

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, September 22, 2003  
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Vice-Chairperson Kenneth B. Bennington at 7:31PM and opened with the Pledge of Allegiance.

Also present were: John S. Bender, Supervisor  
Gregory J. Lippincott, Township Manager  
Francis X. Grabowski, Township Solicitor  
C. Robert Wynn, Township Engineer  
Christopher Engelhart, Chief of Police  
Lorraine E. Leslie, Township Treasurer

Vice-Chairperson Bennington announced the Board met in Executive Session prior to this evening's meeting to discuss personnel and legal matters, including the Storm Water Management Ordinance challenge.

A. PUBLIC COMMENT ON AGENGA ITEMS ONLY: None

B. HILLTOWN TOWNSHIP FIRE COMPANY AWARDS PRESENTATION: Mr. Robert Grunmeier, Fire Chief, Hilltown Township Volunteer Fire Company stated that the Hilltown Township Fire Company had entered into a program through the office of the Pennsylvania Fire Commissioner. The program is a certification, recognition program designed to give recognition to a Fire Department whose members have gone to a professional level of certification through the Professional Qualification Board and the International Fire Service Accreditation Board Congress. The process was spearheaded by Barbara Oberholt who prepared all the paperwork and did all the leg work. Mr. Grunmeier invited Pennsylvania Fire Commissioner Mr. Edward Mann, Barbara Oberholt, Deputy Fire Chief Bill Devlin, and Fire Company President, Mr. Larry Woodward to join him at the podium for the presentation.

Mr. Edward Mann, Pennsylvania Fire Commissioner stated that on behalf of the office of the Fire Commissioner and Governor Ed Rendell he was delighted to be present this evening to make this presentation to the Fire Department at the Board of Supervisor's meeting. Mr. Mann stated that participation in this program is voluntary and that there isn't a requirement for anybody to certify. There are nearly 2,600 Fire Departments in the Commonwealth of Pennsylvania, only 129 of which are being recognized. In Bucks County this presentation represents one of only three Fire Departments that have participated in this program. It is important to note that Hilltown Township Volunteer Fire Department has seventy-five percent of it's active members certified at least at Fire Fighter, Level 1, twenty-three members certified at Fire Fighter, Level II, seven members certified at Fire Fighter I, and four members certified at Hazardous Materials Operations.

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There are only nine Fire Departments in the State of Pennsylvania that have reached the seventy-five percent level. This shows a lot about the dedication of the people present this evening.

Another advantage that this certification program will have is that a twenty-five million dollar grant program has been included in the budget this year. The tentative guidelines being worked out presently are that every member of the Fire Company who is certified will be awarded two points up to a maximum of twenty points. It is important because the more points you earn in the competition matrix, the more money you will be entitled to receive.

Mr. Edward Mann wished to especially thank the Board of Supervisors for taking time this evening to recognize the Fire Company. One of the problems he experiences is that local government doesn't take an active interest in it's local Fire Departments.

Mr. Edward Mann, Pennsylvania Fire Commissioner then presented the certificate to Mr. Robert Grunmeier, Fire Chief, Hilltown Township Volunteer Fire Company. Mr. Grunmeier thanked the members of the Fire Company whose dedication made this evening possible.

C. APPROVAL OF MINUTES -- Action on the minutes of the September 8, 2003 Supervisor's Worksession Meeting -- Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried nnanimously to approve the minutes of the September 8, 2003 Supervisor's Worksession Meeting with the following corrections:

**Page 1, Executive Session, - legal matters including the Quarry and the Stormwater Management challenge.**

D. CONFIRMED APPOINTMENTS: None

E. MANAGER'S REPORT -- Mr. Gregory J. Lippincott, Township Manager

1. Mr. Greg Lippincott asked Christopher Engelhart, Chief of Police, Hilltown Township to address the Board of Supervisors.

Chief Engelhart read a letter directed to the Board of Supervisor's dated September 18, 2003. The letter recommended the promotion of Francis W. Dilworth Jr. from the rank of Patrolman to Sergeant effective October 5, 2003. Sergeant Dilworth will fill the vacancy left with the promotion of Detective Sergeant Randall Tanghe. Sergeant Dilworth will be in charge of three officers assigned to his squad. Sergeant Dilworth has been a member of the Hilltown Township Police Department since January 1987. He has been a DARE instructor and mentor. He has proven to be a dedicated and valuable member of the

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Department and Chief Engelhart is certain that with this promotion Sergeant Dilworth will continue to make this Department proud.

