

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, March 28, 2005
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Kenneth B. Bennington at 7:34PM and opened with the Pledge of Allegiance.

Also present were: George C. Egly, Jr. – Vice-Chairperson
Richard J. Manfredi – Supervisor
Christopher Engelhart – Chief of Police
Francis X. Grabowski – Township Solicitor
C. Robert Wynn – Township Engineer
Lynda S. Seimes – Township Secretary

Chairperson Bennington announced the Board met in Executive Session prior to this meeting in order to discuss personnel and real estate issues.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY:

1. Mrs. Marilyn Teed of Mill Road asked if the recent article in the newspaper would be discussed and if so, at what point on the agenda would it be discussed. Chairperson Bennington had no idea what Mrs. Teed was speaking about. Supervisor Manfredi did not read the article and therefore could not comment on it.

B. APPROVAL OF MINUTES – Action on the Minutes March 14, 2005 Supervisor’s Worksession Meeting – Chairperson Bennington noted the following addition to the minutes **“Chairperson Bennington announced that Supervisor Manfredi would not be present this evening since he was attending a previously scheduled meeting with DEP.”**

Motion was made by Supervisor Egly, and seconded by Chairperson Bennington, to approve the minutes of the March 14, 2005 Supervisor’s Worksession Meeting, as corrected. Supervisor Manfredi abstained from the vote since he was not present at that meeting. There was no public comment.

C. APPROVAL OF CURRENT BILLING – Chairperson Bennington presented the Bills List dated March 29, 2005, with General Fund payments in the amount of \$108,433.47, State Highway Aid Fund payments in the amount of \$15,345.28, and Escrow Fund payments in the amount of \$225.42; for a grand total of all payments in the amount of \$124,004.17.

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to approve the Bills List dated March 29, 2005. There was no public comment.

D. CONFIRMED APPOINTMENTS:

1. Mr. Chris Canavan, W.B. Homes- Cinnabar Farms Subdivision Sewer Request – Mr. Chris Canavan, representing the applicant, and Mr. Scott Guidos, the applicant's engineer, were in attendance to discuss the Cinnabar Farms Subdivision and the applicant's quest to serve the site with public sewer. Mr. Canavan explained that this 22-lot subdivision contains 39 acres in Hilltown Township (Midway Road) and 6 acres in East Rockhill Township (White Road). Conditional preliminary plan approval was granted to this plan on October 25, 2004, with 20 lots located in Hilltown Township and 2 lots in East Rockhill Township, with on-site septic and public water proposed. The applicant then requested that the Supervisors consider a public sewer option for the project once feedback was received from East Rockhill Township, who felt this option was a better long-term alternative for the site. Although on-site systems would work for this project, Mr. Canavan advised that the applicant felt that the best long-term alternative for wastewater treatment would be the extension of public sewer. East Rockhill Township would permit the applicant to run the public sewer lines to the property from their system, which extends along the Perkiomen Creek. Mr. Canavan noted that no additional lots would be proposed, regardless of whether public sewer was extended or on-site systems were used. The applicant did discuss the possibility of an alternative layout for the property if public sewers were available, which would allow for the creation of an open space area on the two lots in East Rockhill, with all of the dwelling units remaining in Hilltown Township. The applicant felt this would assist with any confusion regarding emergency response situations that might arise. Further, if public sewer is considered, Mr. Canavan stated that all of the residents of this development would be customers of the Hilltown Township Water and Sewer Authority, and that HTWSA would make a bulk purchase from East Rockhill Township so that this proposal would not allow for the extension of another entity's service area into Hilltown Township. The applicant would also be willing to offer a voluntary \$6,000.00 per lot contribution to Hilltown Township in the event the extension of public sewers is approved, for the purposes of assisting in their general activities, whether it be recreation or sewer planning.

Mr. David Nyman, Supervisor of East Rockhill Township, thanked the Board for the opportunity to address them to express East Rockhill's environmental concerns with respect to on-site sewage disposal systems for the Cinnabar Farms Subdivision. Mr. Nyman felt it was important to note that he was not present this evening on behalf of W.B. Homes or even in support of the Cinnabar Farms Subdivision proposal. Rather, he was in attendance on behalf of the residents of East Rockhill whose homes border this

project. Mr. Nyman explained that the East Rockhill Township Board of Supervisors wish to have as minimal a potential environmental impact as possible for their residents who adjoin this site on the "downhill" side of the development. When this proposal first came before the ERT Board of Supervisors, they were not in favor of public sewer. However, some ERT residents who are neighbors of the site, expressed environmental concerns, and after much research, the East Rockhill Supervisors have come to the conclusion that the extension of public sewer is the best option for this proposed development.

In the past, Mr. Nyman personally worked with the former Township Manager in an attempt to preserve this farm, and was disappointed that it wasn't more of a priority. ERT is currently working with several property owners in this area, one in the immediate neighborhood, to preserve existing farms. He noted that on-site systems require regular routine maintenance, and are subject to failure that can lead to contamination of groundwater and the environment. Mr. Nyman believes that the extension of public sewer today at the expense of the developer and when appropriately warranted, will not burden future Hilltown residents if and when on-site septic systems fail. He explained that on-site septic systems are soil driven, and that the soils in the area of Cinnabar Farms are poor, specifically classified as "marginal" by DEP. Information currently being disseminated by the Bucks County Health Department as part of their well permitting program lists on-site septic system failures as the leading cause of groundwater pollution in Bucks County. Those old types of on-site systems, the leaching field systems, are no longer even permitted in Bucks County or in the area at all because they do not function properly. Further, Mr. Nyman noted that the A/B Systems, which DEP has approved for use in this development, are the last alternative permitted for an on-site system. The ERT Supervisor's primary concern with this particular development is the environment, and they have been working very hard to protect the groundwater in the east branch stream corridor. As has been stated in the past, Mr. Nyman and the other East Rockhill Supervisors do not consider permitting the extension of public sewers selectively to this specific development to be "opening a Pandora's Box" as has been stated in the past. He reminded the Board that unless the Act 537 Plan permits public sewers, the Hilltown Board of Supervisors controls the decision to connect, and would have control of all (if any) future connections, retaining that control via the Hilltown Authority. Mr. Nyman also referred to the review done by Piedmont Environmental dated December 22, 2004, recommending that a public sewer connection to this property would be effective, in lieu of the future costs and liabilities the Township would be under if on-site systems would fail.

