

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, October 27, 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/Recreation & Open Space
Christopher E. Engelhart, Police Chief
Francis X. Grabowski, Township Solicitor
Judy Stern-Goldstein, Township Planner
Lynda S. Seimes, Admin.Asst. to Township Manager

A. COMMENDATION PRESENTATION: The Board presented a Commendation to Mr. Frank Beck, recognizing and expressing appreciation for his 20 consecutive years of service on the Hilltown Township Water and Sewer Authority Board

B. ANNOUNCEMENTS:

1) A Public Hearing was advertised for 8:00PM this evening to consider the Conditional Use Application of Metro PCS Pennsylvania, LLC requesting approval under Zoning Ordinance Section 160-23.F(6)(b)(f) for an F6 Communications Tower and Cellular Telecommunication Facility Use, consisting of the installation of six antennas on an existing 199 ft. high telecommunications tower located on TMP #15-34-33 at 30 Broad Street.

C. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

D. CONSENT CALENDAR:

- Approval of Minutes of September 9, 2008.
- Approval of Bills Lists dated Oct, 14, 2008 and Oct. 28, 2008.
- Acceptance of Financial Report for September 2008.
- Acceptance of Solicitor's Report.
- Acceptance of Police Report for September 2008.
- Acceptance of Fire Company Reports for Sept. 2008 - Dublin, Hilltown, Perkasi, Silverdale, Souderton, and Telford.
- Notification of Sketch Plan Staff Meeting - Metro Development/Souderton Area High School Property.
- Notification of Sketch Plan Staff Meeting - Touhill Building and Development Company (Rt. 313/Quarry Road).

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

E. LEGAL – M. Francis X. Grabowski, Township Solicitor --

1. Estates at Hilltown – Sewage Maintenance Agreements for Peat System for Lot #18 and Drip Irrigation System for Lots #15 and #30 – Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to approve and accept the Sewage Maintenance Agreements for Peat System for Lot #18 and Drip Irrigation System for Lots #15 and #30 of the Estates at Hilltown Subdivision. There was no public comment.

2. Traynor Subdivision – Sanitary Sewage System Operation and Maintenance Agreement for Sandmound System – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to adopt the Sanitary Sewage System Operation and Maintenance Agreement for Sandmound System for the Traynor Subdivision. There was no public comment.

F. PLANNING –

1. U-TH Fitness (Final)- At their meeting of October 20, 2008, the Planning Commission unanimously recommended conditional final plan approval of the U-TH Fitness Land Development, subject to completion of items contained within the engineering review dated October 7, 2008. In addition, Mr. Wynn seeks direction from the Board of Supervisors relative to whether they would like to meet with Souderton Borough to consider entering into sewer service area agreements with respect to properties located in Hilltown Township.

Mr. Wynn's review dated October 7, 2008 was discussed. Mr. Dave Weaver, the applicant's engineer, and Mr. Jamie Clemons, the applicant, were in attendance to present the plan.

Motion was made by Supervisor McIlhinney, and seconded by Supervisor Salvadore, to grant conditional final plan approval to the U-TH Fitness plan, pending completion with all outstanding items as noted in Mr. Wynn's engineering review as noted above; and with the stipulation that the Township Manager meet with Souderton Borough regarding future sewer service agreements. Prior to a vote, discussion took place.

Public Comment:

1. Mr. James Clemons was unclear as to what affect or delay the meeting with Souderton Borough regarding sewer service might have on his project. While it would

have no affect on the U-TH Fitness project, Supervisor McIlhinney explained that the Board's main concern is with outside Authorities making continued inroads for supplying public sewer service to commercial areas of Hilltown Township. This could somewhat limit the Township's creation of a viable commercial district, should an outside Authority decide they cannot or will not serve that area or particular site with public sewer. Discussion occurred.

Original motion carried unanimously. There was no further public comment.

G. ENGINEERING –

1. Summer Lea - Completion of Maintenance Period – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to accept completion of the work and authorize the release of remaining escrow funds, less any costs incurred by the Township, for the Summer Lea Subdivision, as noted above. There was no public comment.

2. National Penn Bank (formerly First Service Bank) – Completion of Maintenance Period – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to accept completion of the maintenance period and release of National Penn Bank Letter of Credit, as noted above. There was no public comment.

3. Civic Park Improvements Status Report – Mr. Christman advised that acrylic paint/stripping is being applied to the basketball courts this coming week.

H. UNFINISHED BUSINESS:

1. Request for Update of Ludlow Trail Easement – Mr. Wert has been unsuccessful in obtaining a response following numerous telephone inquiries to Mr. and Mrs. Ludlow to discuss the possibility of securing an easement for a walking trail along their property line.

2. Salt Bid Awards – Bid #2008-6 – Salt Bids through the Bucks County Consortium were opened on September 17th. Due to an addendum inserted by the lowest bidder, Cargill Inc., which would limit the amount of salt provided to each individual municipality's estimated quantity figures, Mr. Buzby and the Bucks County Consortium recommend that the Salt Bid be awarded to the second lowest bidder, International Salt LLC, in the amount of \$69.50/ton (delivered) and \$65.00/ton (undelivered).

Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to award the Bucks County Consortium Salt Bid (#2008-6) to International Salt LLC in the amount of \$69.50/ton (delivered) and \$65.00/ton (undelivered). There was no public comment.

3. Consideration of Proposed Billboard Ordinance –At the last meeting, a presentation was given by a representative of the outdoor advertising industry, which in Supervisor Salvadore’s opinion was understandably bias but very helpful.

Solicitor Grabowski explained that the Supervisor’s original request for a draft Ordinance was to provide for a complete prohibition of electronic billboards within the area where billboards are permitted, along the Rt. 309 corridor. He addressed that request by way of a very short proposed Ordinance, and thereafter, discussion occurred about possibly regulating electronic billboards with certain conditions and requirements. Supervisor Salvadore referred to the original Ordinance amendment as prepared by Solicitor Grabowski, which essentially adds Section 9.a and b to the existing Billboard Ordinance. Ms. Stern-Goldstein had also provided the Board with rather lengthy memo in April, citing various recommendations using data from the National Highway Transportation Safety Administration

After lengthy discussion, the Board directed Ms. Stern-Goldstein to provide several different Ordinance options for the Board’s consideration, including options with an outright ban to specific regulations addressing hold times, brightness of NITS, etc..

4. EMS Status Report – Supervisor Salvadore presented an EMS Status Report dated October 2008; a copy of which is on file at the Township office. Supervisor McIlhinney was disappointed that he had not been notified of the meeting date with the possible fourth ambulance squad, and he questioned the need for four squads rather than the original three. Supervisor Salvadore referred to a study conducted by Bucks County, which was based solely on response time and mileage, and which shows that service would be more efficient with four squads, rather than three. Supervisor McIlhinney was not convinced that those findings were accurate, and does not recall that the Board had ever agreed to four EMS squads rather than the original three. As the Board liaison for fire and emergency services, Supervisor Salvadore does not feel it was necessary to notify individual Board members about meeting dates. Chairman Manfredi agreed with that statement, explaining that Board liaisons were purposely appointed to avoid any issues with a quorum of Board members being present at any given meeting. Supervisor Salvadore also advised that Ms. Jeryl Degideo, Director of the Bucks County Emergency Health Services, would be in attendance at the November 24th meeting to discuss this issue and provide the Board with additional information. She is hopeful that a decision will be made with respect to EMS coverage for Hilltown Township by the end of the

year. Solicitor Grabowski is currently drafting an Agreement for the Board's consideration.

I. NEW BUSINESS:

1. Hilltown Village Study Committee Recommendation – A lengthy report had been submitted for the Board's review. Supervisor McIlhinney had several questions about the report, noting that in his opinion, the Committee went above and beyond the scope of what the Supervisor's intended.

The Board unanimously agreed to table review of the Report for a future meeting. Supervisor McIlhinney will meet with Ms. Stern-Goldstein prior to the public review to have his individual questions and concerns addressed.

2. Notification of H & K Quarry Request for Extension of Hours – Correspondence was received from the H & K Group dated October 14, 2008, requesting authorization for extended hours of operation for this evening and for Tuesday, October 28, 2008, (with alternate rain dates of October 29th and October 30th). Due to the receipt of the letter not coinciding with the Township meeting schedule, this item could not be placed on an earlier Board agenda for consideration. While Section 10.2 of the Township's agreement with H & K does not necessarily call for public notification, Supervisor McIlhinney felt it was good policy to announce such extension of hours for quarry operations at a public meeting. Mr. Christman noted that PennDot had cancelled their project for this evening due to inclement weather, however he is confident that the project will resume tomorrow evening, and perhaps the evenings of October 29th and 30th, if necessary.

For the record, Chairman Manfredi advised that since the H & K Group is one of his clients, he would abstain from any vote, however it is his opinion that if the agreement calls for Board approval, it must be done at a public meeting. Further, he suggested that if Mr. Christman has any questions whatsoever about the interpretation of the agreement between Hilltown Township and H & K Quarry, he should speak with the Township Solicitor.

Motion was made by Supervisor McIlhinney and seconded by Supervisor Salvadore to authorize approval for H & K Quarry to extend hours of operation on October 28th, October, 29th, and October 30th, if necessary, as noted above. Chairman Manfredi abstained from the vote. Motion carried. There was no public comment.

The Board directed Mr. Christman to contact H & K to advise that future requests for extension of hours of operation should be forwarded to the Township in a timelier

manner so that announcements could be made and authorization could be granted at a public meeting.

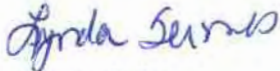
K. BOARD MEMBER COMMENT: None.

L. PUBLIC COMMENT: None.

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

N. ADJOURNMENT – Upon motion by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously, the October 27, 2008 Hilltown Township Board of Supervisors meeting was adjourned at 7:56PM.

Respectfully submitted,



Lynda Seimes

Administrative Assistant to the Township Manager

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