

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, May 23, 2011
7:00PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:00PM and opened with the Pledge of Allegiance.

Also present were: Barhara A. Salvadore, Vice-Chairperson
 James C. Groff, Supervisor
 William E. Wert, Asst. Manager/Dir. of Parks, Rec. and Open Space
 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 Supervisors met in Executive Session on May 19, 2011 to discuss personnel.
2. Chairman McIlhinney announced that Mr. Wert would continue to serve as Assistant Township Manager while assuming the expanded duties of the Manager position, with a personnel review to commence in 90-days.

***7:01PM – Chairman McIlhinney recessed the regular meeting of May 23, 2011 to enter into Executive Session to discuss the matter further.**

***7:05PM – Chairman McIlhinney reconvened the regular meeting of May 23, 2011.**

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to increase Mr. Wert's current salary by 3% (or approximately \$2500.00) due to his expanded duties and responsibilities for the next 90 days, after which time the Board will review his performance. There was no public comment.

3. A Public Hearing will be held this evening at 7:30PM to consider the adoption of the following Ordinances:

- Amending Chapter 140 of SALDO to add requirements for Permanent Development Signs/Neighborhood Signs.
- Amending Chapter 160 of Zoning Ordinance to add regulations for Permanent Development/Neighborhood Signs.
- Amending Chapter 160 of the Zoning Ordinance relative to Section 160-33, Buffer Yards.
- Amending Chapter 160 of Zoning Ordinance, Definitions, Forestry, and Woodland Protection.

- Amending Chapter 140 of SALDO, Section 140-26-Community Facilities and Open Space; and Section 140-37-Landscaping and Street Trees.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT CALENDAR:

- Minutes of May 9, 2011 Supervisor's Meeting.

Motion was made by Supervisor Salvadore and seconded by Supervisor Groff to approve and accept the Consent Calendar as noted above.

Prior to a vote, Chairman McIlhinney stated he received a note in his packet advising that consistent with direction given by a majority of the Board the minutes would be streamlined to be less voluminous; a direction that he personally opposes. It is Supervisor Groff's opinion that meeting minutes should only contain the official action of the Board. Supervisor Salvadore agreed with Supervisor Groff that summarized minutes are all that is necessary.

Public Comment:

1. Mr. Joc Marino of Redwing Road stated that the requirements for meeting minutes is outlined in State publications, and he does not feel that summarized minutes are sufficient to clearly reflect what occurred at a public meeting.

Original motion carried 2:1. Chairman McIlhinney was opposed. There was no further public comment.

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

1. Carson Helicopters Land Development – On-Site Sewage Maintenance Agreement – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to accept the Carson Helicopter Land Development On-Site Sewage Maintenance Agreement. There was no public comment.

2. Liberty Towers Stormwater Facilities Maintenance and Monitoring Agreement -- Motion was made by Supervisor Salvadore and seconded by Supervisor Groff to accept the Liberty Towers Stormwater Facilities Maintenance and Monitoring Agreement. Prior to a vote, discussion occurred.

Chairman McIlhinney does not support the Liberty Towers project and also believes the lease for the property was illegally obtained.

Motion carried: 2:1. Chairman McIlhinney was opposed. There was no public comment.

3. Proposed Revised Collective Bargaining Agreement with Hilltown Township Police Officers' Benevolent Association – The Board authorized Solicitor Grabowski to revise the previous Collective Bargaining Agreement to reflect the terms discussed by Supervisors Groff and Salvadore with Officer Gildea, President of the Collective Bargaining Unit.

Motion was made by Supervisor Salvadore and seconded by Supervisor Groff to consider the proposed revised Collective Bargaining Agreement with Hilltown Township Police Officers' Benevolent Association. Prior to a vote, discussion took place.

Supervisor Groff had spoken to the Township Treasurer who advised that each percent of savings equates to approximately \$15,000.00. Further, due to the fact that arbitration would be avoided, which cost approximately \$100,000.00, the Township would be saving approximately \$75,000.00 to \$80,000.00 by approving this revised agreement.

