

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, November 24, 2003
7:30 PM

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Kenneth B. Bennington at 7:30 p.m. and opened with the Pledge of Allegiance.

The following were also present:

- John S. Bender, Vice-Chairperson
- George C. Egly, Jr., Supervisor
- Gregory L. Lippincott, Township Manager
- Francis X. Grabowski, Township Solicitor
- C. Robert Wynn, Township Engineer
- Christopher Engelhart, Chief of Police
- Lorraine Leslie, Township Treasurer

Chairperson Bennington announced the Board met in Executive Session after the budget meeting on November 17, 2003, to discuss personnel issues. Additionally, the Board met in Executive Session on November 19, 2003, to discuss personnel matters and prior to the November 24, 2003, regularly scheduled meeting to discuss the legal issues with regard to the stormwater management lawsuit; issues with respect to Fedele; issues relating to the quarry and matters relating to real estate as well as personnel issues.

Public Comment on Agenda Items Only None

Approval of Minutes of Work Session Held November 10, 2003: On motion of Mr. Egly, seconded by Mr. Bender, the minutes of the work session were approved as submitted. This motion was passed by a vote of 3 to 0. There was no public comment.

Approval of Minutes of Budget Work Session Held November 17, 2003: On motion of Mr. Egly, seconded by Mr. Bender, the minutes of the budget work session were approved as submitted. This motion was passed by a vote of 3 to 0. There was no public comment.

Confirmed Appointment: Mr. Joe Ferry, Community Relations Coordinator from DEP was present to address the Board of Supervisors with respect to MTBE contamination. He explained that George Horvath, Hazardous Substance Cleanup Act Program Manager, Lauren Mapleton and Barbara Bloomfield, Hydrogeologists all from the southeast regional office were present to answer questions. Mr. Horvath made a presentation concerning MTBE, why it is important and how it came to be present in the groundwater in Hilltown Township.

Ms. Barbara Bloomfield explained DEP became aware that the site at Route 309, Hilltown Pike in Line Lexington has contamination in the residential wells in November of 2000. Currently there are monthly water samples being taken from residents in the area and Sunoco has a remediation program in effect. The remediation system at this site has been effective.

Ms. Bloomfield then discussed the site located at the Exxon station at Route 313 and Route 113 which is located in Bedminster Township. This site came to DEP's attention in May of 2000. She said that 21 wells surrounding this site had some contamination and Farm and Home supplied filters to these residents. In April of 2001 a remediation system was installed at the site and quarterly reports are being made to DEP. The contaminations at the site and homes close to the station have seen a significant reduction in contamination. However at the intersection of Route 113 and Bucks Road there has been contamination found and the levels are very high. This is somewhat unexpected as it is expected that the highest amounts of contamination would be found closest to the original site whereas this site is approximately one-quarter of a mile from the original site. DEP is in a standing controversy with the consultants representing Farm and Home who claim they are not responsible for the contamination at Route 113 and Bucks Road. DEP believes that the original site is responsible for the contamination. Ms. Bloomfield explained that even though Farm and Home claims no responsibility for this contamination they are acting as though they are responsible and have supplied every home surrounding Route 113 and Bucks Road with a filtration system and are sampling wells in that area.

Ms. Lauren Mapleton explained that she oversees the Texaco site at Route 309 and Church Road. She said the case has been open since July 1990 when the contamination was detected. In January, 2001 a thorough well search was done and they found 6 off site wells as well as one in Hatfield Township. Texaco has supplied bottled water to residents as well as completing the required quarterly reports. There is no active remediation on the site and steps have been taken to prevent any future releases. DEP continues to monitor the site.

Mr. Ferry told the Board that DEP is confident that all the residents in the area are being protected either by their use of public water, bottled water or filter systems.

In answer to Mr. Bender's question concerning the Exxon Station and Sunoco, Ms. Bloomfield explained quarterly reports are sent to the Township and she was uncertain of exactly how many gallons were being pumped through the remediation systems at these locations but probably a couple of thousand gallons of water per day plus many cubic meters of vapors. Mr. Bender asked if there has been gasoline intentionally dumped and has this possibility been discussed at DEP? Ms. Bloomfield said DEP has not considered this possibility. As a follow-up, Mr. Bender asked why not? In response, Ms. Bloomfield said she could not imagine why anyone would want to do something like that.

Hilltown Township Board of Supervisors
November 24, 2003
Page Three

Mr. Ferry injected that if the gasoline was dumped other than at the gas station other associated products would be found in the ground water.

