

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, September 13, 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 were: Barbara A. Salvadore, Vice-Chairperson
James C. Groff, Supervisor
Christopher S. Christman, Township Manager
William E. Wert, Asst. Manager/Dir. of Parks, Rccrcation & Open Space
Christopher E. Engelhart, Chief of Police
C. Robert Wynn, Township Engineer

A. ANNOUNCEMENTS:

1. The Hilltown Parks, Recreation, and Open Space Committee will hold a "Fall Fest" on Saturday, October 2, 2010 from 12noon to 3PM at the Hilltown Civic Park located on Rt. 152. 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. This event is sponsored with financial donations from First Savings Bank of Perkasie, Penridge-Perkasie Rotary Club, and the Penn Professional Group. Fall decorations will be donated by Penn View Farm. Questions should be directed to Bill Wert, Asst. Manager/Director of PROS at 215-453-6000, ext. 237.

2. On Sept. 25, 2010, the Hilltown Police Department will join in a collaborative effort with state and local law enforcement agencies to remove potentially dangerous controlled substances from our nation's medicine cabinets. Collection activities will take place here at the Municipal Building from 10AM to 2PM on Saturday, 9/25/10. The National Take-Back Day provides an opportunity for the public to surrender expired, unwanted, or unused pharmaceutical controlled substances and other medications for destruction. This one-day effort is intended to bring national focus to the issues of increasing pharmaceutical controlled substance abuse. It is noted that the program is anonymous. Prescription and over the counter solid dosage medications such as tablets and capsules are accepted. Intravenous solutions, injectables, and needles will not be accepted. Illicit substances such as marijuana or methamphetamine arc not a part of this initiative.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT CALENDAR:

- Minutes of the August 9, 2010 Supervisor's Meeting.
- Minutes of the August 23, 2010 Supervisor's Meeting.
- Bills List dated September 14, 2010.
- Financial Report for month of August 2010.

- 2011 Minimum Municipal Obligation (MMO) for Uniform and Non-Uniform Pensions.
- Popiwny Subdivision Mylars for Signature following meeting.
- Koszarek Lot Line Adjustment Mylars for Signature following meeting.
- Notification of Request for Sketch Plan Staff Meeting-Phillip Picciotti of 2029 Hilltown Pike.

Motion was made by Supervisor Salvadore to approve and accept the Consent Calendar items as noted above. Chairman McIlhinney had an objection to a check on the Bills List. Original motion withdrawn.

Motion was made by Supervisor Salvadore to approve and accept the Consent Calendar items except for the Bills List dated September 14, 2010. Prior to a second and a vote, discussion took place.

Chairman McIlhinney's objection was to a check for Grand View Hospital Ambulance Service in the amount of \$17,523.18, since the public audit as required by Township Resolution has not been provided. Correspondence was received from Stuart Fine; CEO of Grand View Hospital states that the GVH Form 990 which has been submitted does provide the necessary information as requested by the Board. Supervisor Salvadore agreed with Mr. Fine's assessment that the Form 990 does address the specific EMS portion of the Grand View Hospital audit, and is suitable to meet the requirements of the Resolution. Chairman McIlhinney disagreed, noting that the Form 990 addresses the years 2007-2008, but not 2009. Further, he does not believe that GVH has provided the information that was requested of and provided by the other EMS squads. While Supervisor Groff was disappointed that GVH did not provide the audit as requested, he believes that the Form 990 provides sufficient information for the Township's purposes.

Motion was seconded by Supervisor Groff and carried unanimously.

Motion was made by Supervisor Salvadore and seconded by Supervisor Groff to approve the release of the check to Grand View Hospital Ambulance Service in the amount of \$17,523.18 as noted on the Bills List dated September 14, 2010. Chairman McIlhinney was opposed. Motion carried 2:1. There was no public comment.

Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to accept and approve the Bills List dated September 14, 2010, with the exclusion of the check to Grand View Hospital Ambulance Service. There was no public comment.

D. ENGINEERING/PLANNING – Mr. C. Robert Wynn, Township Engineer –

1. Miller Tract Subdivision (Extension) – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to grant the applicant's request for a 12-month extension for completion of improvements to the Miller Tract Subdivision until October 10, 2011. There was no public comment.

