

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, June 9, 2008
7:00PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Richard J. Manfredi at 7:03PM and opened with the Pledge of Allegiance.

Also present were: John B. McIlhinney, Vice-Chairman
Barbara A. Salvatore, Supervisor
Christopher S. Christman, Township Manager
Christopher E. Engelhart, Chief of Police

A. CHAIR ANNOUNCEMENTS:

1. The 2008 Southeastern PA Household Hazardous Waste and Computer Recycling Program dates/times and locations have been established. The closest location is scheduled for June 21, 2008 from 9AM to 3PM at the Upper Bucks Vo-Tech School, 3115 Ridge Road. For additional locations and dates, or for more information, please visit our website at www.hilltown.org or contact the Township administrative office during normal business hours.

2. The Pennsylvania Department of Transportation will be hosting a stakeholders meeting on June 24, 2008 to discuss the Rt. 113 Bridge Replacement over the Morris Run Creek Project. This meeting is open to the general public and the time is yet to be determined. For more information, please visit our website at www.hilltown.org, or contact the Township administrative office during normal business hours.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT CALENDAR:

- Approval of Bills List dated June 10, 2008.
- Acceptance of Financial Report as of May 31, 2008.
- Acceptance of Public Works Report for month of May 2008.
- Acceptance of Police Report for month of April and May 2008.
- Acceptance of Fire Company Reports for the month of May 2008 – Silverdale and Souderton Fire Companies.
- Fire Tax Distribution.

Motion was made by Supervisor Salvatore, and seconded by Supervisor McIlhinney, to approve and accept the Consent Calendar as noted above. Prior to a vote, discussion took place.

Chairman Manfredi inquired as to when the Board would be receiving Financial Statements and Balance Sheets in the format as requested by the Board. He also requested the projection for Earned Income Tax collection with respect to the present economy.

Supervisor Salvatore commented that the Township would use the same Fire Tax distribution formula as 2007. Supervisor McIlhinney hopes that the distribution formula has been adjusted according to the assessment that changed since last year.

Motion carried unanimously. There was no public comment.

D. UNFINISHED BUSINESS:

1. Discuss appointment of members to the Blooming Glen Village Study Committee, and whether or not candidates are to be interviewed – It was Supervisor Salvatore's opinion that the Board should be consistent. Since candidates for the Hilltown Village Study Committee were not interviewed prior to their appointment, she does not believe the Blooming Glen Village Study Committee candidates should be interviewed either. Supervisor McIlhinney is aware that there is a list of candidates that the Board has yet to discuss.

This matter was tabled for consideration on a future agenda.

2. Authorization to Advertise the Parks, Recreation and Open Space Ordinance for consideration at a future meeting – The Board reviewed the proposed Ordinance, with the following comments and/or recommendations made:

- Supervisor Salvatore noted that the words "Committee" and "Commission" have been used interchangeably in Section 6.c and 7.c; and that it should be changed to "**Committee**" throughout.
- Supervisor McIlhinney referred to Section 2, second sentence suggesting that it should be revised to "**The term of office for each member shall be three years**, except that the terms of the members first appointed shall be staggered so that two (2) vacancies shall occur on December 31st in each of the next two (2) successive years and three (3) vacancies shall occur on December 31st in the third year successive of such appointment."
- Supervisor McIlhinney referred to Section 3, suggesting the following language be added "All of the members of the Hilltown Township Parks, Recreation and Open Space Citizens Advisory Committee shall be residents of Hilltown Township; and shall not be officers or employees of

Hilltown Township, **or serve on any other Hilltown Township commissions, committees or boards.**”

- With respect to Section 4, Supervisor McIlhinney suggested the following revised language: “The purpose of the Hilltown Township Parks, Recreation, and Open Space Citizen Advisory Committee is to advise and make recommendations to the Hilltown Township Manager in **planning for, regulation of and maintenance of parks, recreation, recreation facilities, recreational programs and open space based upon such written goals and objectives established by the Hilltown Township Board of Supervisors.**”
- Supervisor McIlhinney suggested the following revised language for Section 5, first sentence: “The Committee shall elect its own Chair and Vice-Chair; and shall create and fill such other offices **from its membership** as it may determine.”
- Supervisor McIlhinney questioned Section 7.B, which states: “All meetings or **portions of meetings** at which official action is taken shall be open to the general public.” He noted that all meetings, whether “official action” is taken or not, should be open to the general public. Discussion took place.