A discussion was held concerning the way the contaminants have traveled into different areas away from the original spill. Ms. Bloomfield explained the way the water travels in various areas and thus the different locations of contamination are found away from the original spill.

Mr. Egly asked concerning continued spills at gas stations and what can DEP do about someone who continually pollutes. Ms. Bloomfield responded that she could not say for sure when the Storage Tank Program decides enough is enough but she said that if spills continue she is certain the DEP will take action. She said that there is no time frame for action in this regard. Mr. Egly said he applauds the DEP for doing something but believes the spills have to be stopped.

Ms. Bloomfield confirmed that each resident is entitled to a report of the monitoring of their well and she will look into why reports have not been provided.

Mr. Egly asked for information concerning the reasons for the two spills at the gas stations. Ms. Bloomfield suggested that the Township contact the Storage Tank Program at DEP for specifics concerning the spills.

Public Comment:

Jane McIntyre, 37 Hilltown Pike, Line Lexington explained that she received a letter April 15, 2002 stating that Sunoco was no longer going to test her well. She said that she contacted Ms. Bloomfield asking if her well could be tested more frequently than quarterly but Ms. Bloomfield failed to respond.

Cindy Owen, 506 Rt.313 thanked the Board for asking the questions they did because many of her questions have been answered. She said that it appears that DEP is not moving forward to remediate the problem but have used techniques that are just stopgap measures. The filters are not the answer and she worries about saturation or break through of the filter. She asked for more information concerning the future of this problem. She asked what the amount of the fines imposed on the gas stations were. She also asked if the rumor about the gas station purchasing adjoining property for expansion could be verified. She asked the Board if information about MTBE could be put in each quarterly newspaper so as to empower the residents with information about where to contact legislators should they want to call and/or write with their concerns.

Ms. Bloomfield explained that she is limited by what she is required to do by her job descriptions. She said that the best she can do is to enforce the regulations that are in

place. She said that concerning the future of the gasoline spillages that really becomes a community issue in that the construction of the gasoline stations is at issue as is the transportation of gasoline. They are not questions that she can answer as a representative of DEP. She confirmed that she is enforcing the regulations to the fullest extent of the law.

Mr. Ferry said that he believes the gas stations were fined in the neighborhood of \$3,000 for past operational violations that had nothing to do with a spill but involved record keeping, etc. Mr. Ferry confirmed that there are fines imposed for a spill. He said that they are imposed at the end of the process. He explained that DEP wants to ensure that clean up is ongoing and believes that if a fine were imposed during the clean up process perhaps the clean up would slow down and/or stop in order for the fine to be paid. Mr. Ferry explained that a gas station is closed by DEP when the station demonstrates that it cannot comply with DEP's operational regulations. At that point DEP has the option to shut the gas station down.

Rick Freed, 744 Church Road asked what the sampling radius is. Ms. Bloomfield explained that the home furthest from the spill is located and then testing is done on a few homes beyond that. She explained that if a resident is within a quarter mile from the furthest home they can request testing but further than that a resident is on their own to get their well tested. She suggested that anyone with a well should have it tested at least once a year.

A discussion was held concerning TCE contamination and Ms. Bloomfield explained that DEP has not determined where the contamination originated from.

The Board requested that information concerning testing of wells be included in the next newsletter including the different tests that are recommended by DEP.

Mr. Mason, 902 Morgan Lane, explained that in the past white out contained PCE and it was difficult to get secretaries to stop using white out.

Manager's Report: Mr. Lippincott explained that the Township is requesting to sell a 1993 Chevrolet Blazer and a 1999 Ford Crown Victoria and he is requesting authorization to put these two items out for bid.

After discussion, on motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors authorized advertising the sale of a 1993 Chevrolet Blazer and a 1999 Ford Crown Victoria for bid. This motion passed by a vote of 3 to 0.

Mr. Lippincott presented the 2004 budget and asked if the Board wanted to authorize the budget for possible adoption on December 22, 2003 and explained that the budget must be authorized 20 days prior to adoption.

Mr. Lippincott explained that included in the proposed budget is a zoning revision at a projected cost of \$25,000; the hiring of an additional police officer; a \$12,000 study for the feasibility of the current police station and a possible expansion. He explained that for the 11th year there is no tax increase proposed.

