building. Mr. and Mrs. Rosenberger felt that the painting brings clarity to the purpose and support that the Board has given to the

Hilltown Historical Society over the years. In addition, the Rosenberger family presented 50 signed and numbered prints of the same painting to the Hilltown Historical Society to sell as a fundraising effort. The Board of Supervisors thanked the Rosenberger family for their generous donation.

2) Mr. Jon Weisman – Blooming Glen Garden Club – History, Achievements and Future Goals – Mr. Weisman of 1307 Rt. 113 was in attendance representing the Blooming Glen Garden Club, which was established in 2011 to build a sense of community and to help beautify the village of Blooming Glen. The Garden Club has held several events including a Community Day and Flea Market, annual Holiday Tree Lighting, Outreach Garden Clean-up Project to benefit elderly residents of Blooming Glen, guest lecturers, and an upcoming joint project with the Perkasio Garden Club where several village homes will be featured in a public garden tour to take place this summer. Since its' inception, the club has made a very special effort to help maintain the grounds at the historic Hilltown High School Building in Blooming Glen by planting numerous flowerbeds throughout the property, adding trees and shrub beds, painting exterior walls, and repair broken concrete, even adding an old school desk to the porch for character. As the Supervisors go forward making decisions about the historic Hilltown High School building, the Blooming Glen Garden Club asks that they consider its importance to the community. Tickets for the public garden tour can be purchased through the Perkasio Garden Club or at Frederick's Flowers.

3) Mr. Ed Murphy – Hilltown Walk (aka: Guttman Tract) – Mr. Murphy was present to discuss three specific issues with respect to this subdivision, including off-site easements for water lines, patterned crosswalks, and street names proposed for the development.

It was Supervisor McIlhinney's opinion that running water and/or sewer lines through Township open space would be a substantive due process violation, and believes the entire matter should be reviewed by the Attorney General's Office and/or District Attorney's Office for conflict of interest/ethics violations.

Supervisor Groff explained that coordination for the proposed route was revised to address fire fighting issues and for efficiency purposes with gravity fed lines. Further, serving the site with public sewer addresses the issue of failing sewer systems which have been identified in Township's own Act 537 Plan. Supervisor Groff reminded Supervisor McIlhinney that the lines will be underground; and their installation would not be noticeable, nor would they deface or devalue the Township's open space properties. Lengthy discussion took place.

Motion was made by Supervisor Groff and seconded by Chairperson Salvadore to grant the applicant's request for off-site easements for public water and sewer lines through Township open space for the Hilltown Walk (aka: Guttman Tract) Subdivision. Supervisor McIlhinney was opposed. Motion carried: 2:1. There was no public comment.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to accept Mr. Wynn's recommendation for the patterned crosswalks proposed for the Hilltown Walk (aka: Guttman Tract) Subdivision. There was no public comment.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to grant approval of the street names Delaware Drive and Hartzel Way for the Hilltown Walk (aka: Guttman Tract) Subdivision. There was no public comment.

With respect to the easements, Supervisor McIlhinney asked if the applicant intended to render payment for the off-site easements through Township open space. Mr. Murphy replied that they did not.

4) Mr. Robb Gundlach, Mr. Bob Bender and Ms. Pamela Northrup – Continued Discussion of Rezoning Request for Fonthill Court (aka: Telegraph Road TND) – Mr. Gundlach, Mr. Bender and Ms. Northrup were present seeking Board authorization to schedule a Public Hearing to consider their request to rezone the property located at the intersection of Telegraph Road and Rt. 113 from RR (Rural Residential) to VC (Village Center) in order to allow the development of a Traditional Neighborhood Development (TND). The Supervisors heard the applicant's initial request at their meeting of February 25, 2013.

Supervisor McIlhinney was very disappointed that the applicant did not follow through with the most important direction given by the Supervisors at a prior meeting, which was to contact neighboring residential property owners to determine how many might be supportive of the zoning change. Mr. Gundlach replied that the applicant contacted the two sites which are presently non-conforming (Hawkeyes Tavern and the former Schoolhouse Sweets) and who would obviously benefit by being rezoned VC. The neighboring Bolton property, which currently contains a farm market store, expressed no interest in rezoning. The applicant also met with Mr. Thompson, owner of the adjacent property to the south, and has agreed to retain the woodlands along his property line. Mr. Gundlach explained that the remaining residential parcels surrounding this site were not approached because the applicant is convinced they would not be receptive to a zoning change as it would not be a benefit to them.

Supervisor Groff suggested that a Public Hearing be held to hear the comments of surrounding residential property owners, and Chairperson Salvadore agreed. Upon the Township Manager's return, the Board could establish a date to hold the Public Hearing. Supervisor McIlhinney was opposed to holding a Public Hearing for what he would consider "spot zoning." Discussion occurred.

Motion was made by Supervisor Groff and seconded by Chairperson Salvadore to authorize scheduling of an advertised Public Hearing to consider public comment on the applicant's request for rezoning of the property located at the intersection of Rt. 113 and Telegraph Road (TMP #15-111-61) from Rural Residential (RR) to Village Center (VC) to allow a Traditional

Neighborhood Development. Supervisor McIlhinney was opposed. Motion carried: 2:1. There was no public comment.