Supervisor Manfredi asked if the Pennridge Area Coordinating Committee has taken a position on this proposal. Mr. Nyman does not believe that this issue has ever been discussed by the PACC, however he is certain their position would be the same as that of the East Rockhill Township Board of Supervisors due to the amount of environmental

work they have done in this area to preserve this water system. Supervisor Manfredi asked the status of East Rockhill's sewer plant capacity. Mr. Nyman replied that when their package treatment plant was constructed, it was sized to their suburban Zoning District in that area, and therefore there is limited capacity available. Further, he commented that the only reason capacity is available is because East Rockhill has preserved several tracts of land that could have been developed.

Mr. Canavan pointed out where the proposed sewer line from East Rockhill Township would enter the parcel. He advised that the sewer main extension would be dedicated to East Rockhill Township, however the internal collection systems of the development would be built and dedicated to the Hilltown Authority, with a meter pit acting as a connection point between the two systems. Discussion took place concerning the two-stormwater management basins and the proposed open space, which would be dedicated to and become the responsibility of East Rockhill Township. Mr. Canavan advised that the minimum proposed lot sizes are 50,000 sq. ft., with the average lot size being approximately 59,000 sq. ft. There are two oversize lots proposed due to the stream corridor, including the existing dwelling.

Public Comment:

1. Mr. John Kachline of Mill Road asked if public sewer or on-site septic systems are currently serving the concerned residents from East Rockhill. Mr. Nyman replied that those residents are being served by on-site septic systems, who are very familiar with how they function, which is why they are concerned. Mr. Kachline asked if those ERT residents would be connected to public sewer as well, if the Cinnabar Farms site were permitted to connect. Mr. Nyman replied that it would be the decision of the individual resident, since East Rockhill does not have an Ordinance that requires the connection to public sewer. If the public sewer connection to Cinnabar Farms was approved and public sewer would then be available to those ERT residents, Supervisor Manfredi asked if Mr. Nyman anticipates that they will want to connect to public sewer. Mr. Nyman believes it is irrelevant, explaining that one of the properties is a large farm, which he is sure does not need the public sewer, but two other smaller properties would most likely connect to public sewer, if available.

2. Mrs. Jean Bolger of Rt. 152 commented that the properties surrounding this tract are rather large and her concern is that the extension of public sewer to the site will encourage the development of these neighboring properties. Mr. Canavan advised that one of the adjoining properties he would consider "large," is the Herring site at approximately 68 acres, which has two watersheds that flow through it, with approximately 65% flowing toward Blooming Glen Road and approximately 35% flowing toward Midway Road. He noted that public sewer lines currently exist on Blooming Glen Road in East Rockhill Township. Directly above the site, there is a 20-

acre parcel with one existing dwelling. However, since half of this property is wooded, Mr. Canavan does not believe it is desirable for developing under the Township's current Zoning Ordinance requirements with respect to woodland disturbances. The remaining dwellings above that are located on small lots that front on Blue School Road. Mrs. Bolger is convinced that the extension of public sewer to this site would open a Pandora's box and she is vehemently opposed to the extension of public sewer to the Cinnabar Farms tract. Mrs. Bolger asked what percentage of Hilltown Township is served by on-lot sewage disposal systems. Mr. Wynn believes that approximately 1/3 of the Township is served by public sewers or has public sewers available to it, with approximately 65% or 70% with on-site sewage systems. Discussion took place. Mrs. Bolger is aware that on-lot systems can and do fail, and she understands why the developer wants this project to be served by public sewer, however she opposes the extension of public sewer into the RR. Mrs. Bolger commented that she is vigilant in the maintenance of her own on-lot system. Mr. Canavan stated the availability of public sewer is not what drives the development of parcels, rather it is the Zoning District in which the property is located that would drive what the permitted density would be on any given property.

3. With respect to the two neighboring dwellings that Mr. Nyman stated might be interested in connecting to public sewer, Mr. Harry Mason of Morgan Lane asked if they would be served by the Hilltown Authority or the East Rockhill Authority. Mr. Canavan replied that those two dwellings are located in East Rockhill Township, and as such, would be served by the East Rockhill Authority. Mr. Mason agreed that failing septic systems might be major contributors to groundwater pollution in Bucks County, however it was not stated how many systems fail and how much of a problem it is in Hilltown Township.

4. Mr. John Clauser of Minsi Trail referred to a recent newspaper article in the News Herald entitled "Major Sewer Repairs Needed in Dublin." The article notes that there are sewer lines in Dublin Borough, and on Elephant Road and Middle Road, which will incur an expense of approximately \$500,000.00 to repair leaking and failing joints. Therefore, Mr. Clauser commented that if Hilltown Township were to extend public sewer lines, there would be a future cost to the Township for possible joint failure or leakage. Mr. Clauser stated that Dublin Borough residents will be forced to pay \$125.00 per quarter or \$500.00 per year over the next several years to repair these leaking and failing sewer line joints. Mr. Canavan replied that it would not be a financial burden on the Township as a whole; rather it would be a financial burden on the Hilltown Authority, which is comprised of a group of ratepayers who are part of the Township's sewer system. He noted that part of the sewer rate charged to customers is for long-term capital expenses. Mr. Canavan advised that this proposal for Cinnabar Farms would be brand new construction, which would have a shelf life of 50+ years before any repairs would be required, at which time it would be the responsibility of the rate payer, not the Township residents as a whole.

Mr. Clauser maintains his own septic system at a cost of approximately \$200.00 every two years, when he has the system pumped and inspected. He does have neighbors, however who have never had their system pumped. Mr. Clauser noted that municipalities in the state of Ohio provide opportunities for on-lot septic system education and actually send a reminder letter to residents with on-lot systems advising that they have 6 months to have their on-lot system pump and to show proof that it has been accomplished. Mr. Clauser would be curious to know how many households in Hilltown Township have experienced on-lot septic system failure, a number that he believes is very low.

5. Mr. Lawrence Owen of Rt. 313 asked if the Board received correspondence from him and R.T. Environmental Group dated January 15, 2005 and January 17, 2005, respectively, basically replying to Piedmont Environmental's correspondence dated December 22, 2004 concerning the proposed extension of public sewer to the Cinnabar Farms site. Chairperson Bennington replied that the Board did receive those letters. Mr. Owen commented that this proposed development is outside of the Hilltown study area in the Comprehensive Plan. He asked if Hilltown Township has conducted any type of groundwater analysis in this area to consider placing sewers into the system, and if such a study has been completed, Mr. Owen asked the results of that study. Chairperson Bennington stated that there has not been a specific study conducted of Hilltown Township. Given that, Mr. Owen believes such a study should be provided by the developer to determine if in fact there would be contamination to the watershed as Mr. Canavan and Mr. Nyman fear.