Mr. Bennington said that discussions have taken place concerning the addition of a position of assistant building inspector/assistant zoning officer and fire marshal which can be done without a tax increase. It is anticipated that this position would be funded partially in year one and completely in year two and thereafter because of the development in the township. Mr. Lippincott said that he believes this position should be advertised as soon as possible and anticipates it would be filled within two to three months.

Jack McIlhinney, 1634 Broad Street, asked if the fire marshal position would impact the existing residential units in the township and the Board said no it would only impact commercial and industrial buildings.

After discussion, on motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors authorized advertising of the proposed 2004 budget with the addition of the position of assistant building inspector/assistant zoning officer and fire marshal to be voted on at the December 20, 2003 meeting. This motion passed by a vote of 3 to 0.

After discussion, on motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors authorized advertising of the position of assistant building inspector/assistant zoning officer and fire marshal. This motion passed by a vote of 3 to 0.

Mr. Lippincott explained to the Board that Jack Bowman, Supervisor for New Britain Township, has requested that the Township appoint a Supervisor to the Central Bucks Land Use/Transportation Regional Planning Commission. They meet bi-monthly and the next scheduled meeting is on January 22, 2004, on the 3rd floor of the Neshaminy Manor. After discussion, the consensus of the Board of Supervisors was to table this matter until the newly elected supervisor is sworn in January, 2004.

Mr. Lippincott directed the Board to a letter from Jackson and Marilyn Teed requesting that the Board rule on whether or not her request is a public record.

Marilyn Teed, Mill Road, explained to the Board that she wrote requesting to review Township legal records and requesting a hearing.

The Township Solicitor explained to the Board of Supervisors that it was up to them to make a ruling on this request.

Hilltown Township Board of Supervisors
November 24, 2003
Page Six

Mr. Bennington asked Ms. Teed what specific documents she would like to review.

Ms. Teed explained that she wanted to see all copies of the invoices from all the attorneys. "I want to add them up and see what the Township is spending in legal fees", she said.

Mr. Bennington said that she was not being specific.

Mr. Lippincott said that he denied this request because on bills there are personnel matters, real estate matters and legal matters. If Ms. Teed wanted to review a specific bill she could see that bill as long as it did not include in that bill any real estate transactions that have not yet gone to settlement or personnel matters or legal issues that must remain confidential.

Ms. Teed suggested that confidential matters that are included on any invoices could be marked out so that she would not be able to read that particular entry.

Again, Mr. Bennington asked for specificity in Ms. Teed's request.

Ms. Teed said she has been having trouble with the Township since 1996 and she said she wants to review the invoices in order to get a clear picture of the activities in the Township.

Mr. Bennington explained that the Township will not give her all invoices and again asked for specificity with respect to her request. The Board told Ms. Teed that public records involve amounts of invoices and would she be satisfied with amounts of invoices.

Ms. Teed said she wants to be able to discern what amounts were expended on what matter or area. For example, how much the Township spent in legal fees with respect to her legal matters with the Township and how much was spent on different matters.

Mr. Bender told her that within reason any resident can be given the amount spent on a specific issue in the Township.

Ms. Teed said she does not trust the Township officials to give accurate information and therefore she want to see the specific invoices, with areas of confidentiality crossed out.

After discussion, on motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors turned down Ms. Marilyn Teed's request for invoices from 1996 to the present. This motion passed by a vote of 3 to 0.

Correspondence: None.

Solicitor's Report.

Mehlbaum Sewage Maintenance Agreement. Mr. Grabowski referred the Board of Supervisors to the Mehlbaum Sewage Maintenance Agreement. He explained that Mr. and Mrs. Mehlbaum live on Keystone Drive and they have an on-lot septic system that is not functioning properly and they intend to install a new improved system for which they need a maintenance agreement under DEP regulations and Township regulations.

After discussion, on motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors accepted the Mehlbaum Sewage Maintenance Agreement. This motion passed by a vote of 3 to 0.

Fedele Subdivision. Mr. Grabowski explained that this Agreement involves the Fedele Subdivision which involves approximately 8 lots which has received final plan approval.

On motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors accepted the Fedele Subdivision Agreement, Financial Security Agreement, Pedestrian Path Access Easement and the Walking Path Easement Agreement conditioned upon the receipt of an original letter of credit from Manufacturers and Traders Trust Company. This motion passed by a vote of 3 to 0.

On motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors approved Resolution 2003-31 for public purpose for road frontage on Fairhill School Road. This motion passed by a vote of 3 to 0.

