

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, December 8, 2008
7:00PM**

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

Also present were: John B. McIlhinney, Vice-Chairman
Barbara A. Salvadore, Secretary/Treasurer
Christopher S. Christman, Township Manager
Bill E. Wert, Asst.Mgr./Dir.of Parks, Rec. and Open Space
Christopher E. Engelhart, Chief of Police
Lorraine E. Leslie, Finance Director
Lynda S. Seimes, Admin. Asst. to Township Manager

A. ANNOUNCEMENTS:

1. Later in the meeting, the Board will be considering the adoption of a Resolution designating an Open Records Officer, which is an additional agenda item..

2. Following discussion, the Board unanimously agreed and authorized cancellation of the December 22, 2008 meeting. The next meeting of the Hilltown Township Board of Supervisors will be the annual Reorganization Meeting to be held on Monday, January 5, 2009 at 7PM.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT CALENDAR:

- Acceptance of Bills List dated December 9, 2008
- Acceptance of Financial Report for month of November 2008.
- Acceptance of Manager's Report.
- Acceptance of Fire Company Reports for November 2008 – Hilltown, Perkasio, Silverdale and Souderton.

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

Supervisor Salvadore found Mr. Christman's Manager's Report very helpful, and suggested that as the report moves forward on a month-to-month basis, "Completed Projects" be removed to a separate page.

D. CONFIRMED APPOINTMENTS:

1. Mr. Robert Newton - Univest Corporation - Request for Increased Building Height: Mr. Robert Newton, the applicant's engineer, along with Ms. Samantha Falcone, the architect, and Mr. Frank Ball and Ms. Erin Tollson of Univest Corporation, were present to make a request to increase the height of the proposed tower for the new commercial banking operation.

Mr. Newton advised that under Section 160-55.b of the Zoning Ordinance, the Board of Supervisors can render a decision concerning building heights greater than thirty-five (35) feet as long as the building complies as follows – "Portions of the building may exceed 35 ft. in height where all dwelling units and work places can be reached and evacuated through adequate windows or balconies within the thirty-five ft. limit or existing equipment, and where roofs can also be reached along 50% of the building perimeter. The Township Fire Marshal's approval of such plans shall be required. In the absence of a Township Fire Marshal, approval of such plans shall be by the Township Supervisors." At the suggestion of the Township Engineer, the chief of the servicing fire company (Souderton) provided a written statement verifying that the additional height of the proposed tower creates no issues for the fire company.

The proposed building would be 4,152 sq. ft. in size, with a tower that reaches a maximum height of forty (40) feet. The tower has an area of approximately 180 sq. ft. and is accessible along 50% of its perimeter. The additional height will be utilized for HVAC equipment, etc. Mr. Newton stated that under no circumstances would employees or customers be located within this area. Ms. Falcone noted that the applicant is hoping to have the building LEED certified, with use of the tower as a means of passive ventilation for maximizing the "cupola effect." Supervisor Salvadore was concerned with setting a precedent by granting this request. Personally, she would prefer that the tower meet the Ordinance's 35 ft. height requirement, however she fully supports the applicant's efforts to achieve LEED certification for a "green" building. Lengthy discussion occurred.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to approve the additional 5 ft. of height of the Univest Corporation Land Development building tower (for a maximum of 40 ft. in height) with the understanding that it will be used for the purpose of ventilation, as noted above. There was no public comment.

E. UNFINISHED BUSINESS:

1. Consider EMS Services – Funding, Agreements, and Coverage Area Assignments – Supervisor Salvadore asked to proceed with drafting of the map and box

re-designation through Bucks County, along with the review of draft agreements, and determination of funding for 2009.

Supervisor McIlhinney recalls that the four ambulance squads and County representatives had previously agreed to meet and discuss coverage areas, but apparently that meeting has not yet occurred. As such, Supervisor McIlhinney does not believe that funding issues can be finalized. Supervisor Salvadore noted that funding is critical during discussion of the 2009 budget.

Mr. Chris Francis, chief of Souderton Ambulance, did not agree with the service area designations on the "conceptual map" that was discussed at the last meeting, however he does believe that once all four squads meet with Ms. Degideo, a fair and equal coverage area designation can certainly be determined. Following the last meeting, Mr. Christman and Ms. Degideo are in the process of scheduling a meeting with the four squads.

Chairman Manfredi had several questions and expressed concern with the proposed Agreement, noting that there are many details yet to be resolved. With respect to the proposed draft agreement, Chairman Manfredi had the following comments:

- The proposed Agreement states "Contribution for Services In compensation for the EMS services and in compensation toward the EMS continued acquisition and maintenance of appropriate emergency vehicles, and equipment, the Township agrees to provide a contribution to the EMS in a minimum amount to be established by the Township; and disbursed in semi-annual installments no later than July 1st and December 31st of the calendar year."

