

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, April 28, 2008
7:00PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Richard J. Manfredi at 7:02PM 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
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Christopher E. Engelhart, Chief of Police
Lynda Seimes, Administrative Assistant to the Township Manager

A. CHAIR ANNOUNCEMENTS:

1. The Board of Supervisors Executive Session originally scheduled for Saturday, April 26, 2008 was not held.

2. Hilltown Township will hold a public Visioning Meeting on Wednesday, April 30, 2008 at 7:00PM in the Municipal Building to gather public input and ideas relating to the Village of Hilltown. Residents are asked to share their opinions and ideas for the future of Hilltown Village. The public's input will then be incorporated into the report, which will outline a series of recommendations to the Board of Supervisors.

3. A Public Hearing will be held at 8:00PM this evening for the Board to consider the enactment of three separate Ordinances: (1) Authorizing the participation of Hilltown Township in the Delaware Valley Insurance Trust for the purpose of pooling liability risks with other municipalities; (2) Authorizing the participation of Hilltown Township in the Delaware Valley Health Insurance Trust; and (3) Authorizing participation of Hilltown Township in the Delaware Valley Worker's Compensation Trust.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT CALENDAR:

- Approval of Minutes of the March 24, 2008 Supervisor's Meeting.
- Approval of Bills List dated April 29, 2008.
- Accept Solicitor's Report.

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

Chairman Manfredi wished to provide a clarification to the following statement on page 7, first paragraph, as follows "For a number of years, Chairman Manfredi has advocated the **financing of open space, whether short-term or long-term**, for the purpose of acquiring open space in order to maintain and preserve the rural character of Hilltown Township."

Motion carried unanimously. There was no public comment.

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

1. Forest Road Park Stabilization Status Report – Mr. Wynn explained that the contractor is scheduling commencement of stabilization of the Forest Road Park pursuant to the contract approved by the Board of Supervisors last month. The temporary seed required pursuant to Bucks County Conservation District regulations when work ended in the fall of last year has been growing vigorously this spring. This vigorous growth of annual vegetation consists of winter wheat, winter rye, and annual rye grass; and will adversely affect the growth of the perennial groundcover if not controlled. Therefore, a change order from Chwal Landscaping was received in the amount of \$1,7000.00 to use a herbicide to control the existing vegetation prior to the re-establishment of the perennial seed mixture.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to authorize the change order from Chwal Landscaping in the amount of \$1,700.00 to use a herbicide to control the existing vegetation at the Forest Road Park prior to the re-establishment of the perennial seed mixture, as noted above. There was no public comment.

2. Wallace Tract Subdivision – Completion of Maintenance Period – This major subdivision located on Broad Street included cartway widening, curb, storm drainage, and street tree installation. One dwelling has been constructed and is occupied, while the other lot remains vacant. The maintenance period for street improvements has expired, and punchlist work has been accomplished. Work for this project is guaranteed via a cash escrow with the Township.

Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to accept completion of the maintenance period for the Wallace Tract Subdivision, and to return the balance of the escrow funds, less any remaining costs

incurred by the Township, to the developer as noted above. There was no public comment.

E. UNFINISHED BUSINESS:

1. Consider appointing members to the Blooming Glen Village Study Committee, and adopt Blooming Glen Village Study Committee Mission Statement - Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to accept the Blooming Glen Village Study Committee Mission Statement, with appointment of members to be accomplished at a later date, when funds for the grant are actually received. There was no public comment.

F. BOARD MEMBER COMMENT:

1. Chairman Manfredi attended a recent Penridge Area Coordinating Committee (PACC) meeting to introduce the new Township Manager. As previously discussed with this Board, Chairman Manfredi is concerned with the legitimacy of the PACC organization as it presently exists, noting that there is no real statutory authority. Therefore, he had suggested to the PACC that a representative of each municipality should meet to discuss a possible framework for the organization. The PACC members also discussed the possibility of holding a joint public meeting with the full Boards of each participating municipality. It is Chairman Manfredi's opinion that an organization of municipalities meeting on a regular basis should have a legal framework or construct, whether it be a council of government, or through an inter-governmental cooperative agreement.

Supervisor McIlhinney questioned the purpose of the PACC, which in his opinion seems to have evolved over the years. Chairman Manfredi stated that he could not reply to that question at this time, which is why he has suggested a more formal organization. In the past, the PACC has worked cooperatively, project by project, to accomplish things much the same as a consortium might function. Discussion took place. No formal action was taken.

2. Chairman Manfredi suggested that the Board hold a joint meeting with the Planning Commission within the few couple of months to discuss proposed Ordinances, as well as the Board of Supervisor's initiatives for this year.

At the last PC Worksession, Supervisor McIlhinney understands that they tabled review of the proposed Traditional Neighborhood Development Ordinance, and also requested copies of the accompanying zoning map showing the expanded village areas. While Mr. Wynn believes there was a consensus of support for both Ordinances in principal, a few

members indicated they would not be inclined to support the Village Traditional Neighborhood Design.