Telvil Stipulation Agreement: This plan involves 31 lots on approximately 50 acres on Route 113 across from Calvary Church of Souderton. An appeal was filed to the Zoning Hearing Board about 2 ½ years on two issues; first the impervious surface limit of 9% was challenged and second, allowing for gravity public sewers to be served by Telford Borough Authority. The issue being whether or not an onsite package sewage plant can be installed and then that system would be turned over the Telford Borough Authority for ownership and maintenance. Telford Borough Authority refused to accept any responsibility for a package plant and then pursued the issue that this is an area of the Township which had been given to Telford Borough Authority as a service district by way of agreements over the course of the years. The applicant waived the impervious surface issue. After several meetings with staff and the applicant a Stipulation Agreement has been drafted and executed by the developer by which they agree to a limit of 28 lots being constructed in addition to an existing structure on the property; they are asking for no waivers from any of the subdivision requirements; they are going to abide by the impervious surface limit of the Hilltown Township Zoning Officer and in consideration they would then be allowed to have gravity public sewers to be served by Telford Borough Authority on property across the street from Calvary Church. The developer in consideration of that issue being agreed upon by the Township is then

willing to reduce the number of lots to 28 and make a payment to the Township of an amount of \$300,000.

Jack McIlhinney, Broad Street, asked if this property is in RR and was told that was correct. The Board explained that the \$300,000 contribution by the applicant is compensation to pay the general fund of Hilltown Township for its time involved in the matter. Mr. McIlhinney said that he understood the position of the Board of Supervisors that public sewers would never be allowed in Hilltown Township and even though this applicant could have received permission for sewers by going to DEP it is not the same as the Township allowing the public sewers in RR.

On motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors approved the execution of the Telvil Stipulation Agreement and to have it entered as a Court Order. This motion passed by a vote of 3 to 0.

Mr. Grabowski referred to the MTBE discussion and explained that in addition to the DEP regulations there are Federal regulations that were not discussed. EPA under the Federal Clean Streams Act is also involved. However, he explained, most of their work is delegated to DEP so DEP not only looks at the issues from a State of Pennsylvania standpoint but they also must look at the issues from a Federal standpoint. Under Federal House Bill 1168 Congress is looking at the possibility of cutting a deal by which the gas companies will terminate the use of MTBE by either 2006 or 2008 and in exchange Congress will provide a total exclusion of any lawsuits against violators. Many people have private lawsuits against the various violators and the insurance companies who provide coverage and what Congress is looking to prohibits the filing of private new lawsuits.

Planning:

Harrison Land Development Waiver. The land development waiver request is for installation of a 30' x 40' pole building on a site that contains approximately 10 acres on the north side of Swartly Road within the Rural Residential Zoning District. Prior to the issuance of a zoning building permit for construction of the pole building the applicant must receive stormwater management plan approval or an exemption from the Stormwater Management Ordinance requirements as may be permitted under Section 105 of the Ordinance.

After discussion, on motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors approved the land development waiver requested for the Harrison Land Development. This motion passed by a vote of 3 to 0.

Main Street Orchids Land Development Waiver. The proposed nursery (Use A2) is located on a 3.38 acre site along the north side of Blue School Road between Midway Road and Schwenk Mill Road. The plan provides for construction of three greenhouses having a total area of 8,832 square feet with two future greenhouses being proposed with a total area of 6,912 square feet.

Ms. Sharon Dodds from Gilmore Associates explained that the current homeowner wishes to construct greenhouses on the property for the purpose of raising orchids for his business. Most of the business is conducted off the site; however, there is some minor retail, less than \$5,000 annually out of the greenhouses. She said that stormwater management is provided for each of the greenhouses. It will be handled via infiltration trenches installed along the edges of the greenhouses so that it takes direct run off from the roofs and they are self contained structures of greenhouse and infiltration units. She explained that water usage for the greenhouses varies with the site and weather conditions. For example, in the winter the greenhouses might be watered once every other week. In the summer they might be watered twice per week. Each instance of watering would consist of approximately 300 gallons per greenhouse but they keep an on-site tank and they can control the temperature of the water and they do not shock the plants. This also allows them to fill the tank more slowly. The existing 200 foot well, which produces 12 gallons per minute, will be used. Ms. Dodds confirmed that a pump test has been scheduled and when the results are available they will be provided to the Township.