Chairman Manfredi suggested that the word "**minimum**" be deleted and replaced with the following language "**in an amount to be established by the Township.**" The next paragraph of the proposed agreement also speaks about "an annual minimum contribution," which Chairman Manfredi believes should be deleted as well.

- The proposed Agreement does not address a specific monetary distribution to the four EMS squads, which Chairman Manfredi believes will be determined in part by call volume and map area, which has not yet been decided.
- The proposed Agreement states "The EMS agrees and acknowledges that the Township shall permit the EMS to solicit voluntary contributions from residents and businesses in the Township only within designated service district."

Chairman Manfredi suggested that the following language be added **“permitted in a manner approved by the Board of Supervisors.”**

- With respect to the EMS squad’s ability to bill third-party insurance companies, Chairman Manfredi believes that further discussion is required because he feels it should be consistent with any policy that this Board establishes.
- Chairman Manfredi feels that there should be a requirement in the Agreement for the submission of monthly reports.
- Chairman Manfredi believes that there should be language providing for the ability of the Township to terminate the Agreement.

Supervisor Salvatore suggested that if a monetary amount is determined this evening, the Board could divide it equally among the four EMS squads to be disbursed at the July 1, 2009 deadline. This would then provide additional time for the Board to accumulate and review consistent service data throughout a 6-month period. Supervisor McIlhinney disagreed with equal disbursement to all squads at this time, until the Board considers a revised service coverage map and is able to determine the amount of population assigned to each squad.

Supervisor Salvatore explained that the submission of monthly reports will be mandatory, and will be in a format consistent with other reports the Township receives, including Fire Company reports. Supervisor Salvatore concurred with Chairman Manfredi that a “termination clause” should be inserted in the Agreement.

Chairman Manfredi referred to the question of a “contribution” to EMS versus a “fee for service.” The word “compensation” is used throughout the proposed Agreement, and in his opinion, the Township would be entering into an Agreement with a provider for a fee rather than providing a general contribution.

After discussion, the Board authorized the continued drafting of the proposed EMS Agreements, taking into consideration comments made by this Board, the Township Solicitor, the Township Manager, and the four EMS squads for future review by the Board of Supervisors. Further, it was determined that the Township Manager and Ms. Degideo will meet to discuss coverage area assignments along with the four EMS squads, which will also be reviewed by the Supervisors in the future.

2. Consider Proposed FY 2009 Budget – Following discussion of the first draft at the November 10, 2008 meeting, additional cuts were made for the Board’s consideration this evening.

Supervisor Questions and Discussion:

1. Supervisor McIlhimey questioned the line item for Parks and Recreation expenditures, as noted on page 25, "Professional Planning and Architectural Services" in the amount of \$50,000.00, and "Associated Improvements at the Blooming Glen Park" only in the amount of \$100,000.00, including pavilion replacement, Scout Cabin renovations, playground, safety surfacing, and outdoor furniture. Personally, Supervisor McIlhinney does not believe that the Scout Cabin or the pavilion is worth saving. Mr. Christman advised that this was one of the Capital Improvement items approved but not completed in the 2008 Budget, and therefore was carried forward in the 2009 Budget. Supervisor McIlhinney is not opposed to these items, however he requested that the amount of funding not be specified for any one park or any one specific project. Mr. Christman advised that any capital projects would be brought before the Board prior to expenditure. Chairman Manfredi commented that these specific projects at the Blooming Glen Park were previously approved for safety reasons and for improving the overall general recreational facilities in that park back in 2008. He is very comfortable allowing specific projects to remain in the budget, rather than a general slush fund for recreational facilities. Supervisor Salvatore recalls previous discussions about demolishing the Scout Cabin and pavilion, however since Mr. Wert was hired, he has been investigating it's possible renovation, and construction of a new pavilion in order to utilize the Blooming Glen Playground for more organized recreational activities. Discussion occurred. The Supervisors directed the Manager to move forward with the replacement of playground equipment at the Blooming Glen Playground.

2. Supervisor Salvatore asked when the Forest Road Park fence would be erected. Mr. Christman replied that the fence materials have been purchased, and he hopes it will be erected by the end of this year.