The Board unanimously agreed that Section 7.B should be revised to state: **“All meetings shall be open to the general public.”**

- Chairman Manfredi referred to Section 7.A, which states: “All meetings will be held at the Hilltown Township municipal building located at 13 W. Creamery Road in Hilltown Township, Bucks County, Pennsylvania. In the event of a conflict with holidays or other scheduled events, a majority of the Committee may change the date of its meeting.” He wondered if language should be added permitting the location of the meeting to be changed as well. Discussion occurred.

The Board agreed to the following revised language to Section 7.A, as follows: “In the event of a conflict with holidays or other scheduled events, a majority of the Committee may change the date **and/or location** of its meeting.”

- Supervisor McIlhinney questioned the lack of language devoted to absenteeism and required meeting attendance. After lengthy discussion, the Board of Supervisors agreed that an additional Section should be

inserted into the draft Ordinance requiring 80% meeting attendance, as such: **“Members of this committee are expected to attend 80% of all meetings.”**

- With respect to Section 8, Chairman Manfredi does not recall the Board agreeing to the establishment of a hearing process for removal of office. The Board unanimously agreed to remove the following sentence from Section 8, **“A hearing shall be held in connection with the vote if the member shall request the same in writing.”**

Motion was made by Supervisor Salvadore, and seconded by Supervisor McIlhinney to authorize the Township Solicitor to make the above noted revisions to the proposed Parks, Recreation and Open Space Citizens Advisory Committee; and then to advertise the revised Ordinance for Public Hearing. Prior to a vote, public comment was heard.

Public Comment:

1. Mr. Joe Marino of Redwing Road reminded the Board that by law, to remove an individual from a committee, commission or board, said individual can request a public hearing to plead their case. Therefore, if the language regarding a hearing were removed, the Township would be in violation of the law. Supervisor Salvadore agreed, and suggested that Solicitor Grabowski be consulted. Chairman Manfredi commented that a committee position is not an employee, however he agreed to Solicitor Grabowski's review prior to advertisement.

There was no further public comment. Motion carried unanimously.

3. Authorization to Advertise the Manager's Ordinance for consideration at future meeting – The Board reviewed the proposed Ordinance with the following comments:

- Supervisor Salvadore referred to Section 4.B(6), requesting that the following language be added: **“The Township Manager shall keep the Board of Supervisors advised of the financial condition and *immediate and future* needs of Hilltown Township and make such recommendations as deemed necessary for the good of Hilltown Township.”** The Board agreed.
- Supervisor Salvadore requested the following revised language to Section 4.B(8): **“The Township Manager *may* consolidate positions or combine positions, or departments of Hilltown Township with the advice and**

consent of the Board of Supervisors.” After discussion, the Board unanimously agreed.

- Supervisor Salvadore requested the following additional language to Section 4.B(10): “The Township Manager shall supervise the work of all professional consultants retained by Hilltown Township to perform services on its behalf, including but not limited to, engineers, planners, attorneys, and accountants; and manage Board authorized goals, objectives and activities of all appointed officers and professionals and **boards, committees, and commissions.**”
- Supervisor Salvadore referred to Section 4.B(16), which states “The Township Manager shall be responsible for the timely routing of all communications, reports and correspondence to and from the Board of Supervisors.” She wished to insure that this section includes verbal communications, not only written communication. Supervisor McIlhinney noted that the language refers to all communications, including verbal, and is not limited to written communications. After discussion, the Board agreed that the language would remain as is.
- Chairman Manfredi referred to Section 4.B(2), last sentence, which states “Any action taken by the Township Manager under authority of this subsection shall be reported to the Board of Supervisors.” He noted that there is no time frame for reporting such action to the Board of Supervisors. Discussion occurred. The Board unanimously agreed that the word “**immediately**” should be added to the end of the sentence, following the word “Supervisors.”