Supervisor Salvadore commented that many of the Planning Commission's questions seemed to surround the lack of opportunity to review the map, which Ms. Stern-Goldstein had indicated she was not authorized to provide to the Planning Commission. Supervisor McIlhinney did not feel that the map should be a factor when reviewing the text of an Ordinance.

Mr. Joe Marino, chairman of the Planning Commission, commented that he was in total support of the Ordinance, as were a majority of PC members. The PC had raised ten questions at their Worksession meeting, and as a result, the Supervisors had asked the Township Planner to attend the next PC meeting to provide answers to those questions. However, rather than providing answers, Mr. Marino felt that Ms. Stern-Goldstein gave an overview of what the Supervisors hoped to accomplish with this proposed Ordinance. He noted that the Planning Commission is willing to proceed with their review of the Ordinances, if those previously asked questions are answered. Mr. Marino advised that a complete list of those questions are so noted in the April 7, 2008 PC Worksession meeting minutes. One question in particular referred to the requirement for 30% of commercial small business use and whether or not it could offset the 70% of residential use, with families with school age children. Supervisor McIlhinney noted that the 30% for commercial is strictly for business, and does not limit the live-work units, which are not counted in that initial 30%. If the PC is questioning the fact that there will be higher density because it is a Village, Supervisor McIlhinney commented that the density must be offset with increased taxes from commercial uses, otherwise, it would be a losing proposition for the Township. He agreed that the live-work units would supplement the commercial area, and the commercial units themselves would obviously not produce a burden on the school district and would help defray some of the tax costs.

Chairman Manfredi is uncertain as to why the Planner did not provide answers to the PC's questions. Mr. Marino does not believe it was intentional, noting that Ms. Stern-Goldstein seemed more intent on providing an overview of the proposed Ordinance. He recalls that no Planning Commission members were totally opposed to the Ordinance. Mr. Marino had also requested that Mr. Wynn provide his opinion of the Ordinance. Supervisor McIlhinney commented that this was to have been an initial review by the Planning Commission to determine if there were any obvious objections, and noted that the PC will have a second opportunity to review the Ordinance with the accompanying zoning map, at an appropriate time as determined by the Supervisors. He explained that the accompanying zoning map has not yet been determined to the satisfaction of the Board of Supervisors. Chairman Manfredi felt it was important to note that the Board of Supervisors as a whole has not yet discussed any amendments to the Zoning map. Further, Chairman Manfredi noted that he personally has not yet had the opportunity to

see the zoning map. Mr. Marino felt that the zoning map is a critical factor in the review of the proposed Ordinance. Lengthy discussion occurred.

Supervisor McIlhinney asked that the PC review the proposed Ordinance once more, after which time the Supervisors will consider their comments or recommendations, and then will meet with the Planner to proceed in the normal manner. He was disappointed that the effort to provide the Planning Commission with an advance review of the proposed Ordinance was apparently unsuccessful. Mr. Marino resented that comment, stating that the PC spent a great deal of time reviewing the Ordinance, a review which produced several questions and comments. He noted that the Planning Commission was willing to wait for the response to those questions and comments, and to address the issues further during their second review. Mr. Marino assured the Board of Supervisors that the PC will conduct an additional review of the proposed Ordinance at their Worksession meeting of May 5th and will immediately provide their comments to the Supervisors. Lengthy discussion occurred.

Chairman Manfredi would prefer that the PC's questions be answered by the Township Planner. He suggested that the Board of Supervisors hold a special joint meeting with the Planning Commission as soon as possible to keep open lines of communication with respect to this proposed Ordinance and other issues as well.

3. Chairman Manfredi reminded Mr. Christman that one of his top priorities is to provide the Supervisors with an analysis of the open space.

4. Chairman Manfredi announced that he is unable to attend the Visioning Committee meeting on April 30th due to a prior commitment. He suggested that the Visioning Committee be asked to consider the possibility of a small wind turbine at the Hilltown Civic Park, which may be able to produce enough electricity to power low level pathway lighting or lighting for athletic courts at the park. Supervisor McIlhinney referred to Perkasio Borough's failed attempt to do the same thing at Lenape Park, which he felt was a complete waste of time and money.

G. PUBLIC COMMENT:

1. Mrs. Marilyn Teed of Mill Road is opposed to the Township's participation in the Pennridge Area Coordinating Committee, and noted that unless it is outlined in the Municipalities Code, she does not believe the PACC should be formalized.

Mrs. Teed asked why hearings for cell towers are held before the Board of Supervisors. Solicitor Grabowski explained that Conditional Use hearings before the Board of Supervisors are held because it is a Zoning Ordinance requirement for cell towers

proposed in certain zoning districts. There was one recent exception, the Cricket Communications hearing for a property on Minsi Trail, which was heard by the Zoning Hearing Board because it was a non-conforming use.