After discussion, on motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors approved the Main Street Orchids Land Development Waiver subject to the conditions outlined by the Planning Commission including the four hour pump test. This motion passed by a vote of 3 to 0.

Reserve at Hilltown – Preliminary Land Development. Mr. McBride, attorney for the applicant explained that the proposed development is located with frontage on Hilltown Pike, Keystone Drive, Mill Road, Chalfont Road and Township Line Road. He told the Board that the current submission provides for 185 units; all of the lots to the north of Hilltown Pike along Keystone Drive have the minimum of 30,000 square feet meeting the RR criteria in a cluster; the balance of the lots on the lower portion are 15,000 square feet lots with access from Chalfont Road and Township Line Road. The Township will receive and offer dedication of 150 acres configured and sized in accordance with the golf course planning consultant so that if in the future the Township determined that it wanted a golf course on this site this configuration would allow for that use.

Mr. McBride explained that the applicant will comply with all items outlined in the traffic engineer's October letter. There are specific improvements which the applicant agrees to as follows:

1. Signalization at the intersection of Hilltown Pike and Township Line Road.
2. Where Hilltown Pike approaches Keystone Drive, a dedicated left turn lane so as not to impede through traffic.
3. Where there is ingress and egress onto Chalfont Road there is an existing hump in the road which will be eliminated.

Mr. McBride explained that the plan does not propose perimeter improvements on the undeveloped areas of open space and the applicant will make a contribution to the Township in lieu of making the improvements.

Public Comment:

Wally Rosenthal, Rosie Lane and Keystone Drive, told the Board that he has concerns about the site distances on Keystone Drive. He said that Keystone Drive is a hilly street and it is difficult to make a safe right hand turn from Rosie Lane onto Keystone Drive. He said that with the additional driveways coming into a major thoroughfare he believes there will be a problem. Mr. Rosenthal said that he believes this is a safety issue. He suggested that a traffic light should be installed at Hilltown Pike and Keystone Drive.

Mr. Wynn said that this issue was addressed in the planning review process and the applicant would have to request a waiver should the driveways be internal and this plan is in compliance with the Township Ordinance. He explained that Keystone Drive will be widened with curbs and sidewalks as a result of this subdivision which should improve the site distances. Mr. Wynn said that there was not enough traffic to warrant the installation of a traffic light but a left turn lane could be installed. He said that PennDOT will review this intersection at final plan approval process.

Rick Freed, Church and Mill Road, asked regarding the spill way from the detention basin; it will flow onto the neighbor's property and the curbing that will end at Mill Road at the bend. He expressed concern about the narrow turn and he said he believes it will create more of a funneling effect because of the portion of Mill Road that will be widened. He asked if the curbing along Mill Road could be extended to include the bend. Mr. Wynn explained that currently there is no right of way to extend the widening of Mill Road.

Joe Miketta, 1211 Hilltown Pike, asked if the blasting will be contained on the new development side of the roadway. Mr. Wynn said that if they blast it would be in the right-of-way of Mill Road. Mr. Wynn confirmed that the culvert on the top of the hill on Chalfont Road will be improved by widening and curbing will be installed. He explained the plan indicates there are two lots that he owns them and he does not, so he asked that be corrected on the final plan submission.

After discussion, on motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors approved the Reserve at Hilltown Preliminary Plan subject to the following conditions:

1. Compliance with the Township Engineer's letter,
2. Waivers in accordance with the Planning Commission recommendations;
3. Deferring the matter of dedication of open space for the 20 acres until final plan review,
4. The staff is authorized to move forward on the 537 Modules;
5. The staff is authorized to forward to PennDOT permits for the improvements and the traffic signal.
6. Further investigation of construction of a berm and extending the curbing into Mill Road if the right-of-way can be purchased; applicant will pay for this if the Township will obtain right-of-way.

This motion passed by a vote of 3 to 0.

Johnson Subdivision Final Land Development. The proposed five lot subdivision, 4 lots located on Shultz Road and one having frontage on Diamond Street, was unanimously recommended for final plan approval subject to completion of outstanding items as contained in the November 5, 2003 engineering review letter. The plan proposes improvements to Schultz Road including cartway widening curb and sidewalk. There are no improvements proposed to Diamond Street. Stormwater runoff will be controlled by a basin being constructed which will be owned and maintained by one of the lot owners. There is a flood plain to the rear of the lots which will be in an easement area.