Mr. Owen read correspondence from Mr. Gary Brown of R. T. Environmental Group, as follows:

"I was recently forwarded the letter dated December 22, 2004 prepared by Piedmont Environmental Group by Mr. Lawrence Owen, and he requested that I provide comments on statements related to technical justification for providing public sewage service to areas currently zoned Rural Residential. I have completed a technical review of this document and offer the following – Historically, individual on-lot systems were of concern, but given updated ADAP regulations and local codes, individual on-lot systems are much more reliable than in the past and have significant longevity. The letter attends to issues of public policy, yet the technical basis for evidence is lacking. Specifically it is the duty of an engineer when making technical arguments to provide appropriate support for conclusions reached. If Piedmont truly believes what is stated in this letter, then at a very minimum, a cost effectiveness analysis should be presented as a support for its arguments. It is my experience that any comparison of individual on-lot systems when compared with a public sewer alternative, would have to take area specific conditions into account. This would include such factors as evaluation of the distances between residents, permeability of soils that affects the cost of individual lot systems as well as other factors. As this information necessary to support a proper evaluation is lacking, it

is my opinion that the letter does not present a case for public sewer based on sound technical judgment. In summary, arguments have been put forth in an attempt to justify extension of public sewers into a Rural Residential zone, yet adequate justification has not been provided of the technical nature on which the Board could rely to make a decision on this issue. Until full and complete evaluation of the real costs which could be incurred in the study area, both short-term and long-term, is presented there appears to be little or no justification to allow for such change as area specific factors have apparently not been considered or presented. The Piedmont Environmental Group letter states that they have reviewed the environmental impact of the development on the watershed and concluded that it would be less expensive, mechanically feasible, and hydrogeologically beneficial to use on-lot sewer systems for the Cinnabar Farms property.”

Further, Mr. Owen has received information from the Bucks County Health Department stating that there is not a trend of failing septic systems in either Hilltown Township or East Rockhill Township.

6. Mrs. Alice Kachline of 529 Mill Road feels as Mrs. Bolger does that the extension of public sewer to this site is opening a Pandora’s box by setting a precedent for other developers to make the same request. Her property, where she has lived for almost 50 years, is served by an on-lot septic system that she maintains every two years. Perhaps other property owners do not maintain their septic systems, however Mrs. Kachline noted that it is their responsibility as a property owner. She does not believe that public sewer is the solution to everyone’s problem, as evidenced by the failure of lines in the Dublin Borough system. Mrs. Kachline is also concerned about those existing residents who live within 150 ft. of a sewer line who are required to connect to public sewers, even though they may not have a failing system.

Mrs. Kachline commented that Hilltown Township is rural residential, which she would like to see remain, and noted that if someone wants public water and sewer, they should move to an area such as Philadelphia, Warminster, or Montgomeryville.

7. Mrs. Nancy Boice of Mill Road is not a proponent of extending public sewers into the RR, however the thought of A/B systems frighten her even more since so little is known about them. Mr. Canavan noted that five lots were proposed to be served by A/B systems. To Mrs. Boice’s knowledge, there are no A/B systems currently installed and operational in Bucks County to date. Mr. Wynn does not know of any that have actually been constructed and are operational in Hilltown Township, though approximately 30 have been approved. Mr. Canavan agreed that A/B systems do have a different set of technical requirements for operation, including active working parts such as light bulbs that must be replaced. Mrs. Boice does not believe that most homeowners would provide that type of diligent maintenance and she suspects those types of systems would fail more often than the long-term on-lot systems. In the soils that are being developed in

Hilltown Township, and because A/B systems are one of DEP's approved systems, Mrs. Boice believes this issue has the potential to be an even bigger Pandora's box for future generations. Therefore, Mrs. Boice feels that the extension of public sewers might be the better alternative to A/B systems in this case. Supervisor Manfredi reminded Mrs. Boice that in addition to the five lots proposed for A/B systems, there are also seventeen on-lot systems proposed. Mrs. Boice would prefer that A/B systems not be permitted in Hilltown Township at all since they are not a proven commodity, but in this particular case, she would prefer public sewers.

8. Mr. Hans Sumpf of Beverly Road partially agrees with Mrs. Bolger about opening the Pandora's box, however he commented that the Board of Supervisors would always have the right to close that box. When this discussion was before the Board in the past, Mr. Sumpf recalls that Mr. Groff, manager of the Hilltown Authority, had stated that an A/B system needs some sort of a mixture to work properly. Chairperson Bennington advised that was incorrect, that Mr. Groff was speaking of the proposed package treatment plant on the Smith property, which would require additional "feeding" to operate efficiently.

Mr. Sumpf noted that the surrounding properties of the proposed Cinnabar Farms Subdivision are all located uphill from the site, which would require a pump or lift station to be served by public sewer for future development. Mr. Sumpf also recently read articles in the newspaper that many properties in neighboring West Rockhill Township are experiencing failing on-lot septic systems, and those residents are now required to pay \$35,000.00 to \$40,000.00 to connect to public sewer.

9. Mr. Jack McIlhinney of Broad Street feels that public sewer lines should not just be looked at objectionably. If a developer proposes a subdivision similar to this with lots that will pass perk or with the use of DEP approved modified systems, and as an alternative, would like to bring in public sewer, Mr. McIlhinney believes that could be an advantage, particularly to those residents who currently reside along the proposed public sewer line. This would allow them the opportunity to connect at some time in the future at no cost to them, if and when their on-lot system failed. Mr. McIlhinney wished to make it clear that he does not believe public sewer should be run in all areas of the Township, however if the opportunity presents itself, he believes the Township should take advantage of it. He referred to a previous instance where a public sewer line was available to the Seylar Elementary School, however upon pressure from a group of residents, the Board of Supervisors voted to require a package treatment plant for the school. Mr. McIlhinney advised that the Seylar School package treatment plant is now failing at a cost of several million dollars to the Pennridge School District's taxpayers. He stated that Hilltown Township will experience development and believes that the Township must prepare for it.

In response to some of the public comments, Mr. Nyman agreed that on-site systems are regulated and approved for this development by DEP. He noted that there are local municipalities (though East Rockhill is not one of them) that do have Ordinances requiring property owners to maintain and have on-lot septic systems inspected every three years, with certification provided to the municipality. He believes that the distance between dwellings with this particular development is what spurred the East Rockhill Township neighbors to become concerned because they are aware of the permeability of the soils. Mr. Nyman commented that even sandmound systems are artificially created to absorb wastewater, noting that the soil will not naturally do that.

If public sewer were to be permitted, Chairperson Bennington asked if the East Rockhill Township sewage treatment facility could be expanded after these 22 new dwellings connected to their system. Mr. Nyman cannot imagine ERT expanding capacity for another municipality when they do not want to expand the capacity for their own Township. If the large parcels surrounding Cinnabar Farms are eventually proposed for development, Chairperson Bennington noted that the neighboring ERT residents could once again make the same request if on-lot systems be proposed on those developable parcels. Mr. Nyman agreed that the same scenario could occur, however he stated that zoning determines the amount of density allowed. Once density has been determined, then the Township must determine the best option for servicing the lots for sewage disposal. As a public official, Mr. Nyman cannot imagine someone choosing an on-site system for their property if they could have public sewer.