2. Harleysville Savings Bank (Completion) – Motion was made by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously to accept completion of improvements and reduction of the financial security to 15% of the original escrow amount (67,399.11) for Harleysville Savings Bank Land Development, and to commence the 18 month maintenance period to be extended until February 23, 2012. There was no public comment.

3. Giant Land Development (Status) – This matter was tabled.

4. Neshaminy Creek Stormwater Management Plan – The first Act 167 Stormwater Management Plan impacting a watershed within Hilltown Township was the Neshaminy Creek Stormwater Management Plan of 1992, which resulted in the adoption of the first Hilltown Township “stand alone” Stormwater Management Ordinance (#93-3) on June 18, 1993. Subsequent amendments were made to the Stormwater Management Ordinance for Act 167 Plans which were developed for the Tohickon Creek and Perkiomen Creek Watershed as well as to incorporate requirements of the Municipal Separate Storm Sewer System (MS4) requirements.

The Neshaminy Creek Watershed Stormwater Management Plan and Model Ordinance requirements are in its final draft stage. It is anticipated that affected municipalities will be notified in late October to adopt revisions to their stormwater management plans to be consistent with the model Ordinance. Typically, DEP permits a 6-month window for municipalities to adopt these Ordinance Revisions.

The Model Ordinance includes a volume control requirement found in other municipal Ordinances (where there are a high quality or exceptional value watersheds) but not with the current Township Ordinance. Previously discussed requirements to impose riparian buffer and riparian planting procedures have not been included in the Model Ordinance. Mr. Wynn noted that one of the reasons this plan was delayed was because the volume control requirements can be very onerous and costly. In the coming months, Mr. Wynn will prepare a draft Amendment for the Board's consideration, showing the sections that are proposed to be amended and how they would be amended. He reminded the Board that while the Ordinance has to be consistent, it certainly is not required to be identical to the model Ordinance.

Chairman McIlhinney expressed the following concerns with the proposed Ordinance:

- Most of the data used in calculations is dated 2004 through 2006.

- Inequities involving calculations with the more developed municipalities having fewer restrictions.
- 50 ft. setbacks in the Riparian corridors from swales and/or drainage ditches.

Mr. Wynn advised the 50 ft. Riparian setback requirements are not in the proposed Ordinance. If that requirement were to go into effect through statewide requirements, Chairman McIlhinney believes it would prohibit development anywhere since every piece of land contains swales and/or drainage ditches.

Public Comment:

1. Mr. Joe Miketta of Hilltown Pike asked if area B is more restrictive in terms of runoff than area A, or vice-versa. Mr. Wynn replied that area A is actually an equal storm area, area B is the reduction area, and area C is an equal storm area also. It appears to Mr. Miketta that area A in Hilltown goes into the County dam area, yet the area where the quarry is at Rt. 152 and Hilltown Pike, there appears to be no control. Mr. Wynn commented that in the proposed Ordinance, there is a requirement for development sites or redevelopment sites to treat 20% of the impervious surface as though it was in pre-development condition. That would result in a redevelopment site for a small amount of reduction in runoff. Mr. Wynn advised that the Township's Ordinance currently requires that 100% of impervious surface must be treated. Lengthy discussion occurred.

Mr. Miketta hopes that the public will be involved during the review process of this Ordinance, and wished to obtain a copy of Mr. Wynn's draft Ordinance.

There was no further public comment.

E. UNFINISHED BUSINESS:

1. Status Report of EMS Funding – This issue was resolved during the Consent Calendar approval.

F. NEW BUSINESS:

1. Consideration of Resolution opposing HB2431 and SB1357 - Mergers and Consolidations of Local Governments in Pennsylvania – There are currently two bills pending before the General Assembly proposing merger and consolidation of local governments throughout the Commonwealth, effectively making the smallest unit of government in the State a County-based system.

Motion was made by Supervisor Salvadore, and seconded by Supervisor Groff to **adopt Resolution #2010-22, opposing the forced mergers and consolidations of local governments in Pennsylvania.** Prior to a vote, public comment was heard.