Motion was made by Supervisor Salvadore, and seconded by Supervisor McIlhinney, to authorize the advertisement of the proposed Manager’s Ordinance, with the revisions as noted above. Prior to a vote, public comment was heard.

Public Comment:

1. Mrs. Marilyn Teed of Mill Road questioned the residence requirement as found in Section 2.A, last sentence, which states “The Township Manager shall reside within 35 miles of Hilltown Township, Bucks County, Pennsylvania, or must reside in Bucks County within one year from the date of hiring.” Discussion occurred.

The Board unanimously agreed that the sentence should be revised as follows: “The Township Manager shall reside within 35 miles of Hilltown Township, Bucks County, Pennsylvania, or **within** Bucks County within one year from date of hiring.

Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to amend the original motion to include the above noted revision and to authorize the advertisement of the proposed Manager's Ordinance to include all revisions as noted above. There was no further public comment.

4. Civic Park Improvements – Bid Consideration and Approval – Correspondence from Mr. Wynn dated May 28, 2008 (original bid tabulation), and correspondence dated June 2, 2008 (lowest bidder references summary) were discussed.

Base bids, which include construction of the basketball court with a Plexicushion surface (or equal), were received from the following:

- James R. Kenny Excavating and Paving, Inc.,	\$268,560.00
- S&H Landscaping	\$242,843.20
- Couzins, Inc.	\$187,911.58.

*While the actual total base bid tabulated on Attachment #1 as submitted by Couzins, Inc. was \$181,231.42, there were four multiplication errors, thereby increasing the base bid to \$187,911.58. Mr. Wynn's correspondence notes that the actual contract payment is based upon the quantities utilized multiplied by the unit price.

Lengthy discussion took place concerning the basketball court surfacing. Supervisor McIlhinney questioned the need for Plexicushion surface. Chairman Manfredi replied that Plexicushion is a softer, safer surface, and suggested that, as a trial, just one court be constructed with Plexicushion. Supervisor Salvadore agreed. Supervisor McIlhinney noted that the original bid specification was not written in that way. Chairman Manfredi believes that the bid could be awarded this way, conditioned upon the lowest bidder accepting the revision. The Supervisors were agreeable.

Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to award the base bid for the Hilltown Civic Park Improvements to Couzins, Inc. in the amount of \$187,911.58, with the exception that the Plexicushion surface be added to only one basketball court with the appropriate credit being applied, and conditioned upon the Township Engineer reviewing the proposal with the low bidder (Couzins, Inc.). There was no public comment.

E. NEW BUSINESS:

1. Approval to hire an Assistant Township Manager/Director of Parks, Recreation, and Open Space – Mr. Christman introduced Mr. Bill Wert, candidate for the position of Assistant Manager/Director of Parks, Recreation and Open Space. Mr. Wert

comes to Hilltown Township with over 12 years of experience in the parks, recreation and open space field, serving most recently with Newtown Township, Bucks County, as their Director of Parks and Recreation. Mr. Wert is a certified park and recreational professional, and is currently an officer on the Board of Directors for the Pennsylvania Recreation and Parks Society. With a commitment to education, Mr. Wert has earned his Bachelor of Science Degree from West Virginia University, and has additional professional certifications from North Carolina State University, and the Lower Bucks County Chamber of Commerce Leadership Training Program. Mr. Wert also serves as a member of the New Britain Township Planning Commission, and was appointed to serve on the Bucks County Open Space Task Force from 2006 to 2007. Mr. Christman is very proud to have Mr. Wert join the Hilltown Township staff, and looks forward to working with him to continue to make Hilltown Township a great place to live, work, and recreate.

Supervisor McIlhinney has reviewed Mr. Wert's qualifications, which appear to be outstanding. He expects that the process of hiring a Director of Parks, Recreation and Open Space will result in a recreational program that is self-sufficient. Supervisor McIlhinney hopes that within a very short period of time, as the program is underway, any fees collected would defray a great deal, if not all, of the cost of operating the recreational program. The Board welcomed Mr. Wert to Hilltown Township.

Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to appoint Mr. William E. Wert, III as Assistant Township Manager/Director of Parks, Recreation, and Open Space with an annual starting salary of \$68,000.00. There was no public comment.