While Mr. Canavan understands the concept of retaining the rural residential feel for Hilltown Township, he noted that regardless of whether the site is served by public sewer or on-lot systems, the appearance of the development itself would not be altered. Supervisor Manfredi clarified that W.B. Homes would not be present this evening if not for East Rockhill Township's request in response to concerns expressed by their residents. He had asked Mr. Canavan in the past to provide scientific evidence with respect to the soil permeability, but does not feel that the report from Piedmont Environmental dated December 22, 2004 provides sufficient evidence for Hilltown Township to amend their Act 537 Plan to allow public sewer to the site. Mr. Canavan explained that deep hole tests were conducted, and it was determined that sandmound systems and A/B systems can be installed on the site, for which the Township granted conditional preliminary plan approval. He noted that the soils on site are marginal, which has been duly classified by DEP, as witnessed by the fact that A/B systems are necessary. The marginal nature of that forces this entire development to go into a situation where the Township has required Operation and Maintenance Agreements for each of the lots, regardless of whether they will be served by A/B or sandmound systems. Mr. Canavan noted that the soil conditions on-site are not that different from adjoining properties. Mr. Nyman commented that East Rockhill would not be making a similar request of Hilltown again for the two surrounding developable properties that are located in both East

Rockhill and Hilltown, because there are no neighboring residents with wells that are used for human consumption. Further, East Rockhill Township would not expand their sewer capacity for any additional lots that would be generated in Hilltown Township. Lengthy discussion took place.

Supervisor Manfredi asked where the nearest public sewer line in Hilltown Township, going toward Blue School Road, is located. Mr. Canavan replied that the nearest sewer line is located on Blooming Glen Road at South Perkasio Road, a distance of approximately 1.5 to 2 miles. Discussion took place. If the Cinnabar Farms site is granted the extension of public sewer, Supervisor Manfredi commented that the surrounding so-called "Pandora's box" properties would have to go out approximately 1.5 miles to be served by public sewer. He asked Mr. Wynn how many developments in the RR Zoning District are served by public sewer. Mr. Wynn did not know and explained that the majority of those developments that did were rezoned to CR-2. He advised that all of the area now zoned CR-2 was essentially Rural Residential before the last zoning change. Prior to that and at the time that public sewers were first constructed in the Township, Mr. Wynn stated that sewer lines were run through the RR Zoning District and houses were connected, for example those dwellings located on South Perkasio Road. Supervisor Manfredi asked if either the Zoning or Subdivision/Land Development Ordinance prohibits public sewer in the RR Zoning District. Mr. Wynn replied that there is no such requirement, and explained that the Township's Act 537 Plan requires a revision to extend public sewers into the RR District. Supervisor Manfredi asked if there is anything in the Act 537 Plan that provides an applicant with the ability, on a case-by-case basis, to make this request. Mr. Wynn replied that it is permitted. Supervisor Manfredi asked Solicitor Grabowski if it would be inconsistent with the Zoning Ordinance, Subdivision/Land Development Ordinance or the Comprehensive Plan to consider this applicant's individual request. Solicitor Grabowski stated that there is precedent for it, commenting that when Supervisor Manfredi was a member of the Zoning Hearing Board, they granted relief to the Telvil Corporation application located on Rt. 113 across the street from Calvary Church in the RR District. At that time, the Zoning Hearing Board addressed the issue of public sewer extension into the RR, and found unanimously that there was no prohibition in the Zoning or Subdivision/Land Development Ordinance. Supervisor Manfredi disagreed, and recalled that the Telvil matter settled with the Board of Supervisors by settlement agreement before the Zoning Hearing Board rendered their opinion. Solicitor Grabowski believes there is testimony to the effect that the Zoning Hearing Board had no problem with that. He noted that if the Board of Supervisors considers this applicant's request, they would not be acting in conflict with the Zoning or Subdivision/Land Development Ordinance or the Comprehensive Plan.

Supervisor Egly reminded those in attendance that this Board of Supervisors, on behalf of the Township, has agreed to participate in the group that protects the Perkiomen Creek Watershed.

Supervisor Manfredi recognizes the merits of the request and prefers public sewer to the installation of A/B Systems as they are still unproven, but in order for him to be swayed from what he has said in the past that the extension of public sewer should be done comprehensively and substantively, he would need to see some sort of supporting documentation that there is a risk to the public health, safety, and welfare. In order for the Supervisors, the Bucks County Health Department, and the DEP to approve the Act 537 Plan amendment Mr. Canavan advised that a Planning Module is required. As part of the Planning Module process, there is an alternative analysis and a facilities planning analysis that would also be required. Mr. Canavan believes that some of the technical documentation Supervisor Manfredi is seeking would be required for the alternative analysis and facilities planning analysis, which is something the Supervisors would have to approve by Resolution prior to a submission to DEP. Until some supporting documentation or evidence indicating the hypothesis that the soils are such that a better alternative is to serve the site with public sewers, Supervisor Manfredi is not prepared to look favorably upon this request. Mr. Canavan commented that a great deal of information had been submitted to the Township, and apologized that it was not up to the standard that Supervisor Manfredi was comfortable with. Mr. Nyman stated that sandmound systems or A/B systems are installed on sites that are not ideal for on-site systems, but if DEP can provide for the preferred alternative, he wondered why the Township would give the developer something substandard. While Supervisor Manfredi agreed with most of the comments Mr. Nyman has made, he has not seen enough credible documentation to support the claim that the soils wouldn't be sufficient. Mr. Nyman commented that an artificial system would be created with the installation of a sandmound because the existing soils will not take the wastewater, thereby providing for an opportunity for system failure. A very lengthy discussion took place.

If public sewer is approved to be extended to this site, Supervisor Manfredi wondered what could be done to prevent expansion of the public sewer line beyond this site. Mr. Canavan noted that the Township could limit, to some extent, the size of the sewer line, and through design, the developer could make it as inconvenient as possible for anyone else to be able to connect to it by where the line is ended. Further, Mr. Canavan would be happy to work with any restriction that the Hilltown Authority would determine for how they want the sewer lines designed to assist with that situation. Supervisor Manfredi asked what East Rockhill Township could do to allay the Township's fears with regard to opening Pandora's box. Mr. Nyman commented that East Rockhill Township is not concerned with what restrictions Hilltown Township might place on the developer to insure that expansion of public sewer does not go beyond this specific site, and noted that he is not present representing the ERT Board of Supervisors to promote development.