Public Comment:

1. Mr. Joe Marino of Redwing Road commented that the two proposed bills would take away the rights and the power of the citizens of this Commonwealth. He thanked the Board and strongly supported their decision to adopt this Resolution opposing the merger and consolidation of local governments.
2. Mr. Wally Rosenthal of Rosie Lane agreed. He strongly opposes both bills and supports the Board's decision to adopt the Resolution.

There was no further public comment. Motion carried unanimously.

2. Discussion of Act 101 – Section 904 Performance Grants and DEP Mandated Ordinance Changes – Mr. Christman's memo dated September 1, 2010 was discussed. In order to oversee compliance with Act 101 and Act 140 for applications made for the 2009 Section 904 Performance Grants, DEP is requiring the Township to review and revise the following Ordinances to ensure compliance with their regulations:

- Burning Ordinance–Prohibit the burning of leaf and yard waste.
- Waste Collection Ordinance–Require each resident to have a waste collection service.
- Recycling Ordinance–Require every resident to participate in a recycling program.
- All aforementioned Ordinances must include a program of enforcement.

DEP further indicated that non-compliance would render Hilltown Township ineligible for FY2009 Recycling Performance Grant funding in the amount of approximately \$90,000.00.

With the 2011 Fiscal Year looming, Supervisor Salvadore is very concerned about the possibility of losing \$90,000.00, which is very critical at this time. Chairman McIlhinney commented that there are other ways to balance the budget, including the adjustment of personnel. He is very much opposed to DEP threatening the Township by withholding funding when Hilltown has implemented programs for recycling and leaf collection. Chairman McIlhinney vehemently disagreed with DEP's threats to withhold grant funding, and their enforcement policies that violate the personal and property rights of every Hilltown citizen. He is hopeful that our State Senator and State Representative, and others throughout the Commonwealth, will be able to thwart this action. Discussion took place.

Motion was made by Supervisor Groff, seconded by Supervisor Salvadore, and carried unanimously to advertise the proposed Ordinance Amendments for the Burning Ordinance and

Waste Collection and Recycling Ordinances for consideration at Public Hearing at the September 27, 2010 meeting. There was no public comment.

3. H&K Quarry's Request for Extension of Hours – 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 concrete batch plant and asphalt batch plant to begin on September 16, 2010 through September 30, 2010, as noted within correspondence dated Sept. 2, 2010. There was no public comment.

G. ZONING HEARING BOARD ADVISORIES:

1. Joseph Pileggi – 1465 Rt. 113, Perkasio, PA 18944

H. BOARD MEMBER COMMENT:

1. Supervisor Salvadore advised that the Hilltown Historical Society will be holding a Fall Festival and Open House on September 18, 2010 from 10AM to 3PM.

2. Supervisor Groff commended the Public Works Department on a job well done on the box culvert repair.

3. Mr. Christman provided a brief update of the ISO project. Flow tests were conducted with the North Penn Water Authority on Aug. 19th, and on Sept. 8th, flow tests were conducted with the Telford Borough Authority. Information has also been received from HTWSA showing the computer modeling. Supervisor Groff noted that a tanker drill will be held on Saturday, Sept. 18th, to include the Hilltown Fire Company, North Penn Water Authority, and the Hilltown Authority. A notice will be placed on the Township's website to alert residents to the possibility of a change or slight fluctuation in water pressure during the drill.

I. PUBLIC COMMENT:

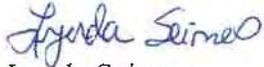
1. Mr. Hans Sumpf of Beverly Road asked if the Board has considered purchasing development rights of the Deep Run Valley Sports Association property. Chairman McIlhinney explained that open space purchases or development rights purchases are confidential and are discussed in Executive Session.

2. Mr. Joe Miketta thanked the Board for its vigilance with DEP imposed restrictions, and questioned what problems DEP hopes to resolve by banning open burning.

J. PRESS CONFERENCE: There were no questions posed by the members of the press.

K. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor Groff, and carried unanimously, the September 13, 2010 Hilltown Township Board of Supervisors meeting was adjourned at 8:06PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

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