

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED PUBLIC MEETING  
Monday, October 22, 2007  
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Richard J. Manfredi at 7:33PM and opened with the Pledge of Allegiance.

Also present were: John B. McIlhinney, Vice-Chairman  
Barbara A. Salvadore, Supervisor  
Christopher E. Engelhart, Chief of Police  
Francis X. Grabowski, Township Solicitor  
C. Robert Wynn, Township Engineer  
Lynda S. Seimes, Township Secretary

A. ANNOUNCEMENTS:

1. The Board of Supervisors met in Executive Session on the following dates:

October 12, 2007 to discuss Personnel and Real Estate  
October 19, 2007 to discuss Personnel, Real Estate, and Litigation  
October 22, 2007 to discuss Personnel

2. The Civic Association's Candidate's Night originally scheduled for Tuesday, October 23, 2007 has been cancelled.

3. The Hilltown Halloween Fest originally scheduled to be held at the Pearl S. Buck Foundation has been moved to the Hilltown Civic Park site, and will be held on Sunday, October 28, 2007 from 2PM to 6PM. Parking is free and the festival will be held rain or shine. Planned activities include a tractor pull hayride, pumpkin painting, interactive storytelling, a children's costume parade, food concessions, and an evening bonfire.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT AGENDA:

- Minutes of the October 5, 2007 2008 Budget Worksession
- Bills List dated October 23, 2007
- Solicitor's Report
- Police Chief's Report for September 2007
- Wagner Development – Maintenance Period Completion
- Summer Lea (Heritage) – Maintenance Period Completion
- Orchard Hill (Sections IV and V) Maintenance Period Completion
- Kratz Subdivision – Improvements Completion

- Award Bid #2007-7 (Salt Bid through Bucks County Consortium) to Cargill, Inc. in the amount of \$47.42/ton delivered and \$45.42/ton undelivered.

Motion was made by Supervisor McIlhinney, and seconded by Supervisor Salvadore, to accept the above noted items under the Consent Agenda, subject to discussion. There was no public comment.

Supervisor Salvadore noted the following correction to page 6, Item 20, of the October 5, 2007 Budget Worksession minutes:

“Supervisor Salvadore recalls that the Board previously asked Mr. Bennington to obtain rates for contracting out all snow and ice removal **and lawn mowing services**, however that figure has not been provided.”

Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to approve the minutes of the October 5, 2007 Budget Worksession meeting as amended. There was no public comment.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to approve all items as listed on the Consent Agenda as noted above. There was no public comment.

D. LEGAL – Mr. Francis X. Grabowski, Township Solicitor –

1. McElhaney Subdivision – Road Frontage Easement Resolution – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to **adopt Resolution #2007-26, Acceptance of Road Frontage Easement for the McElhaney Subdivision.** There was no public comment.

2. Henning Subdivision – Road Frontage Easement Resolution – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to **adopt Resolution #2007-27, Acceptance of Road Frontage Easement for the Henning Subdivision.** There was no public comment.

3. PECO/McGowan Lot Line Adjustment – Road Frontage Easement Resolution – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to **adopt Resolution #2007-28, Acceptance of Road Frontage Easement for the PECO-McGowan Subdivision.** There was no public comment.

4. Local Services Tax Ordinance for Public Hearing – The existing Emergency and Municipal Services Tax will be replaced by the new Local Services Tax as of January 1, 2008. Even if Hilltown Township does not decide to change the rate of tax, the Supervisors must re-enact the Emergency and Municipal Services Tax Ordinance to comply with the new provisions of Act 7 prior to December 31, 2007.

Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to authorize the Township Solicitor to prepare and advertise for Public Hearing at the November 26, 2007 meeting, an appropriate re-enactment of the Local Services Tax Ordinance. There was no public comment.

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

1. Wynnefield Estates – Improvements Completion – Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to authorize acceptance of completion of the improvements and dedication of the public street, Wynnefield Drive, to commence the 18-month maintenance period for the Wynnefield Estates Subdivision, while noting that two streetlights remain to be installed by PP&L and are subject to payment of all costs by the developer. There was no public comment.

Mr. Wynn noted that snow removal during the maintenance period is the responsibility of the developer pursuant to Paragraph 8 of the Development/Financial Security Agreement executed between the developer and the Township, dated June 23, 2004.

F. OLD BUSINESS:

1. Consider proposed Zoning Amendment to Section 160-23 Accessory Activities – The Board discussed the proposed draft amendment to Section 160-23, Accessory Activities, to include Section (18) I18 – Place of Worship Accessory Uses, as prepared by Solicitor Grabowski and Mr. Wynn. The following corrections and additions were noted:

- Page 1, item (c) should state “The Accessory Use shall be contained within the principal structure of the place of worship; and shall not exceed ten (10%) or **12,000 square feet**, whichever is less.
- Page 2, item (h), should state “The **area** and facilities set aside for the Accessory Use shall comply, in all respects, with all current federal, state and local regulations and standards pertaining to fire, safety, health and handicap access.”