Residents were encouraged to contact Mrs. Seimes at the Township office if they are interested in receiving additional information regarding this proposal.

***8:02PM - After calling for a brief recess, Chairperson Salvadore reconvened the regularly scheduled meeting of the Hilltown Township Board of Supervisors of April 22, 2013 at 8:12PM.**

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

1) Regency at Hilltown – Final Plan/Planning Modules – Mr. Ed Murphy, the applicant's legal counsel, was in attendance to present the plan. Mr. Wynn's engineering review dated February 25, 2013, and the Township Traffic Engineer's review, also dated February 25, 2013, was discussed. The adoption of a Resolution for Plan Revision for New Land Development is required in order to transmit the Sewage Facilities Planning Modules to PADEP for their review.

Supervisor McIlhinney questioned the change to the proposed route of the water and sewer line to a more costly option, and suggested that there is a potential conflict of interest and ethics law violation since the new route passes by Chairperson Salvadore's property.

Chairperson Salvadore advised that she has no intention of connecting to public water and sewer; and that she intends to recuse herself from discussion on this topic.

Supervisor Groff explained that the reason for changing the route of the public water and sewer lines was to avoid blasting near the recently reconstructed historic bridge on Rt. 113, and most importantly, to avoid any potential of pollution of the stream should the sewer line ever burst. Very lengthy discussion occurred.

Motion was made by Supervisor Groff and seconded by Chairperson Salvadore to grant conditional final plan approval to the Regency at Hilltown pending satisfactory completion of items in Mr. Wynn's February 25, 2013 engineering review and the February 25, 2013 Traffic Impact Study review by Mr. Heinrich. Supervisor McIlhinney was opposed. Motion carried: 2:1. There was no public comment.

Motion was made by Supervisor Groff, and seconded by Chairperson Salvadore to adopt **Resolution #2013-16, Sewage Facilities Planning Modules for PADEP for the Regency at Hilltown project.** Supervisor McIlhinney was opposed. Motion carried: 2:1. There was no public comment.

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

1) Ashland Meadows Subdivision – Extension for Completion – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to approve a one year extension until May 9, 2014 to the Ashland Meadows Subdivision for completion of improvements. There was no public comment.

2) Coventry Meadows I Subdivision – Extension for Completion – Motion was made by Supervisor Groff, seconded by Supervisor McIlhinney, and carried unanimously to authorize a one-year extension until May 9, 2014 to the Coventry Meadows I Subdivision for completion of improvements. There was no public comment.

3) Giant Land Development – Completion of 18-Month Maintenance Period – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to accept completion of the maintenance period and release of the Letter of Credit financial security for the Giant Land Development. There was no public comment.

4) Beyer Farm Barn Demolition – At the direction of the Board at the last meeting, Mr. Wynn contacted four additional contractors for demolition/salvage of the Beyer Farm barn; proposals noted below:

- Kanagy Timber Frames - \$3000.00 plus Township removal of dumpsters (estimated at \$6,000.00)
- The Barn Saver - \$12,000.00 (No Bond)
- Tinari Contractors - \$19,800.00
- Hartland Restoration, Inc. - \$10,624.00 plus \$1,500.00 for asbestos removal.

Mr. Wynn noted that Hartland Restoration, Inc. is the only contractor to note the asbestos in the “basement” ceiling and to include a cost for removal. Additionally, for a cost of \$2,400.00, Hartland will remove the rest of the remaining building.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to award the Beyer Farm Barn Demolition project to Hartland Restoration, Inc. in the amount of \$10,624.00 plus \$1,500.00 for asbestos removal. There was no public comment.

Mr. Mike Hart of Hartland Restoration was present to answer any questions and to share photographs of other projects he has completed in the area.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to authorize Hartland Restoration to remove the rest of the remaining outbuildings at the Beyer Farm for a cost of \$2,400.00. There was no public comment.

5) Mill Road Bridge – Final Design Extension – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to grant an extension until 06/28/13 to complete the final design for the Mill Road Bridge. There was no public comment.

G. NEW BUSINESS:

1) H&K Quarry Request for Extension of Hours of Operation for May 2013 – Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to grant approval for the extension of hours of operation of the concrete batch plant and/or the asphalt batch plant to operate between the hours of 6:30PM and 6:30AM, Monday through Saturday between May 1, 2013 and May 31, 2013. There was no public comment.

H. SUPERVISOR'S COMMENTS:

1) Supervisor Groff asked for a status report of Mr. Rosenthal's request for possible rezoning. Mr. Wynn explained that it was a formal request, and a Public Hearing will be held once both the Hilltown and Bucks County Planning Commissions complete their review.

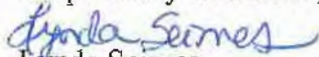
I. PUBLIC COMMENT:

1) Mr. Henry Rosenberger of 1239 Rt. 113 asked the Board to consider supporting Act 25, which freezes taxes on preserved farms, and also encouraged the Board to continue with farmland preservation using Township open space funds.

J. PRESS CONFERENCE: There were no questions from those reporters present.

K. ADJOURNMENT: Upon motion by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously, the April 22, 2013 Hilltown Township Board of Supervisors meeting was adjourned at 8:44PM.

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).