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to approve the promotion of Francis W. Dilworth Jr. to Sergeant.

Supervisor Bender wanted to comment that Sergeant Dilworth has done an excellent job with the DARE program. Supervisor Bender has heard from several children that the program that these children had in elementary school was far better than anything else that they have seen.

2. Last month the Silverdale Fire Company requested a donation from the Board of Supervisor's for the new firehouse. In the past Hilltown Township has donated to Fire Companies out of the Fire Fund to build a Firehouse. Sellersville Fire Department was given \$9,000.00 of Fire Funds, \$3,000.00 per year, for three years to construct their Fire House.

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to donate \$9,000.00 to the Silverdale Fire Company from the Fire Fund, over a three year period.

3. The position for Planning Commission has been advertised in the News Herald. The deadline for applications is noon, October 3, 2003.

4. The Comprehensive Plan has been advertised for the October 13, 2003 Supervisor's Worksession meeting.

F. CORRESPONDENCE – Mr. Gregory J. Lippincott, Township Manager – Mr. Lippincott stated that Perkasio Borough is inviting the Board of Supervisor's and Staff to the October 2, 2003 opening of their Police Building. Mr. Bennington will be unable to attend because he will be on vacation in California at that time. Mr. Bender will not be available on October 2, 2003.

G. SOLICITOR'S REPORT – Mr. Francis X. Grabowski, Township Solicitor – Mr. Grabowski stated that the Quarry Hearing originally scheduled for Tuesday, September 30, 2003 has been cancelled. The attorney for the Quarry as well as their witness, Mr. John Ross are unable to attend. Further quarry hearings have been scheduled for Thursday, October 9, 2003 and Tuesday, October 14, 2003 here at the Hilltown Township Building. These hearings will begin at 7:00PM and will focus on the Blooming Glen Quarry operations.

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

1. Ludlow Subdivision – The plan presented this evening is essentially the same as the one given final approval by the Board of Supervisors previously. Subsequent to the Board of Supervisors final plan approval, the applicants decided that they wanted to change the area that was being conveyed to increase the area of what is TMP# 15-029-081-003. They shifted the proposed property line to the Southwest approximately 100 feet to increase what will be the lot area of that parcel. There are no other changes to the plan and the Planning Commission recommended approval of the Revised Lot Line Subdivision plan subject to several items.

The first is a note indicating that TMP# 15-029-081 is used for intensive agriculture. There are notes on the plan referencing the zoning requirements for that use but not clearly indicating that tax parcel is used for use A3.

The second is a note requiring that the property monumentation be installed and certified in writing prior to the plan being recorded.

The third is a note indicating that the right-of-way of Quarry Road and Rickert Road be dedicated to the Township as an easement.

All of these conditions were listed on the original plan and still remain.

Motion by made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to approve the Ludlow Lot Line Adjustment with the conditions as specified. There was no public comment.

2. Zoning Ordinance Amendment (Use I-19 Trades) – Mr. Wynn presented correspondence from Mr. John Kachline, Hilltown Township Planning Commission, dated September 19, 2003 regarding the proposed trades/business ordinance amendment to the Zoning Ordinance. The Planning Commission at their meeting recommended that the Board of Supervisor's authorize the Township Engineer's office and the Solicitor's office along with the Township Manager to review this proposal the get back to the Planning Commission with a proposed amendment to create an I-19 use. Discussion took place.

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to forward the proposed trades/business ordinance to the Township Engineer and the Township Solicitor for review.

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

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1. Long Leaf II Subdivision – The public improvements including the roadways, detention basin, and the Open Space areas that are dedicated to the Township are completed with the exception of one item. The developer has requested that the Township accept those public improvements and commence the eighteen month maintenance period. The only item not completed which will be accomplished shortly is the replacement of dead trees throughout the development. The developer has contracted with a landscaper to complete this replacement but the landscaper has not completed this project to date. The developer has also agreed to reimburse the Township for one year of funds that the Township would otherwise have received from the State in the way of Liquid Fuels on a per mile basis. There are approximately  $\frac{3}{4}$  miles of new public streets. Based on the Liquid Fuels mileage rate that would come out to \$1,355.75 for one year to help offset plowing. He has also agreed to continue to mow the open space and detention basins as needed until the end of this year so that the Township Public Works Department doesn't have to pick up those basins at this time of the year. All of the basins within the development are on Township owned ground and there is also a large recreational area that will be owned by the Township.