3. Supervisor McIlhinney referred to page 8 (Account #01-414-310) "Planning Services: in the amount of \$50,000.00. He advised that \$25,000.00 of that figure includes the Blooming Glen Village Visioning Grant, which will only leave \$25,000.00 remaining to continue with the Zoning Ordinance codification/reorganizing, etc. Mr. Christman explained that the first draft budget, which was discussed on Nov. 10th, originally proposed \$75,000.00 for Planning, however it was the Board's request that planning costs, as a whole, be reduced. Supervisor McIlhinney was concerned that insufficient funds have been budgeted for Planning Services. With respect to the codification effort, the Board had authorized Mr. Christman to move forward with Keystate Publishers to update the codification process. The staff conducted an internal review, and once editing revisions are complete, the project will move forward. Supervisor McIlhinney reminded Mr. Christman that each section of the Zoning Ordinance was to be reviewed and "cleaned up" in order for it to become more user-friendly. Chairman Manfredi noted that a great deal of time was spent this year on

revising specific provisions of the Zoning Ordinance. It is his opinion that the lion's share of it has been completed, and therefore it would not be necessary to budget an additional \$25,000.00 for planning services. Chairman Manfredi does not believe that it was ever the Supervisor's intent to completely re-write the Zoning Ordinance. Supervisor McIlhinney recalled that one of the tasks Ms. Stern-Goldstein had been charged with was to insure that the Zoning Ordinance, in conjunction with the codification process, was re-drafted or re-worked to be more user-friendly. Mr. Christman advised that if there were any additional services above and beyond the required in the codification effort, it would come from that line item under "Planning Services," which he has trimmed by \$25,000.00 based on the fact that the Blooming Glen Planning Study is still on going. Personally, Chairman Manfredi is not inclined to provide any additional funds to that line item. If, at a later date, the Board discovers that additional planning funding is required, Chairman Manfredi noted that a supplemental appropriation would be in order. Lengthy discussion occurred.

4. Supervisor McIlhinney was pleased that the total expenditures for "Results from Operation" on page 10 had been reduced to a deficit of \$110,330.00. However he did note that there is approximately \$100,000.00+/- from the State this year that will not be recurring next year, and which will result in a \$210,000.00+/- deficit if the economy remains static.

5. Supervisor Salvadore's main concern is that the budget does not appropriately reflect expenses since the Township remains in contract negotiations with the Police Department. Therefore, any deficit shown at the present time will be significantly increased. Chairman Manfredi explained that over the past few years, the Board has worked hard to make operating revenue and operating expenses equal. At the present time in this budget, the operating revenue and operating expenses are within \$110,330.00.

With over \$1 million dollars in fund equity, Chairman Manfredi wished to make it clear that Hilltown Township is not in a deficit situation.

6. Supervisor Salvadore remains concerned with the amount of expenses generated, such as printing costs, office supplies, etc. She asked Mr. Christman to provide the Board with a monthly narrative variance budget report throughout the year.

7. Supervisor Salvadore noted that this proposed Budget includes hiring for the positions of Police Officer, Public Works employee, and part-time Bookkeeper. Chairman Manfredi was under the impression that Mr. Christman intended to remove one of those positions from the budget. Mr. Christman explained that as of the November 10th meeting, the Supervisors directed that all three positions were to remain for discussion this evening.

8. Chairman Manfredi asked the total impact of not filling those three positions. Mr. Christman replied that with salary and benefits, the cost is \$178,000.00 for all three positions, with the breakdown as follows: \$100,000.00 for the Police Officer position, \$16,000.00 (no benefits) for the part-time bookkeeper, and \$53,000.00 for the Public Works employee. Personally, Chairman Manfredi would recommend that all three positions be frozen until the Board authorizes hiring if and when the economy strengthens. Supervisor Salvadore agreed. Supervisor McIlhinney agreed as well, however he recommended that the Police Officer position be eliminated from the budget completely. He is of the opinion that an additional officer is unnecessary, and believes that the Township is more than adequately protected with its current contingent of officers. Further, Supervisor McIlhinney does not believe that the Earned Income Tax figure from Berkheimer is accurate. Just because the positions are funded, it was Supervisor Salvadore's opinion that part-time employees could be hired for all three positions, providing for a great deal of flexibility at much less expense. With respect to the Police Officer position, Chairman Manfredi commented that it comes down to the level of service this Board is committed to providing to Hilltown residents. Discussion took place concerning the frequency of crime and types of crimes that are occurring.

9. Chairman Manfredi referred to page 25, "Capital Outlay Expenses" under "Professional Services," asking for clarification of \$20,000.00 budgeted for Engineering Services, \$18,000.00 budgeted for Architectural Services, and \$40,000.00 budgeted under "Building and Grounds." Mr. Christman replied that funds budgeted for engineering/architectural services are for any engineering services required for municipal properties. Mr. Christman explained that the \$40,000.00 was for an approved project in the 2008 Budget, including the possibility of lowering the dais in the meeting room, and the possible creation of a second floor in the meeting room for file storage. Supervisor Salvadore requested clarification of the \$12,000.00 budgeted for "Building Security/Surveillance System." Mr. Christman replied that it is for the installation of a camera system in the Police Department, the lobby area, and the Administrative Office, as well as exterior cameras in the rear of the building.

10. Supervisor Salvadore noted that many municipalities are not purchasing trucks or equipment in 2009 due to the economy, and asked if the three items listed on page 25 (11 ft. snow plow, pre-melter stainless spreader, and large dump truck with plow/spreader) are absolutely essential. Mr. Christman feels that all of the requests made by the Director of Public Works are necessary.