Chairman McIlhinney disagreed, noting that at the end of 2012 the Township would once again be in a deficit position, even after transferring millage from the Park and Recreation and Public Works Funds, and including the 2 mill tax increase that was imposed in 2011. He also noted that the Township's Reserve Fund has been depleted. In 2012, Chairman McIlhinney foresees an additional tax increase and possible job cuts in other departments due to the new contract language precluding layoffs in the Police Department. Since the Board has not received any projection analysis from the Finance Director, Chairman McIlhinney feels it would be a mistake to approve the revised Collective Bargaining Agreement.

Chairman McIlhinney believes that renegotiating this Agreement was illegal because it was not announced or done in a public meeting. Supervisor Groff disagreed, stating that it is not illegal to discuss personnel in Executive Session. He further noted that the previous Board had not announced that they were renegotiating with the Public Works Department. Chairman McIlhinney argued that a contract is not a personnel issue. Lengthy discussion occurred.

Public Comment:

1. Mr. Joe Marino of Redwing Road called for "Point of Order" as he felt the discussion was too heated. He referred to Roberts Rules of Order, and asked the Board to follow the requirements for a civil public meeting.

2. Mrs. Doris Williams felt that more information, not less, should be placed in the minutes, so as to discourage the type of bickering she is hearing this evening.

3. Mrs. Linda Browne Crouthamel hopes that the Proposed Collective Bargaining Agreement would be signed and approved this evening.

There was no further public comment.

Original motion carried 2:1, with Chairman McIlhinney opposed. There was no public comment.

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

1. Reserve at Hilltown Subdivision – Completion of Maintenance Period – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to accept completion of the 18-month maintenance period for the Reserve at Hilltown Subdivision, pending pruning of the maple street trees to seven feet along Keystone Drive and throughout the development. There was no public comment.

2. Mill Road Bridge Right-of-Way Plans for Signature – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to execute the Mill Road Bridge Right-of-Way Title Sheet. There was no public comment.

****7:30PM – PUBLIC HEARING - Chairman McIlhinney recessed the regular meeting of the Hilltown Township Board of Supervisors and entered into the advertised Public Hearing to consider the adoption of five Ordinance Amendments.**

Solicitor Grabowski explained that the Ordinance Amendments were properly advertised on May 6th and May 13th in the Doylestown Intelligencer.

- Ordinance #2011-3 – Amending Chapter 160 of the Zoning Ordinance to add regulations for Permanent Development/Neighborhood Signs: Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to **adopt Ordinance #2011-3, amending Chapter 160 of the Zoning Ordinance to add regulations for permanent development/neighborhood signs.** There was no public comment.

- Ordinance #2011-4 – Amending Chapter 140 of the SALDO to add requirements for Development/Neighborhood Signs: Motion was made by Supervisor Salvadore, and seconded by Supervisor Groff to **adopt Ordinance #2011-4, amending Chapter 140 of the SALDO to add requirements for development/neighborhood signs.**

Prior to a vote, Chairman McIlhinney wondered why the word “permanent” was not used in the heading for this Ordinance amendment, when it was used in the previous one. Mr. Wynn replied that it does not have to because it references requirements of Section 160-79G of the Zoning Ordinance with respect to permanent signs.

Motion carried unanimously. There was no public comment.

- Ordinance Amendment #2011-5 – Amending Chapter 160 of the Zoning Ordinance, relative to Section 160-33, Buffer Yards – Motion was made by Supervisor

Salvadore to **adopt Ordinance #2011-5, amending Chapter 160 of the Zoning Ordinance relative to Section 160-33, Buffer Yards.** Prior to a second and a vote, Supervisor Groff asked the Board to consider tabling this Ordinance to determine if it is consistent with the CMD District as it relates to the proposed Guttman Tract.