Rather, the ERT Board of Supervisors simply wish to protect their residents from the possible negative impact of this particular development. Therefore, whatever stipulations the Hilltown Supervisors are comfortable with imposing on the developer, the East Rockhill Supervisors would be agreeable to. Mr. Wynn reminded the Board that an intermunicipal agreement between East Rockhill and the Hilltown Authority would also be required. Further, Solicitor Grabowski noted that any amendment to that agreement would require the approval by the Hilltown Township Board of Supervisors. Lengthy discussion took place.

Supervisor Manfredi was not comfortable enough with the evidence as presented to make a motion to authorize the extension of public sewer to this site as requested. Knowing the area in question very well, Supervisor Egly commented those soils are more than just marginal, they are practically wetlands. He noted that it has not been a good area for farming operations. If the capacity can be limited to just the proposed subdivision, without the possibility of anyone else being able to connect, Supervisor Egly would be agreeable to the extension of public sewer to the site.

Motion was made by Supervisor Egly and seconded by Chairperson Bennington (on a non-precedent basis) to agree to a revision of the Cinnabar Farms Subdivision preliminary plan from A/B and sandmound systems for sewage treatment and to allow the extension of public sewer from East Rockhill Township to this specific site only, without precedence setting. Supervisor Manfredi was opposed.

Mr. Nyman thanked the Board for their consideration with this very difficult issue, and commented that he would hate to be in their position. He has worked very hard to limit the development in this area of East Rockhill Township near the municipal border through land preservation. When East Rockhill Township constructed their sewer plant, Mr. Nyman stated that it was sized so that it could not be tapped into excessively.

Supervisor Manfredi commented that his opposing vote was not because he saw this as a development issue because the evidence is clear that not one more dwelling would be permitted by approving the extension of public sewer versus on-lot systems. When the developer approached the Supervisors at East Rockhill Township's request, Supervisor Manfredi only agreed to consider the request if appropriate evidence was provided to show that the public's health, safety, and welfare was at a greater risk if the originally proposed A/B systems and on-lot sandmound systems were approved, as opposed to the extension of public sewer. In his opinion, the developer has not met that burden of proof. Supervisor Manfredi commented that it is not a question of whether or not extending public sewer into the RR is permissible, since the Township Solicitor clearly stated that the Supervisors have that ability under the Act 537 Plan to do so, nor is this a referendum on public sewer expansion. Rather, Supervisor Manfredi stated that the applicant simply

did not provide the proper burden of proof that would have persuaded him to vote otherwise.

E. SOLICITOR'S REPORT – Mr. Francis X. Grabowski, Township Solicitor –

1. At the last meeting, the Supervisors took action to default the Longleaf II Subdivision if the maintenance bond was not received in time, however Solicitor Grabowski noted that the maintenance bond was received promptly and an extension was provided on that matter.

F. PLANNING – Mr. C. Robert Wynn, Township Engineer –

1. Holly Farms Subdivision (Preliminary) – Mr. William Benner, the applicant's legal counsel, and Mr. Scott Mease, the applicant's engineer, were in attendance to present the plan. The December 13, 2004 engineering review was discussed. The 12 lot subdivision located within the CR-2 Zoning District to be served by internal streets accessing Schoolhouse Road was recommended for preliminary plan approval by the Planning Commission (3-1 vote with Mr. Bradley opposed) subject to completion of outstanding items as contained within the December 13, 2004 engineering review, with the following noted:

- A waiver is recommended for lot depth to width requirements of Section 504.2.K as discussed within Item #1 of the engineering review.
- A waiver is recommended from Section 403.2.A regarding plan scale (Item #3 of the engineering review).
- The Planning Commission approved a motion to concur with the Park and Recreation Board and accept a fee in-lieu-of land dedication as discussed in Item #7 of the engineering review.
- A waiver of street improvements along Schoolhouse Road and Rt. 113 with the exception of overlay and drainage improvements on Schoolhouse Road is recommended for approval (refer Item #8 of the engineering review).
- By a majority vote (3-1 with Mr. Bradley opposed), a waiver was granted from Section 505.17 of the SALDO regarding proposed construction of Candace Way relative to existing homes on Schoolhouse Road (refer Item #9 of engineering review).

- A waiver is recommended of Section 516.1.A relative to minimum required slope along proposed Elizabeth Court (refer Item #12.D of the engineering review).

Item #10.B of the review states in part: "Pre-development drainage area of Point of Study 3 discharging to the existing culvert crossing under Schoolhouse Road along the frontage of TMP #15-10-8 is 9.62 acres. The drainage area discharging to the same study point after development is 19.29 acres, according to the Stormwater Management calculation submitted by the design engineer. The post-development volume of runoff significantly increases, altering the existing characteristics of runoff onto off-site adjoining properties between the proposed detention basin and Schoolhouse Road as well as properties downstream of the culvert. Based on information from the Drainage and Stormwater Management Report, the post-development runoff volume to POS3 increases from 3.6 acre-ft. to 7.91 acre-ft. Accordingly, an easement must be obtained from the affected offsite property owners due to the increase in post-development volume of runoff. The applicant's engineer, in his response correspondence dated November 29, 2004 suggests that using the point of convergence as a study point, there is no increase in tributary area and no increase in peak flow. An aerial photo has been submitted showing the convergence of the swales, however the convergence point is not relevant with respect to the pipe capacity and effect the increased volume will have on the swale on the immediate down slope property prior to the convergence point." Mr. Benner disagrees that a drainage easement is required. Solicitor Grabowski referred to a recent Bucks County court case involving Noekamixan Township, which very explicitly and categorically declared that a Township is not in a position to require the acquisition of an easement off-site. Therefore, Solicitor Grabowski suggested that perhaps the language in the review should change to say that an easement be requested to be obtained from the off-site property owner. Discussion took place.

Chairperson Bennington recalls that there was an issue with two existing dwellings along proposed Candace Way with respect to buffering and the existing driveway now becoming an actual road with access to Schoolhouse Road. Mr. Benner explained that the matter has been resolved to the extent that there is a section in the Subdivision/Land Development Ordinance that specifically states that where the subdivision has the effect of creating Zoning non-compliance with respect to an off-site property, either the subdivision is non-compliant or a waiver must be requested. In this case, the Planning Commission requested assurances that the affected property owners were aware that this subdivision brought about a technical non-compliance. When this project was initially conceived, the applicant proposed a point of ingress to both Rt. 113 and Schoolhouse Road. However, the Township expressed some uneasiness about that design, and therefore, to address that concern, the applicant removed the proposed access to Rt. 113 by proposing a second access along Schoolhouse Road between these two properties at issue. Mr. Benner reminded the Board that this proposed roadway is located on lands

that were always part of the parent tract. The review notes that pursuant to Section 505.17 of the SALDO, a new street is not permitted which will cause an existing principal structure to become non-conforming to front yard requirements of the Zoning Ordinance, to which the applicant has requested a waiver from Section 505.17. The applicant has approached the two property owners, explaining the issues at hand, and both property owners signed documents consenting to the SALDO waiver request, which were presented to the Planning Commission. On the strength of that disclosure, the Planning Commission then recommended the approval of this particular SALDO waiver request.

