

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
Monday, September 27, 2010
7:00PM

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 present: Barbara A. Salvadore, Vice-Chairperson
 James C. Groff, Supervisor
 Christopher S. Christman, Township Manager
 William E. Wert, Asst. Mgr./Director of Parks, Rec. and Open Space
 Francis X. Grabowski, Township Solicitor
 Andreas Heinrich, Township Traffic Engineer
 Christopher E. Engelhart, Chief of Police

A. ANNOUNCEMENTS:

1. The Board met in Executive Session prior to this meeting for informational purposes.

2. Two advertised Public Hearings will be held this evening at 7:30PM to consider the adoption of an Ordinance amending Chapter 59 regulating and restricting open burning in Hilltown Township, and an Ordinance amending Chapter 129 regulating solid waste and recycling in Hilltown Township.

3. "Fall Fest" will be held on Sat., Oct. 2nd from 12noon to 3PM at the Hilltown Civic Park. Hayrides will be provided by the Bucks-Mont Two-Cylinder Club, Halloween storytelling provided by the Bucks County Library System, pumpkin decorating, face painting and more. Children are welcome to wear their Halloween costumes. This event is sponsored with financial donations from First Savings Bank of Perkasio, Penridge-Perkasie Rotary Club, and the Penn Professional Group. Fall decorations donated by Penn View Farm, and cookies provided by Tabora Farms. Beverages will be provided by Wawa (as supplies last). For additional information, contact Bill Wert, Asst. Manager/Director of PROS at 215-453-6000, ext. 237.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY:

1. Mr. Fred McConnell of 37 Narothyn Road was opposed to the proposed ban on open burning that is being considered this evening, and was also annoyed with the proposed Recycling Ordinance that requires mandatory trash removal due to the expense involved. Mr. McConnell currently takes one bag of trash and recyclables to Waste Management's site each week. Chairman McIlhinney explained that practice is still permissible under the new Ordinance.

2. Mr. Charles Baker of 902 Rt. 113 concurred with Mr. McConnell's remarks. He also takes his trash to a local garbage site. If he were to contract with a weekly trash hauler, it would cost approximately \$40/month. Mr. Baker believes that a ban on burning of yard waste is unnecessary, and feels it is totalitarian for the government to require residents to participate in a program that they do not want or need in order to receive grant funding.

C. CONSENT CALENDAR:

- Minutes of the September 13, 2010 Meeting.
- Bills List dated September 28, 2010.
- Manager's Report.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to approve and accept the Consent Calendar items as listed above. There was no public comment.

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

1. Popiwny Subdivision Agreements – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to approve and accept the Popiwny Subdivision Agreements. There was no public comment.

E. ENGINEERING:

1. Peruzzi Toyota Land Development Waiver Request – Mr. Ed Murphy, the applicant's legal counsel, and Mr. Fred Peruzzi, the property owner, were in attendance to present the plan. The Planning Commission reviewed the proposal for building additions to this site located on Rt. 309, and unanimously recommended waiver of land development submission, conditioned upon satisfactory completion of all items contained in the engineering review dated September 13, 2010, and specifically noting that Zoning Hearing Board variance approval must be obtained for the building encroachment into the rear yard area.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to grant conditional approval to the request for Land Development Waiver for the Peruzzi Toyota project, pending satisfactory completion of all outstanding items in Mr. Wynn's September 13, 2010 engineering review, and pending variance approval from the Zoning Hearing Board. There was no public comment.

2. Our Lady of Sacred Heart Land Development Waiver Request – Our Lady of Sacred Heart Church is proposing to construct a 78 space parking lot to serve the existing place of worship and school located in both the RR and VC Zoning Districts. The Planning

variance approval from the Zoning Hearing Board is necessary due to the amount of proposed impervious surface on the site.