F. BOARD MEMBER COMMENT:

1. Chairman Manfredi asked the status of the Fire Prevention Bureau and EMS issues. Supervisor Salvadore replied that the Fire Prevention Bureau's next meeting is June 18th. She provided the Township Manager with a comprehensive Report from their last meeting. Further, Supervisor Salvadore will be meeting with Mr. Bill Kehoc of Bucks County EMS within the next month, at which time a coverage map will be the topic of discussion.

G. PUBLIC COMMENT:

1. Mrs. Marilyn Teed of Mill Road presented correspondence she received from Tom Cuce' of Cuce' Auto Body located on Rt. 309. She has been following closely the issue of anticipated connection to public sewer for businesses located along Rt. 309 in the Hatfield/Line Lexington area for quite sometime, and is disturbed by what she has discovered. Mrs. Teed stated that some time ago Mr. Wally Rosenthal had

advised the Board of Supervisors at a public meeting that he intended to ask all of the business owners along Rt. 309 from Hilltown Pike up to Mill Road if they were interested in connecting to public sewer. Mrs. Teed referred to the correspondence she provided to the Board this evening (dated May 19, 2008 from Metz Engineers) containing a list of six different property owners – Snyder, Helm, Coleman, Cuce', Peruzzi, and Nicholl, all of who were never contacted by Mr. Rosenthal. She finds it interesting that Mr. Rosenthal's is the only business along Rt. 309 who was able to get public sewer connection. Further, Mrs. Teed claimed that Mr. Cuce' was very surprised at the amount of money Mr. Rosenthal was seeking for those additional businesses to connect to public sewer in an attempt to recoup his engineering costs, etc. Mrs. Teed believes that Mr. Rosenthal has been improving his own property at the expense of Mr. Cuce' and the other five business owners who did not have that same advantage.

Mrs. Teed further referred to a new Hotel/Motel Ordinance that is supposedly being proposed in Hilltown Township. For the past two years, she has heard rumors that a major hotel chain is proposed to be constructed on a few large parcels in the Rt. 309 corridor, and she feels it would be suspect if public sewer is run up to and including the properties she is speaking of. Mrs. Teed was unhappy with Mr. Rosenthal improving his property at the expense of Mr. Cuce' and those other individuals.

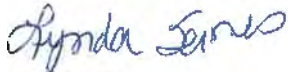
On May 15, 2008 a Zoning Hearing for Peruzzi's interest in the former Skate 309 property was held. Mrs. Teed mentioned that she was denied party status because she did not arrive until 7:30PM, while the Zoning Hearing began at 7:00PM. During the Zoning Hearing, one of the residents who did receive party status, Bob Ott, had noted that a car carrier was parked on the property, and asked if sales would occur on the site. Representatives for Peruzzi then responded that no sales would occur at that site, and that the site would be used for overflow storage only. Mrs. Teed was suspicious of that response, and upon enlarging some language on the plan she noticed that it states "Proposed Use E-11 – Automobile Sales." Mrs. Teed supports anyone who wishes to improve his or her property as long as it is permitted by the Zoning Ordinance. However in this case it appears to Mrs. Teed that the applicant lied about their intentions for the property. She alluded to various individuals who have gone before the Zoning Hearing Board, and who appear, in her opinion, to receive preferential treatment from certain Zoning Hearing Board members. Mrs. Teed asked the Board to review various sections of the Zoning Ordinance that have generated variance requests over the years, and to consider revising those sections of the Zoning Ordinance to fit the needs of the people so that every resident is treated fairly and equally.

2. Mr. Kirk Hansen of Rt. 113 requested additional information concerning the Rt. 113 Bridge/Morris Run Replacement Project, which was mentioned earlier in the meeting. The Board encouraged him to attend the stakeholders meeting with PennDot being held on June 24th.

H. PRESS AND MEDIA TIME: There were no reporters present at this time.

I. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously, the June 9, 2008 Hilltown Township Board of Supervisors meeting was adjourned at 8:30PM.

Respectfully submitted,



Lynda Seimes

Administrative Assistant to the Township Manager

(*These minutes were transcribed from recordings taken by Mr. Christopher S. Christman, Township Manager, and are not considered official until acted upon by the Board of Supervisors at a public meeting).