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to grant conditional preliminary plan approval to the Holly Farms Subdivision, pending completion of all outstanding items as noted in the March 14, 2005 engineering review, and with approval of the requested waivers as noted in the engineering review. There was no public comment.

2. CVS Land Development – Architectural Drawings – Mr. William Benner, the applicant's legal counsel, was in attendance to request the Board's approval of the architectural design for the CVS store to be constructed at Rt. 113/Rt. 313. At the Planning Commission meeting, Mr. Benner was advised that the Planning Commission previously reviewed the different architectural store renderings at their November 2004 Worksession meeting and preferred the barn style of "Store 6763," however, with a stone base, stone columns, and more historic barn colors throughout. A copy of the color rendering of Store 6763 was provided to the Supervisors for review, as well as copies of the other proposed renderings. The Supervisors determined which architectural rendering they preferred, a copy of which is on file at the Township office.

3. Rickert Farm (Guidi/McIlhinney) Subdivision (Preliminary) – Mr. William Benner, the applicant's legal counsel, Mr. Bob Showalter, the applicant's engineer, and Mr. Guidi, the applicant, were in attendance to present the plan. The seven lot subdivision located on Broad Street was unanimously recommended for preliminary approval by the Planning Commission subject to completion of all outstanding items as contained within the March 14, 2005 engineering review with recommendation of approval of requested waivers as follows:

- Planning Commission unanimously recommends approval of a waiver of Section 504.2.K of the SALDO for a lot depth to width ratio for Lot #2 of less than 1.0 (lot depth to width ratio is 0.86) (refer Item #2.A of the engineering review).
- Sections 506.4.A and 513.1 of the SALDO regarding cartway widening and sidewalks was recommended for waiver by majority vote (4-1 with

Mr. Kulesza and Mr. Bradley opposed) with a recommendation that the Township receive a fee in-lieu-of cartway widening, curb, and sidewalk. Mr. Kulesza indicated that he was opposed and believes that both curb and widening should extend along the entire frontage of the site on Broad Street consistent with curb and widening on the adjacent Tiffany Drive. Proposed improvements are consistent with Split Acre Farm and the Ridings of Hilltown Subdivision, also located with frontage on Broad Street.

- A waiver was unanimously recommended from Section 403.2.A regarding plan scale (refer Item #2.C of the engineering review).
- Additionally, the Planning Commission unanimously recommended a waiver of the streetlight that had been proposed at the end of the cul-de-sac turnaround (especially in consideration that the turnaround may be removed and extended into the adjoining property in the future).

Motion was made by Supervisor Manfredi, seconded by Supervisor Egly, and carried unanimously to grant conditional preliminary plan approval to the Rickert Farm (Guidi/McIlhinney) Subdivision, pending completion of outstanding items as noted in the March 14, 2005 engineering review. There was no public comment.

4. SALDO Ordinance Amendments (Miscellaneous) – By a vote of 4-0-2, the Planning Commission recommended the Board of Supervisors advertise and adopt the proposed Subdivision/Land Development Ordinance amendments revised pursuant to comments of the Bucks County Planning Commission and provided to the Board of Supervisors on January 24, 2005. Mr. Kulesza and Mr. Bradley abstained as the January correspondence and draft Ordinance had not been forwarded to them at the time, since they had not been reappointed as Planning Commission members. Mrs. Lynn Bush was present at the Planning Commission meeting and advised that the revised amendment adequately addresses comments raised by the Bucks County Planning Commission.

Motion was made by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously to authorize the Township Solicitor to advertise the proposed revisions to the Subdivision/Land Development Ordinance for public hearing. There was no public comment.

5. Zoning Ordinance Amendments (Barns) – The draft Zoning Ordinance Amendment with respect to barns was recommended by the Planning Commission to be forwarded to the Board of Supervisors for review and advertisement for public hearing by a majority vote (4-2, with Mr. Bradley and Mr. Beatrice opposed). Mr. Wynn noted that this proposed Ordinance Amendment must yet be finalized into Ordinance fashion.

Chairperson Bennington heard that just prior to the Planning Commission vote, it was suggested that approved barn uses also include a second residential use on the parcel. Mr. Wynn advised that was discussed, however that recommendation was not included in the draft amendment before the Board this evening. Supervisor Egly asked if the suggestion was voted down. Mr. Wynn replied that the Planning Commission decided not to discuss it at this time, with the option of perhaps amending the Ordinance in the future after further consideration by the Planning Commission.

Public Comment:

1. Mr. Jack McIlhinney of Broad Street recalls that the Planning Commission recommended that the proposed Ordinance amendment be forwarded to the Supervisors for review, but that it would be further reviewed by the Planning Commission prior to advertisement for adoption. Mr. Wynn explained that any Ordinance that is advertised for Public Hearing would go back to the Planning Commission for further review.

Since the Bucks County Planning Commission is currently in the process of updating the entire Zoning Ordinance, Solicitor Grabowski suggested that the proposed Barn Ordinance Amendment simply be included in the Zoning Ordinance update process, which would also allow for further consideration of the suggestion to permit an additional residential use in a barn, as discussed at the last Planning Commission meeting. Discussion took place.

2. Mr. Joe Marino of Redwing Road explained that when the issue of using the barn as a residence was mentioned by the Planning Commission, Mrs. Bush of the Bucks County Planning Commission stated that the Supervisors would see the discussion in the minutes, and that if the Supervisors were so inclined to agree with it, the proposed Ordinance should be written to include it. Further, Mr. Marino noted that Mrs. Bush was not opposed to the inclusion of a residential use for a barn. Mr. McIlhinney stated that Mr. Rush, chairperson of the Planning Commission, made the suggestion of the residential use.

The Supervisors unanimously agreed to table the Zoning Ordinance Amendment (Barns) for inclusion with the updating process of the entire Zoning Ordinance as noted above.

G. ENGINEERING: None.

(*Mr. Wynn recently lost a bet that his college alma mater, the Syracuse Orangemen would advance further than Solicitor Grabowski's alma mater, the Michigan State Spartans, in the NCAA basketball tournament, and therefore, donned a Michigan State sweatshirt for the remainder of the meeting.)