Mr. Wynn explained that there is a provision in the proposed Ordinance, which requires a corner lot to have a 35 ft. wide buffer yard on one side. The front yard requirement in the CMD District is 25 ft., which would increase one side of the corner lot by 10 ft.

After a brief discussion, Chairman McIlhinney seconded the original motion. Motion carried: 2:1, with Supervisor Groff opposed. There was no public comment.

- Ordinance Amendment #2011-6 – Amending Chapter 160 of the Zoning Ordinance relative to Definitions, Forestry and Woodland Protection – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff and carried unanimously to **adopt Ordinance #2011-6, amending Chapter 160 of the Zoning Ordinance relative to Definitions, Forestry and Woodland Protection.** There was no public comment.

- Ordinance Amendment #2011-7 – Amending Chapter 140 of the SALDO relative to Section 140-37, Landscaping and Street Trees – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to **adopt Ordinance #2011-7 – Amending Chapter 140 of the SALDO relative to Section 140-37, Landscaping and Street Trees.** There was no public comment.

***7:53PM – Chairman McIlhinney adjourned the advertised Public Hearing and reconvened the regular meeting of the Hilltown Township Board of Supervisors.**

F. UNFINISHED BUSINESS:

1. Staff Recommendations – Guttman Tract, Private Petition for Zoning Amendment – At the April 25th meeting, a majority of the Board directed Mr. Wynn, Solicitor Grabowski, and Mr. Taylor to review and offer recommendations/opinions of the proposed private petition for Zoning Amendment filed by DeLuca Enterprises for the Guttman Tract. Copies of all three recommendations are on file at the Township office.

Motion was made by Supervisor Salvadore, and seconded by Supervisor Groff to authorize Mr. Wynn to draft an Ordinance Amendment. Prior to a vote, Chairman McIlhinney suggested the Board review and consider the Ordinance and the three recommendations prior to preparation of an Ordinance amendment.

After further discussion, the original motion carried unanimously. There was no public comment.

G. NEW BUSINESS:

1. Penridge School District request to operate and maintain the Government and Education Access Cable Television Channel through Comcast – Correspondence dated April 27, 2011 was received requesting that all eight municipalities in the Penridge School District notify Comcast of their intention to authorize the District via their Broadcast Journalism Class, to operate and maintain the Government and Education Access Channel. Discussion occurred.

The Board unanimously directed Solicitor Grabowski to review both the Comcast and the Verizon Cable Television Agreements to insure that the Township would not be giving up their rights to operate and maintain their own Government channel, nor forgo any grant opportunities that may be available to it.

2. Requests from Haines and Kibblehouse for Extension of Hours – Three requests for extension of operating hours were received from Haines and Kibblehouse:

- Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to grant H&K Quarry's request for approval to allow importation of clean fills materials between the hours of 6:30PM and 6:30AM, Monday through Friday between June 1, 2011 and June 30, 2011 at the Blooming Glen Quarry for the Pennsylvania Turnpike/Northeast Extension Project. There was no public comment.
- Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to grant H&K Quarry's request for approval to allow the concrete batch plant and/or the asphalt batch plant to operate between the hours of 6:30PM and 6:30AM Monday through Friday between June 1, 2011 and June 30, 2011. There was no public comment.
- Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to grant H&K Quarry's request for the extension of hours of operation for the quarry truck loading only and asphalt plant operations between 9:00AM on June 3, 2011 and 7:00AM on June 6, 2011, with alternative dates due to weather between June 10, 2011 and June 13, 2011 for the Limekiln Pike/State Road weekend closure intersection improvements. There was no public comment.

H. SUPERVISOR'S COMMENTS: None.

I. PUBLIC COMMENT: None.

J. PRESS CONFERENCE: A conference was held to answer questions of those reporters present.

K. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously, the May 23, 2011 Hilltown Township Board of Supervisors meeting was adjourned at 8:10PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

(*These minutes were transcribed from notes and recordings and are not considered official until approved by the Board of Supervisors at a public meeting).