The Board asked Mr. Wynn to add a note to the plan indicating that there was a fence on a neighboring property encroaches onto lot 4 and to check the set back of the pool to make certain that the owner can comply with Township Ordinances with regard to fencing around pools.

Robert Johnson, 120 Schultz Road, explained that he has informed Dr. Mettage that his fence encroaches onto lot 4 and he will move it any time and Mr. Johnson believes it will not be a problem for Dr. Mettage to install a fence that will comply with the Township Ordinance.

On motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors approved the Johnson Subdivision Final Land Development subject to the following conditions:

1. Compliance with the Township Engineer's review letter dated November 6, 2003
2. Approval from the Hilltown Township Water and Sewer Authority for Lots 1, 2 and 4 as they will be connected to the public water system on Schultz Road.

3. A note will be added to the plan indicating that a pool fence encroaches onto lot 4.

This motion passed by a vote of 3 to 0.

Helm Fencing Land Development: The development is located on Route 309 immediately north of the Snyder Insurance Agency. The plan is to add approximately 10,000 square feet of building area and some storage and parking area. The applicant did not appeal

On motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors denied the Helm Fencing Land Development for non-compliance with the items in the November 7, 2003 engineering review letter unless an extension is received to permit the applicant to come before the Board. This motion passed by a vote of 3 to 0.

Engineering:

Seylar Elementary School Land Development: Mr. Wynn explained that Seylar Elementary School submitted a land development plan and a land development agreement that included the public improvements which included curb and cartway widening along the frontage of the site, landscaping street trees, detention basins, storm sewer and other required improvements. All the improvements have been completed and PennDOT has signed off on the state highway improvements.

On motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors accepted the completion of the public improvements and commenced the 18 month maintenance agreement. This motion passed by a vote of 3 to 0.

Jefferson Tract Subdivision: Mr. Wynn explained that this is a three lot subdivision on Keystone Drive. Mr. Wynn explained that the developer cannot get grass to grow at this point and has requested a 6 month extension for completion of the project.

On motion of Mr. Egly, seconded by Mr. Bender, the Board of Supervisors authorized an extension to June 13, 2004 for completion of the Jefferson Tract Subdivision. This motion passed by a vote of 3 to 0.

Diamond Street and Orchard Road: Mr. Wynn told the Board that another request has been sent to PennDOT to reexamine the intersection to determine if a traffic signal is warranted. Six months ago PennDOT denied a request for a traffic signal at this intersection and a request has been submitted again.

Mr. Bender commented that complaints have been received about the condition of Hillcrest Road due to the construction in the area. Mr. Wynn explained that Hillcrest Road needs to be overlaid and it will be done when the construction is completed. Additionally heavy equipment will be used to install a pedestrian bridge.

Mylars for Signature: None

Public Comment: Jack Mehlbaum, 1126 Keystone Drive, addressed the Board and asked about the \$2,500 escrow to the Township which has been deposited with the Township. He asked if it was correct that if the DEP deems it non experimental then the \$2,500 would not be refunded. It is his understanding that the \$2,500 is held by the Township in case the system is not maintained and the Township has to step in and do maintenance work. He asked what happens to the \$2,500 plus the interest if after ten years the system is well maintained and no longer experimental. Mr. Grabowski explained that the system is not experimental and the \$2,500 is held in escrow with interest but the interest is then spent by the Township to have someone inspect the system and the person who might purchase the property in the future and therefore this money is non-refundable.

Hans Sumpf, 9 Beverly Road, asked about the potential of the Township receiving \$300,000 next year and the possibility of granting some of the funds to various organizations that would benefit Township residents. The Board told him that that was not a possibility. Mr. Bennington explained that while he understands the needs of the various organizations the Township has ongoing legal expenses with the quarry and other matters and taxes have not been increased in eleven years but the budget is tight this year.

Supervisor's Comments: None

Press Conference: A reporter from News Herald asked whether the new position was for one full time person and the Board explained that it was one position. The Board confirmed that the feasibility study will be for the expansion of the police department building which involves taking the existing conditions and see how the building can be better utilized and if the police department building should be expanded. No firm has been identified to complete this feasibility study at this point.

Adjournment: On motion of Mr. Egly and Mr. Bender, seconded by Supervisor Bennington, the Board of Supervisors voted to adjourn the November 24, 2003, Board of Supervisors meeting at 10.40 p.m. This motion passed by a vote of 3 to 0.

Respectfully Submitted

Jean W. Deckert
Acting Recording Secretary