H. CORRESPONDENCE:

1. With the recent passing of Jack Fox, there is a vacancy on the Planning Commission with the term to expire on December 31, 2008. The following individuals have expressed interest in 2005 in serving on the Planning Commission – Mr. Joe Marino, (who was recently appointed to the Open Space Committee), Mr. Jack McIlhinney, Mr. Jim Sensinger, and Mrs. Marilyn Teed.

The Supervisors interviewed Mr. Jack McIlhinney, Mr. Joe Marino, and Mrs. Marilyn Teed, all of whom were in attendance this evening, for this vacancy.

Supervisor Manfredi noted that Mr. McIlhinney is now a candidate for Supervisor. If Mr. McIlhinney were to be appointed to the Planning Commission vacancy, Supervisor Manfredi asked if he would wish to remain a member of the Planning Commission if successful in the election. Mr. McIlhinney replied that he would leave that decision to the Board of Supervisors as a whole, however it would be his personal inclination to complete his term, simply because he would feel obligated. Discussion took place. In the past, Mr. McIlhinney indicated that he did not feel it was proper for a Supervisor to sit on the Planning Commission. Supervisor Manfredi asked how Mr. McIlhinney would approach being a member of the Planning Commission since he is now a candidate for the elected position on the Board of Supervisors. Mr. McIlhinney firmly believes that it is the responsibility of the Planning Commission to assist the applicants in preparing the best plans they possibly can. Since he is now running for public office, Supervisor Manfredi asked if Mr. McIlhinney would look at things differently, or if he would be the same type of Planning Commission member that he would have been several months ago. Mr. McIlhinney believes he would be the same, and that his candidacy would not change his philosophy on planning.

Supervisor Manfredi asked Mrs. Teed why she would like to be a member of the Planning Commission. Mrs. Teed has attended almost every Planning Commission meeting in the past 3-½ years, and has seen some illogical decisions come from the Planning Commission. She believes in preserving Hilltown Township's rural areas, however she feels there are many other ways to do it than those suggested by the Planning Commission. Mrs. Teed noted that it has taken many, many years to get the proposed Barn Ordinance to this point, which she feels could have been accomplished much sooner, and could possibly have saved several more barns. She commented that some current members of the Planning Commission are very obstructionist with respect to getting things done, and stated that the Planning Commission appears to have a "blockage" where that is concerned. She thinks that there should be open-minded people appointed to the Planning Commission.

Supervisor Manfredi noted that Mr. Marino was recently appointed to a vacancy on the Open Space Committee, and asked if he would still like to be considered for the vacancy on the Planning Commission. Mr. Marino has not yet had the opportunity to accomplish much on the Open Space Committee since he was just recently appointed, and would like to remain on that board to continue serving the community. However, Mr. Marino believes that the Supervisors should appoint who they feel is best qualified, with the most knowledge and experience in planning, to the vacancy on the Planning Commission.

While Chairperson Bennington knows that the Board previously voted to only review the applications that were received for a specific position, he would like to see this vacancy re-advertised to provide an opportunity for other Township residents to express their interest in serving, since this vacancy was unforeseen based upon Mr. Fox's passing. Discussion took place.

Motion was made by Supervisor Manfredi, and seconded by Supervisor Egly, to appoint Mr. Jack McIlhinney to the vacancy on the Planning Commission (term to expire on December 31, 2008) with the proviso that Mr. McIlhinney resign his position on the Commission should he be successful in his bid for election to the Hilltown Township Board of Supervisors. Chairperson Bennington was opposed, stating that he felt the vacancy should be re-advertised. There was no public comment.

I. MYLARS FOR SIGNATURE: None.

J. PUBLIC COMMENT: Prior to taking Public Comment, Chairperson Bennington wished to re-emphasize item #8 under "Public Comment Rules" on the reverse side of the agenda, which states "The individual shall have a maximum of five (5) minutes to address their comments for "Public Comments" at public meetings and public hearings." At the last meeting, he inadvertently permitted an individual to speak for well past five minutes. Therefore, Chairperson Bennington directed the recording secretary to time the comments made under this section of the agenda to five minutes, unless there is interplay between the individual and the Board of Supervisors, at which time it would be his decision whether or not to continue with the discussion.

1. Mr. Hans Sumpf of 9 Beverly Road invited the Supervisors and the public to attend Deep Run Valley Sports Association Opening Day ceremonies on Saturday, April 16, 2005 at 9:00AM for baseball, and 11:30AM for softball.

Mr. Sumpf recently sent emails asking the Board to consider two issues – one is to request a letter of support from the Township to send with the Erosion and Sedimentation Control permit for Bucks County so that Deep Run could obtain the permit for a reduced fee. If the Township provides correspondence to the Bucks County Conservation District stating that they are in partnership with Deep Run to develop the property located at Rt.

152 and Fairhill Road, the \$2,200.00 fee is cut in half. Supervisor Manfredi commented that someone had raised the point that if the Township agrees to forward this letter to the Conservation District stating that the Township is partnering with Deep Run, this project could be looked at as a public project with respect to bidding at prevailing wage. Supervisor Egly suggested that the Township Solicitor review Deep Run's request before a decision is rendered. Discussion took place.

The other issue is for the Board to consider extending the Township's lease with Deep Run for the property at Rt. 152 and Fairhill Road from 30 years to 50+ years. With the cost of developing soccer fields on that parcel being very high, the Deep Run Board of Directors would like to insure that the property will remain available for their use for an extended period of time. Chairperson Bennington wondered why Deep Run did not feel that a 30-year lease was a satisfactory length of time. Supervisor Egly asked if the Deep Run Board of Directors or the bank is requesting an extension of the term of the lease. Mr. Sumpf replied that the Deep Run Board of Directors is making the request. Discussion took place. Another option Deep Run would like to pursue is to purchase the municipal open space parcel at Rt. 152 and Fairhill Road from the Township, with the profit from the purchase price to go toward the development of the Forest Road Park.

Mr. Sumpf sought clarification of the proposed Guttman Tract, a portion of which is located one property away from the Rt. 152/Fairhill Road site. He asked how far the proposed open space area of that subdivision is located from the Rt. 152/Fairhill Road property. Mr. Wynn replied that there is one other parcel, a cornfield, between the two areas. Discussion took place.

2. Mrs. Jean Bolger of Rt. 152 asked when Deep Run intends to address the drainage problem from their site on Hilltown Pike/Callowhill Road, which she strongly feels should be rectified before Deep Run considers constructing or purchasing additional playfields. She suggested that Deep Run do right by their neighbors on Hilltown Pike/Callowhill Road before moving forward with additional plans. Mr. Sumpf advised that Deep Run is looking into the problem on Hilltown Pike to determine what they can do to slow the flow of water from their property. With respect to the problem across the street from the Deep Run site, Mr. Sumpf hopes that PennDot does what they promised to do by guiding the neighbor's runoff from her front lawn with the installation of a ditch to an adjoining ditch.