- Page 2, remove item (j) in its entirety, which addresses off-street parking spaces. (Mr. Wynn does not feel there is a need for additional parking limitations, since there are currently parking limits on the principal use).

Motion was made by Supervisor, seconded by Supervisor, and carried unanimously to accept the revisions to the proposed Zoning Amendment to Section 160-23, Accessory Activities, as noted above, and to authorize the advertisement of the proposed Ordinance for Public Hearing. There was no public comment.

2. Consider acceptance of Zoning Services Agreement – The proposed Zoning Services Agreement with Building Inspection Underwriters to provide Zoning Officer/Inspection services to the Township was discussed at length, with the following suggestions/corrections made:

- Supervisor McIlhinney noted that this particular Agreement should be for zoning services only, since there is an Agreement with BIU currently in place for building/code enforcement services.
- Supervisor Salvadore noted that page #1, item #3, second sentence, should state: “Additionally, BIU **shall not take any such action** or issue any zoning approval until all conditions of the Hilltown Zoning Ordinance, the Pennsylvania Municipalities Planning Code and the Second Class Township Code are additionally met.”
- Supervisor Salvadore questioned paragraph 4 (c) on page 2, which states “BIU agrees to complete all zoning permit applications currently in progress at no charge.” Chairman Manfredi noted that since BIU has been providing zoning services to the Township since Oct. 9<sup>th</sup>, the actual effective date of this agreement would be Oct. 8<sup>th</sup>.
- Chairman Manfredi referred to Section 4 (b) on page 2, which states that BIU will review all zoning permits submitted to Hilltown Township for a fee of 10% of the zoning application fee with a minimum of \$10.00 per application. He expressed his opposition to a percentage-based fee, however he would acquiesce if the Board of Supervisors agrees to review and reconsider this payment method in the future to insure that it is most cost effective for the Township.
- Solicitor Grabowski noted paragraph 9 on page 2, which refers to BIU providing a certificate of insurance or a face sheet of their Errors and Omissions insurance to show that they have coverage in a minimum amount of \$500,000.00. Solicitor Grabowski added further language to

the proposed Agreement, which states "BIU will provide a Certificate of Insurance indicating that Hilltown is listed as an additional insured on the BIU auto insurance policy that would cover Hilltown personnel during the normal course of business activity."

Motion was made by Supervisor McIlhinney, and seconded by Supervisor Salvadore to authorize the Solicitor to make the above noted corrections and to then forward the Agreement for Zoning Services to Building Inspections Underwriters for execution. Prior to a vote, discussion took place and public comment was heard.

Public Comment:

1. Mrs. Marilyn Teed of Mill Road asked if BIU will have an office here at the municipal building, if the individual or individuals assigned to the Township would have regular office hours; and if that individual will be available for resident's phone calls and questions. Chairman Manfredi replied that was correct. Mrs. Teed asked if the Zoning Officer would report to the Township Manager. Chairman Manfredi advised that the Board of Supervisors would be appointing an outside contractor rather than an individual to function as the Zoning Officer, and noted that BIU would adhere to requirements and provisions in the Zoning Ordinance. Additionally, BIU would work at the direction of the Township Manager in accordance with all Township and other related laws and polices.

Motion carried unanimously. There was no further public comment.

G. NEW BUSINESS:

1. Proposed Billboard Ordinance Amendment – Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to authorize the drafting of an amendment to the Billboard Ordinance, to delete the allowance of billboards in the Quarry Zoning District and in the PC-1 Zoning District, which is currently permitted by Special Exception; and to have said draft amendment forwarded to the Hilltown and Bucks County Planning Commissions for review. There was no public comment.

H. SUPERVISOR'S COMMENTS:

1. Supervisor Salvadore commended members of the Park and Recreation Board, and the Township Staff, particularly Mrs. Faust who acted as the event coordinator, for their efforts to accomplish the necessary planning and arrangements for the Hilltown Halloween Fest, particularly since the location of the event had been moved from the Pearl Buck site to the Hilltown Civic Park at such a late date.

2. Chairman Manfredi announced that the Board would be entering into Executive Session following this meeting to discuss a personnel issue, and also intends to meet on Thursday, October 25, 2007 to discuss a personnel issue.

I. PUBLIC COMMENT:


1. Mr. Gene Cliver of Cowpath Road quoted the first paragraph of the Constitution, and noted that he feels the Hilltown Zoning Ordinance is nothing more than extortion, which goes against the Constitution and takes rightful liberties away from United States citizens. Mr. Cliver also quoted sections of the First Amendment and read from sections of the Bible.

2. Mr. Joe Marino of Redwing Road felt that the Hilltown Halloween Fest should have always been held at the Hilltown Civic Park, not at the Pearl S. Buck site.

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

K. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously, the October 22, 2007 Hilltown Township Board of Supervisors meeting was adjourned at 8:10PM.

Respectfully submitted,

  
Lynda Seimes  
Township Secretary

(\*These minutes were transcribed from recordings and notes, and are not official until adopted by the Board of Supervisors at a public meeting).