2. Mr. Henry Rosenberger of Rt. 113 arrived late, and asked if appointments had been made to the Blooming Glen Village Adhoc Visioning Committee. Chairman Manfredi explained that the Board delayed appointments to the Visioning Committee until such time as the grant money is received.

***7:38PM – Chairman Manfredi recessed the regularly scheduled Board of Supervisors meeting of April 28, 2008 at 7:38PM in order to enter into Executive Session to discuss a legal matter.**

***8:18PM – The regularly scheduled meeting of the Hilltown Township Board of Supervisors was reconvened at 8:18PM.**

H. PRESS AND MEDIA TIME: A conference was held to answer questions of those reporters present.

I. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously, the regular business meeting of the Hilltown Township Board of Supervisors dated April 28, 2008 was adjourned at 8:19PM.

J. PUBLIC HEARING – ***8:18PM – Chairman Manfredi called to order the advertised Public Hearing for the Board to consider the enactment of three separate Ordinances: (1) Authorizing the participation of Hilltown Township in the Delaware Valley Insurance Trust for the purpose of pooling liability risks with other municipalities; (2) Authorizing the participation of Hilltown Township in the Delaware Valley Health Insurance Trust; and (3) Authorizing participation of Hilltown Township in the Delaware Valley Workers' Compensation Trust.**

Solicitor Grabowski advised that the three proposed Ordinances for consideration provide for authorization to cooperate with other governmental instruments under the Pennsylvania Intergovernmental Cooperation Law. The Delaware Valley Insurance Trust is a pool of approximately 30-35 municipalities formed to provide for proper insurance coverage in the areas of workmen's compensation, liability insurance and health insurance. By taking action on the Ordinances this evening, Solicitor Grabowski explained that the Board would simply be authorizing the potential future participation in the Delaware Valley Insurance Trust, not actually entering into those agreements at this time.

The proposed Ordinances and this Public Hearing were properly advertised in the Doylestown Daily Intelligencer on April 21, 2008. Proof of Publication is available for public review at the Township office.

Mr. Bob Pellegrino, Management Consultant, explained that the premise for forming these insurance Trusts, which are municipal self-insurance pools created in the 1980-s and 1990's by municipal managers and elected officials in Bucks, Montgomery, Chester, Delaware, and Lehigh Counties, was to better control the spiraling cost of municipal insurance by "pooling" resources and sharing risks. He referred to the detailed and comprehensive overview of these insurance programs he provided at the April 14, 2008 Board of Supervisor's meeting.

If the Township, at a later date decided to leave the Trust, Supervisor McIlhinney asked if there would be any complications involved. Mr. Pellegrino replied that there is a two-year minimum participation requirement. If the Township would decide to leave in the future, depending on which Trust is involved, Mr. Pellegrino stated that for the Liability and Worker's Compensation Insurance Pools, there is a "termination premium," which is an assessment or portion of the annual premium that would be charged. In his long history with these programs, Mr. Pellegrino advised that municipalities do not leave the Trust because the benefits are too great. Once the Township is with the Trust program for a number of years and for instance, worker's compensation claim history has been established, dividends are paid back to the municipality, assuming Hilltown's claim experience is good. Based on the claim history he has reviewed, Mr. Pellegrino believes that Hilltown Township would have seen significant dividends had they been participating in the Trust for several years. Discussion occurred.

Motion was made by Supervisor Salvadore and seconded by Supervisor McIlhinney to **adopt Ordinance #2008-1 – authorizing participation of Hilltown Township in the Delaware Valley Insurance Trust for the purpose of pooling liability risks with other municipalities; and to adopt Ordinance #2008-2 – authorizing participation of Hilltown Township in the Delaware Valley Health Insurance Trust for health insurance coverage; and to adopt Ordinance #2008-3 – authorizing participation of Hilltown Township in the Delaware Valley Workers' Compensation Trust for Worker's Compensation insurance coverage.** Prior to a vote, public comment was heard.

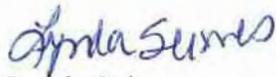
1. Mr. Henry Rosenberger of Rt. 113 commended the Board for taking this action, which he believes is a very sound and efficient way to move forward with municipal insurance. He has been involved with these kinds of pooled insurance programs for over 30 years throughout his business career, and continues to serve with Liberty Mutual Insurance as the director of a regional three-state board.

2. Mrs. Marilyn Teed of Mill Road asked if any solicitors or attorneys connected with Hilltown Township would be insured through this program. Mr. Pellegrino replied that they would not. He explained that solicitors have their own insurance, noting that there are no municipal solicitors, engineers, or other professionals insured through Delaware Valley Insurance Trust programs.

There was no further public comment. Motion carried unanimously.

K. PUBLIC HEARING ADJOURNMENT: Upon motion by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to adjourn the advertised Public Hearing at 8:36PM.

Respectfully submitted,



Lynda Seimes

Administrative Assistant to the Township Manager

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