Motion was made by Supervisor Salvadore, and seconded by Supervisor Groff to grant the Land Development Waiver Request for Our Lady of Sacred Heart Land Development, pending completion of all outstanding items in the September 13, 2010 review and pending the applicant receiving variance approval from the Zoning Hearing Board with respect to proposed impervious surface on the site.

Prior to a vote, Chairman McIlhinney noted the following correction to page 3, Item 4.b of the Sept. 13, 2010 review, which should state "Although this concept is consistent with performance principals of the Stormwater Management Ordinance relative to water quality, applicant notes that a waiver is required to permit grading of the landscape islands as such, instead of having a **curbed** /raised condition that would otherwise restrict the runoff of stormwater from the paved area of the parking lot from entering the landscape island areas."

Motion carried unanimously with the correction to the review as noted above. There was no public comment.

F. UNFINISHED BUSINESS:

1. Update on Traffic Signal at Rt. 152 and Hilltown Pike – Mr. Andy Heinrich of Heinrich and Klein provided a verbal status report of the traffic signal being considered for the Rt. 152 and Hilltown Pike intersection. Approval from PennDot was received on September 14, 2010. It was noted that when the original signal plan was created, Haines and Kibblehouse had obtained an estimate of \$88,261.00. The estimated cost for the revised signal plan, excluding pavement markings is now \$101,000.00. Given the rising costs, Mr. Heinrich suggested that the Township seek bids from one or more signal contractors to begin the installation as soon as possible.

2. Discussion of Bucks County Tax Collection Committee – The memo from Mr. Christman and Mrs. Leslie dated September 21, 2010 was discussed. The Bucks County TCC has elected to move forward with a proposal from Keystone Collections Group to collect both EIT and LST taxes at a rate of 1.39% and 1.75% respectively, beginning on January 1, 2012. Keystone has offered to collect the taxes at these rates one-year earlier beginning on January 1, 2011. The Supervisor's decision this evening is whether or not they wish to retain Berkheimer Associates for an additional year until January 1, 2012 at the same rates as proposed by Keystone (1.39% for EIT and .75% for LST) or if they wish to move to collections by Keystone one year earlier at the same collection rate as quoted above.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to remain with Berkheimer Associates for the year 2011 for EIT and LST collection

at the rate of 1.39% and 1.75% respectively, pending review by the Township Solicitor of the addendums outlining the new collection rates as noted above. There was no public comment.

G. NEW BUSINESS:

1. Bid #2010-4 – Annual Consortium Bid for Sodium Chloride – Bid results are as follows:

	<u>Delivered/Ton</u>	<u>Undelivered/Ton</u>
International Salt Co., LLC	\$ 50.83	\$ 50.00
Cargill, Inc.-Deicing Tech. Business Unit	\$ 54.22	\$ 52.00
Oceanport, LLC	\$ 56.25	\$ 59.00
American Rock Salt Co., LLC	\$ 61.20	\$ 58.00
Eastern Salt Co., Inc.	\$ 62.85	\$ 62.85
North American Salt Co.	NO BID	NO BID

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to award Bid #2010-4 for Sodium Chloride to International Salt Co., LLC at the bid prices as specified above. There was no public comment.

****7:30PM – Chairman McIlhinney recessed the regular meeting of the Board of Supervisors at 7:30PM and entered into advertised the Public Hearing to consider the adoption of two Ordinance Amendments – Amending Chapter 129, regulating solid waste and recycling in Hilltown Township, and Amending Chapter 59 regulating and restricting open burning in Hilltown Township.** Solicitor Grabowski noted that both Ordinance Amendments were advertised in the Doylestown Intelligencer, and a Proof of Publication is on file at the Township office. Mr. Christman explained the impetus for both Ordinance Amendments to address requirements by DEP. Discussion took place.

Motion was made by Supervisor Salvadore, and seconded by Supervisor Groff, to **adopt Ordinance #2010-4, Amending Chapter 129, regulating solid waste and recycling in Hilltown Township, and to adopt Ordinance #2010-5, Amending Chapter 59 regulating and restricting open burning in Hilltown Township.** Prior to a vote, public comment was heard.