11. With respect to EMS funding, Supervisor Salvadore explained that the placeholder she had requested in the amount of \$42,000.00 was determined based on no tax increase, and on using the approximate equivalent of .025 mills. Chairman Manfredi commented that \$42,000.00 is actually \$10,000.00 less than a full quarter mill of funding. The Board unanimously agreed that the line item for Ambulance Services in

the amount of \$42,000.00 could remain in the 2009 budget. Supervisor McIlhinney noted that disbursement of that funding would occur once agreements had been executed.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to approve the FY 2009 Budget as discussed this evening. There was no public comment.

3. Ludlow Trail Easement Status Report – Mr. Wert has not received a call back from Mr. and Mrs. Ludlow. No new information to report.

Chairman Manfredi asked what Supervisor McIlhinney expects from the Ludlow family. Supervisor McIlhinney expects that Mr. and Mrs. Ludlow would once again offer the trail easement to the Township, as they did the evening their open space was purchased. He expressed disappointment with Chairman Manfredi and Supervisor Salvadore, who did not press Mr. and Mrs. Ludlow to commit to the trail easement that evening.

F. NEW BUSINESS:

1. Discuss Expiring Terms on Township Boards/Committees – Discussion took place concerning the policy to fill expiring terms that was adopted in 2006, but which had not been followed this year.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to authorize advertisement of the expiring terms on various Township boards and committees. There was no public comment.

It was determined that the Board would consider all applications that are received, and may or may not schedule interviews for any and all vacancies at their Reorganization meeting.

2. Discuss and Consider Resolution for Tax Collector's Compensation for years 2010 through 2013 – As per the Pennsylvania Local Tax Collection Law, the Board of Supervisors is required to set the compensation for the elected Tax Collector for the four-year term of office. Compensation must be set by February 15, 2009 to take effect in January of 2010, when a Tax Collector will take office following the General Election of 2009. Mr. Christman's memorandum dated December 4, 2008, along with the current Compensation Resolution (#2005-15), and the requested compensation as proposed by Tax Collector Diane Telly, was discussed.

Supervisor McIlhinney asked Mrs. Telly the net effect and dollar value of the certifications for refinance, new mortgages, existing sales, etc. Mrs. Telly replied that each certification has a fee of \$20.00, which covers three years of tax certifications (for

the three years she has been in office - 2006, 2007, and 2008). Mrs. Telly noted that a Tax Collector can only certify the years that he or she has been in office. She also advised that the \$20.00 fee covers liability, and noted that she does not charge an individual homeowner or the Township for this service.

In 2006, Supervisor McIlhinney is aware that Bucks County and the Pennridge School District were paying the same amount, and asked if that was still the case. Mrs. Telly advised that Bucks County tends to pay the same as the Township, perhaps slightly more; however the School District's pay rate is significantly lower.

Supervisor McIlhinney asked if the Township currently pays the Tax Collector's phone bill. In 2008, Mrs. Telly had submitted partial expenses for phone service since her office supply costs were very minimal this year, and since she considers phone service an "office expense."

Supervisor McIlhinney noted that the Tax Office is located off the lobby in the municipal building, and Mrs. Telly is currently not paying rent for the space, space that is sorely needed by the Township staff. Mrs. Telly stated that over 2,500 residents visited her office in 2008. While tax collection can certainly be accomplished out of a home office, with the amount of volume seen here, Mrs. Telly firmly believes it is a service to and a convenience for Hilltown residents to have the Tax Collection office located within the Municipal Building. If it is determined that the most economical way to obtain additional space for the administration is by relocating the Tax Office, Supervisor McIlhinney asked if Mrs. Telly would be amenable to moving to a different location within the municipal complex. While Mrs. Telly is not opposed to relocating, she cited recent safety concerns, and requested that if the Tax Office is moved, it remain within close proximity to the Police Department. Discussion took place.

The Board authorized the Township Manager to review the alternatives before them this evening, consider all financial issues, and discuss the matter with Mrs. Telly, in order to formulate a recommendation for the Supervisor's vote and consideration at their January 26, 2009 meeting.

3. Appoint Open Records Officer – Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to **adopt Resolution #2008-16, appointing the Hilltown Township Manager as the Open Records Officer.** There was no public comment.

G. BOARD MEMBER COMMENT – None.

H. PUBLIC COMMENT: None.

I. PRESS CONFERENCE: None.

J. ADJOURNMENT: Upon motion by Supervisor McIlhinney, seconded by Supervisor Salvadore and carried unanimously, the December 8, 2008 Hilltown Township Board of Supervisors meeting was adjourned at 9:00PM.

Respectfully submitted,



Lynda Seimes

Administrative Assistant to the Township Manager

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