The Township Solicitor has advised that he has received a maintenance bond and a check payable to the Township in the amount of \$5,000.00 to cover the soft costs during the maintenance period. However, that change from the current financial security to the maintenance bond requires that the developer execute an amended agreement which has to be accomplished

Mr. Wynn recommends that the Township, based on the foregoing conditions, accept dedication of the Open Space areas and public streets and commencement of the eighteen month maintenance period.

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to accept the completion of improvements and commencement of the eighteen month maintenance period subject to the other conditions regarding the updated agreement as mentioned by Mr. Wynn. There was no public comment.

2. Orchard Hill Subdivision – This development includes an area of Open Space that has been prepared for Soccer practice fields and the paved parking lot has been constructed. This area along Telegraph Road is the only portion of the site being dedicated to the Township as public Open Space. The Open Space within the development is owned by a Homeowner's Association. The area of the site that is being dedicated to the Township has been completed and as recently as today has been over-seeded again by the developer. Mr. Thomas Buzby had been on the site and intends to have his contractor taking care of that field hopefully for use in the spring or summer of next year. The developer has requested that the public Open Space area in Orchard Hill,

along Telegraph Road be accepted by the Township and commence the eighteen month maintenance period. Mr. Wynn recommends that this area be accepted by the Township.

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to accept Orchard Hill Subdivision Open Space and therefore commencing the eighteen month maintenance period. There was no public comment.

3. Equestrian Court Subdivision – This subdivision is located on Mill Road. Mill Road has been a disaster all summer long. There was been widening, curbing and sidewalks all along the development frontage. There was an extension of storm sewer down Mill Road and an extension of water line out to Route 152 and down a portion of Mill Road. Early in the summer the developer came in and excavated areas that had settled over the water line and the water line trenches and repaired those areas and agreed that because of the amount of cracking that had occurred on the Mill Road surface during the construction activity to apply a double application of bituminous seal coat to seal the cracks and then thirty days after that to come in to level and overlay the entire roadway. To date this has not been accomplished. The roadway needs work before winter and will further deteriorate because it is not sealed. Mr. Wynn is requesting that the Board of Supervisor's authorize the Township Solicitor to become involved and to notify the developer that unless there are improvements made to Mill Road by the first meeting of the Board of Supervisor's in October that the Township may find the developer in default and take over that portion of the development fund necessary to make the improvements to the public street.

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to authorize the Solicitor to review the matter of the Equestrian Court Subdivision and road conditions and to look into what would be necessary to secure the development funds to restore the roadway. There was no public comment.

Supervisor Bennington questioned when Route 152 and Diamond Street would be completed by PennDOT. Mr. Lippincott will contact PennDOT to ascertain when paving of these roads would be completed and remind PennDOT that the Township would like to be advised when such projects are planned.

J. MYLARS FOR SIGNATURE: None

K. BOARD OF SUPERVISORS APPOINTMENT – Supervisor Bennington commented that there had been eight applications for the vacancy on the Board of Supervisors and that all eight candidates had been interviewed. All candidates were very qualified people.

Supervisor Bender commented that only a few short years ago the Township had a lot of vacancies and not enough applicants and now we are blessed to have a lot of people showing interest in the different positions. There were eight applicants and thanks go out to all of them for applying. Special thanks go out to those who applied who are already serving on Township Boards.

Supervisor Bennington commented that this was a very difficult choice. He weighed his decision all weekend and looked at all the candidates. He commented that he had no preconceived notions about who to choose. Supervisor Bennington agrees with Supervisor Bender that while this was a tough decision they had to choose someone now who would get them over the next two and one half years. Someone who could smooth over some ruffled feathers that have occurred. Someone who knows the Township, knows the Administration and has spent his whole life contributing to the community.

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to appoint Mr. George Egly to fill the vacancy on the Board of Supervisor's

L. PUBLIC COMMENT

1. Mrs. Marilyn Teed of Mill Road expressed concern regarding the Berry Brow Development and comments regarding securing an attorney. She is concerned that the developer would withdraw the 150 acres of Open Space being given to the Township and instead wish to build 300 houses.