Public Comment:

1. Mr. Charles Baker questioned the procedure involved with the leaf drop-off site here at the Municipal Building, and wondered about the disposal of the plastic bags, which the leaves are required to be in when dropped off. Discussion took place.

2. Mr. Fred McConnell asked if there are any mandatory requirements to rake and bag leaves at all. Chairman McIlhinney replied that there is not, noting that he simply mows over and mulches the leaves on his property.

Motion carried unanimously to adopt both Ordinance amendments. There was no further public comment.

****Chairman McIlhinney adjourned the advertised Public Hearing and reconvened the regularly scheduled meeting of the Hilltown Township Board of Supervisors at 7:40PM.**

2. Discussion of Draft I-12 – Energy Conservation Systems Ordinance – The Draft Ordinance as proposed by Solicitor Grabowski dated August 9, 2010 was briefly discussed. Each Supervisor agreed to provide Solicitor Grabowski with their individual comments, and he will then incorporate those comments for consideration at the next meeting, at which time the Board can consider forwarding it to the Hilltown and Bucks County Planning Commissions for review.

3. Our Lady of Sacred Heart Zoning Change Request - Mr. Robert Showalter, the applicant's engineer, along with Mr. Mark Fazio, representing the church, was present to request that the Township consider revising the zoning map such that all of the church land is located within the Village Center Zoning District. He noted that the Church recently purchased the Mumbauer property, which is zoned VC and the Strauss property, which is split-zoned with approximately half located in the VC District and half located in the RR District. After a brief discussion, the applicant was directed to schedule a staff meeting with the Township Engineer, Solicitor, Manager, and Code Enforcement Officer, prior to continuing on with the normal process to pursue a change in zoning.

4. Popiwny Subdivision Acceptance of Road Frontage – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to **adopt Resolution #2010-23 to accept road frontage easement for the Popiwny Subdivision**. There was no public comment.

5. H&K Quarry Request for Extension of Hours of Operation – Motion was made by Supervisor Groff, seconded by Supervisor Salvadore, and carried unanimously to grant the request of H&K Quarry for the extension of hours of operation of the concrete batch plant and the asphalt batch plant to begin on Sept. 30, 2010 and extend through October 30, 2010 as outlined in H&K Group correspondence dated September 27, 2010. There was no public comment.

H. ZONING HEARING BOARD ADVISORIES:

1. Peruzzi Toyota – The applicant proposes a series of additions to their existing facility located on Rt. 309. Due to the existing building's orientation, which is at an angle to property lines, one of the additions will encroach approximately 16 ft. into the required rear yard. It was noted that the site is also non-conforming with respect to impervious surface coverage. It is the applicant's intention to "swap out" one area of impervious surface for another. Under

Section 160-64 of the Zoning Ordinance, the applicant will also require a Special Exception to make this swap, though none have been applied for.

I. SUPERVISOR'S COMMENTS:

1. Chairman McIlhinney announced that the Board of Supervisors meeting originally scheduled for Monday, October 11, 2010 has been cancelled.

2. On October 23, 2010, the Board of Supervisors will conduct a site review of Township-owned facilities at 7:30AM.

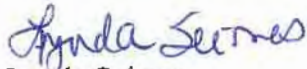
J. PUBLIC COMMENT:

1. Mr. Fred McConnell asked the Board to consider reducing the speed limit in specific areas of the Township including Rt. 113 and Bethlehem Pike intersection, and the area along Rt. 309 near Wal-Mart. Chairman McIlhinney explained that all of the roadways Mr. McConnell referred to are State highways, controlled by PennDot.

K. PRESS CONFERENCE: There were no questions posed by the reporters present.

L. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously, the September 27, 2010 Hilltown Township Board of Supervisors meeting was adjourned at 8:02PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

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