Supervisor Manfredi asked if the meeting ever occurred with PennDot, Deep Run, and Mrs. Brickajlik that was authorized by the Supervisors late last year. Mr. Wynn replied that one meeting did occur, but a second did not. Mr. Sumpf had asked the former Township Manager to advise when this second meeting would take place back in December of 2004, however that meeting was never scheduled. He did speak to PennDot, who advised that the best way to assist Mrs. Brickajlik would be to pull that

black hose out to allow the water to flow where it should. Further, by installing a ditch from that pipe to the adjoining ditch down the road, would also assist with the ponding water in her front yard. To Mr. Sumpf's knowledge, Mrs. Brickajlik would be agreeable to what PennDot has proposed, however PennDot has made no promises as to when this work would be accomplished. Supervisor Manfredi suggested that a meeting be scheduled with Mr. Sumpf, Mr. Wynn, Mrs. Brickajlik and PennDot to determine what the best course of action is to resolve this problem. Further, he advised that he would not discuss extending Deep Run's lease with Mr. Sumpf for even one additional year if Deep Run is not interested in meeting with Mrs. Brickajlik to continue discussions with respect to the drainage problems. Lengthy discussion took place. The Board directed Mr. Wynn to schedule a meeting with representatives of PennDot, Mr. Sumpf, and Mrs. Brickajlik to move this drainage issue forward. Chairperson Bennington drove through the intersection of Callowhill Road and Hilltown Pike just this evening, noting that the water draining through the area is a disaster waiting to happen.

Mr. Sumpf commented that he is not in favor of "you scratch my back, I scratch your back" politics as he believes Supervisor Manfredi previously referred to when stating that he would not discuss the request to extend Deep Run's lease unless the drainage issues were further addressed with Mrs. Brickajlik. Supervisor Manfredi asked Mr. Sumpf what compelling argument Deep Run has made to extend the lease beyond 30 years, and commented that he is not talking about scratching any backs. He believes it is unfair of Mr. Sumpf to ask the Board to consider extending the lease from 30 years to 50 years, and then to go on to say that Deep Run is not interested in continuing discussions about the drainage issue on Hilltown Pike.

3. Mr. Harry Mason of Morgan Lane questioned a section of the March 14, 2005 Worksession meeting minutes, which states "Chairperson Bennington announced that he and Supervisor Egly met in Executive Session prior to this meeting in order to discuss real estate, personnel, and legal issues, including the Smith Tract Subdivision, McIntyre Subdivision, Metzger, and Pearl S. Buck Foundation." Mr. Mason noticed that the McIntyre Subdivision was actually one of the Confirmed Appointments, and asked if that was considered a real estate issue that was discussed. Chairperson Bennington explained that it was a legal issue discussed with the Township Solicitor with respect to the previously approved subdivision plan.

4. Mr. Joe Shreiner of 919 E. Walnut Street expressed great displeasure with the continued flow of water crossing his driveway from the construction of the Orchard Hill Subdivision. Chairperson Bennington noted that Mr. Wynn previously provided the Supervisors with an analysis of this situation, and commented that the Township Engineer's office determined that this is a private matter between Mr. Shreiner and the Heritage Building Group. Since Heritage was permitted to raise their property 10 ft. and dump all of the stormwater runoff onto his property, Mr. Shreiner wondered if he would

be permitted to raise his driveway 10 ft. in an effort to stop the water from flowing onto his property. Mr. Wynn commented that all of the information and documents submitted during the Orchard Hill Subdivision plan review, and subsequent to a complaint filed by Mr. Shreiner with respect to the runoff, does not support Mr. Shreiner's conclusion of the situation. Mr. Wynn concurs with the information as provided by the professional engineer that worked for Heritage Building Group. Further, he noted that Mr. Shreiner has never had a professional engineer provide any information to support the allegations he continues to make. Mr. Shreiner was angry that he had not received a copy of the report Mr. Wynn supplied to the Board of Supervisors. Solicitor Grabowski explained that Mr. Wynn works for the Board of Supervisors, and if they want him to provide Mr. Shreiner with information, they will authorize him to do so. After a lengthy discussion with Mr. Shreiner, the Supervisors directed Mr. Wynn to provide Mr. Shreiner with a copy of the documented analysis of the situation that was previously given to the Board. Mr. Shreiner commented that he would see the Township in court.

5. Mrs. Marilyn Teed of Mill Road mentioned a recent newspaper article about the Right to Know Laws in the Daily Intelligencer, and commented that neither she nor her husband were ever interviewed for this story, and therefore had nothing directly to do with it. She requested that the Board of Supervisors provide their comments on the article, which she believes contained some rather disturbing information. Supervisor Manfredi has not read the article and could not comment on something he has not read. Mrs. Teed hopes that the Board of Supervisors has the opportunity to read the article and provide her with their comments at the next meeting.

6. Mrs. Nancy Boice of Mill Road asked the status of the quarry expansion request. Chairperson Bennington and Supervisor Egly have not yet rendered their decision, and noted that a final public hearing has not been scheduled. Mrs. Boice hopes that the matter would be resolved sometime in 2005.

With the recent renovation of the site of the former Hilltown Inn, Mrs. Boice has noticed the increased water runoff coming from the site located at the corner of Rt. 152 and Hilltown Pike, now known as the Crossroads Inn. Mr. Wynn commented that he has not been involved with the renovation of that property, since it required a building permit, not a land development. The Board directed Mr. Wynn to review the site with Mr. Taylor, the Code Enforcement Officer. Discussion took place.

K. SUPERVISOR'S COMMENTS:

1. At a previous meeting when the Deep Run Thunderhawks were present to receive a Commendation, Supervisor Manfredi advised that discussion took place concerning possible language on "Welcome to Hilltown Township" signs recognizing the

Thunderhawks achievements. Supervisor Manfredi asked Mrs. Seimes to contact Mr. Sumpf regarding this matter and to discuss sign requirements with Mr. Taylor, as well.

2. Chairperson Bennington read a recent newspaper article stating that a Vanity Fair outlet would be opening in the former Ames building. Discussion took place.

L. PRESS CONFERENCE: No members of the press were in attendance.

M. ADJOURNMENT: Upon motion by Supervisor Egly, seconded by Supervisor Manfredi, and carried unanimously, the March 28, 2005 Supervisor's Meeting was adjourned at 10:29PM.

Respectfully submitted,



Lynda Seimes
Township Secretary