Supervisor Bennington assured Mrs. Teed that the Township has a stipulation agreement with The Cutler Group, the developer for the Berry Brow site.

Mr. John Kachline, Planning Commission commented that he is aware that the residents of the Hawk Ridge development are considering securing the advice of council but that he and Alice Kachline, Tax Collector are not part of this group.

2. Mr. Jack McIlhinney of Broad Street wished to congratulate the Board of Supervisor's on their selection of Mr. George Egly to fill the vacancy on the Board of Supervisor's.

3. Mrs. Helen Jaeger of Hatfield Township wished to address the Board of Supervisor's regarding the section of roadway where Route 152 joins Hilltown Pike. Mrs. Jaeger's son was involved in the most recent accident on that section of road. Her concern is in regards to the lack of signage on Hilltown Pike. Discussion took place.

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Supervisor Bender mentioned that a group has been organized to go to the State with a number of suggestions for that roadway. He suggested that Mrs. Jaeger get in contact with Mr. Mark Fazio and that perhaps she could help that group with suggestions regarding improvements to that roadway.

Supervisor Bennington suggested that Mr. Greg Lippincott contact PennDOT to ask whether something temporary could be done until such time as a permanent solution is reached. Mr. Lippincott will give Mrs. Jaeger the phone number of Mr. Mark Fazio.

4. Mrs. Jean Bolger of Route 152 asked the status of the Toll Brothers Development, next to the Catholic Church. Supervisor Bennington advised Mrs. Bolger that this development is still in the sketch plan stage. Mrs. Bolger's husband is buried in the cemetery that is located at the edge of that development. Mrs. Bolger asked whether or not there was any consideration given to a fence, hedge row, or berm to separate this development from the cemetery. Mrs. Bolger wished to have the Board of Supervisor's consider this situation when the plan comes before them.

Mrs. Bolger also expressed concern about what was built in the Summer Lea Development. She feels that what was built is different than what was proposed. Mr. C. Robert Wynn, Township Engineer advised Mrs. Bolger that the architecture may be different and that the architecture is not controlled by the Subdivision Ordinance. The development which was proposed by the Heritage Corporation was later sold to T.H. Properties, Inc.

Supervisor Bennington asked whether or not any Township regulates architecture. Mr. Francis Grabowski, Township Solicitor explained that the Municipal Planning Code does not provide for this option. He stated that the Township could possibly negotiate the type of architecture with the developer but that the Municipal Planning Code prohibits the regulation of architecture. Discussion took place.

5. Mr. Tom Loudon, President and Deputy Chief, Silverdale Fire Company, also a resident of Hilltown Township wished to thank the Board of Supervisor's for their contribution to the new building for the Silverdale Fire Company. The construction is expected to be completed in November of this year.

M. SUPERVISOR'S COMMENTS: - Supervisor Bennington asked Mr. George Egly to remain after the meeting so that the Board of Supervisor's could discuss the requirements for taking office.

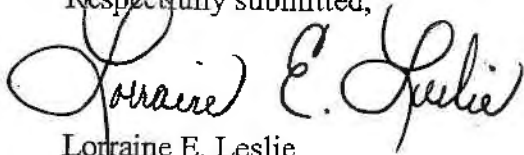
N. PRESS CONFERENCE: None



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O. ADJOURNMENT: Upon motion by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously, the September 22, 2003 Hilltown Township Board of Supervisor's Meeting was adjourned at 8:30PM.

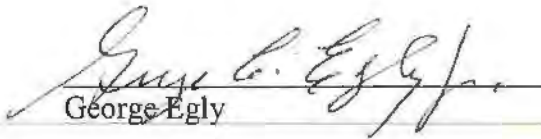
Respectfully submitted,



Lorraine E. Leslie  
Township Treasurer



I, GEORGE EGLY, DO SOLEMNLY AFFIRM THAT I WILL SUPPORT, OBEY AND DEFEND THE CONSTITUTION OF THE UNITED STATES, AND THE CONSTITUTION OF THIS COMMONWEALTH OF PENNSYLVANIA, AND THAT I WILL DISCHARGE THE DUTIES OF MY ELECTED OFFICE WITH FIDELITY.

  
George Egly

SWORN TO AND SUBSCRIBED BEFORE ME  
THIS 23<sup>rd</sup> DAY OF SEPTEMBER, 2003

