

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, September 23, 2002
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson John S. Bender at 7:30PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairperson
Betty P. Snyder, Supervisor
Gregory J. Lippincott, Township Manager
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Lynda Seimes, Township Secretary

Chairperson Bender announced the Board met in Executive Session on Saturday, September 21, 2002 following the William Bennett tree planting ceremony in order to discuss personnel, met in Executive Session following the September 9, 2002 worksession meeting in order to discuss legal matters, and met in Executive Session prior to this meeting in order to discuss legal and personnel matters.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the August 26, 2002 Supervisor's Meeting – Motion was made by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the August 26, 2002 Board of Supervisor's Meeting as written. There was no public comment.

Action on the minutes of the September 9, 2002 Supervisor's Worksession Meeting – Motion was made by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the September 9, 2002 Supervisor's Worksession Meeting, as written. There was no public comment.

C. APPROVAL OF CURRENT BILLING – Chairperson Bender presented the Bills List dated September 24, 2002, with General Fund payments in the amount of \$158,506.22.

Motion was made by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously to approve the Bill's List dated September 24, 2002. There was no public comment.

D. CONFIRMED APPOINTMENTS: None.

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

1. The following candidates were recommended by the Open Space Committee to fill vacancies on that committee: Mr. Jeff Lapp, Ms. Sandy Williamson, and Mr. John Wietecha. The Open Space Committee also recommended that the membership be increased from five members back to seven members.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to **adopt Resolution #2002-31, confirming and reestablishing the Hilltown Township Open Space Committee and appointing additional members for a seven member board.** There was no public comment.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to appoint Mr. Jeff Lapp, with term to expire on December 31, 2003, to the Open Space Committee, to appoint Mrs. Sandy Williamson, with term to expire on December 31, 2004, to the Open Space Committee, and to appoint Mr. John Wietecha, with term to expire on December 31, 2005, to the Open Space Committee. There was no public comment.

2. By a 5:0 vote, the Park and Recreation Board recommended the appointment of Daniel Kell to the vacancy on that Board.

Motion was made by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously to appoint Mr. Daniel Kell to the vacancy on the Park and Recreation Board with his term to expire on December 31, 2005. There was no public comment.

3. The updated Hilltown Township Emergency Management Plan was presented to the Board for consideration this evening.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to **adopt Resolution #2002-32, accepting the updated and revised Hilltown Township Emergency Management Plan, and** authorizing signature of the accompanying Promulgation for same. There was no public comment.

F. CORRESPONDENCE – Mr. Gregory J. Lippincott, Township Manager –

1. In response to Mr. Lippincott's correspondence sent to Our Lady of Sacred Heart School regarding the possibility of fencing the play areas on school property for the safety of children, as was discussed at the August 26th meeting, a letter was received from Reverend Michael Kelly advising that he has been assured that there are adequate safety precautions in place. Reverend Kelly notes that recess/play time is

supervised by teachers and/or parents. Further, the children play in the parking lot, which is not directly bordered by Broad Street or Hilltown Pike. There are also bright orange cones placed in the parking area to deter any vehicles that may try to cut through the schoolyard via Broad Street or Hilltown Pike. If the Supervisors determine that further discussion or a tour of their campus is required, Reverend Kelly would be willing to accommodate, and he thanked the Board for their concern for the safety of the children.

2. For budgetary purposes, Mr. Guttenplan of the Waetzman Planning Group has provided a revised fee schedule for 2003 planning purposes.

3. Correspondence was received from PennDot responding to the Township's request to perform a speed survey on Minsi Trail between Blooming Glen Road/Hayhouse Road and Dublin Pike in order to reduce the speed limit from 55 m.p.h. An engineering and traffic study was done to justify the request. Based on that study, a reduced speed limit of 45 m.p.h. is warranted. PennDot will install the approved 45 m.p.h. speed limit signs along Minsi Trail and will upgrade/install the appropriate warning signs.

While completing their study, PennDot noted that the available corner sight distance at the intersection of Forest Road is limited by tree branches in the northwest quadrant of the intersection and the corner sight distance at the intersection of Blue School Road is also limited by tree branches/weeds in the southeast quadrant and by tree branches in the northeast quadrant. Because the obstructions are on private property, PennDot suggested the Township contact the property owners about removing them to increase safety.

Discussion took place. The Supervisors directed the Police Department to notify the owners of those corner properties on Minsi Trail of the sight distance problems in that area.

4. Correspondence was received from DEP in response to Mr. Lippincott's letter requesting additional information on their regulatory approvals for proposed new gas stations. The response notes that there are several approvals required from DEP for new land development, however the only approval related to the installation of underground storage tanks is the requirement to register tanks and install them in accordance with current regulations. DEP is not aware of any decisions to prevent development of a gas station, based solely on the potential that future groundwater contamination could occur. The Storage Tank Regulations were established to address this potential through new design standards, requirements that work be performed by certified contractors and by requiring routine third party inspections of storage tank systems.

5. A request has been received from Linda and Steven Ziegler of Broad Street to lower the speed limit on the portion of Broad Street from Rt. 313 to Upper Church Road to 35 m.p.h. from the present 45 m.p.h. There is a posted 35 m.p.h. speed limit on the remainder of Broad Street. Mr. and Mrs. Ziegler also expressed concern with the high volume of heavy commercial vehicles that travel Broad Street and request that a truck tonnage limit be imposed. Discussion took place. The Supervisors directed Mr. Lippincott to send correspondence to Mr. and Mrs. Ziegler acknowledging their concerns and advising of the action the Township will take.

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

1. Solicitor Grabowski presented two Resolutions for the Board's consideration - acknowledging the Public Purpose for the internal roadway in the Longleaf Subdivision Phase I, and accepting dedication of same.

Motion was made by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously to **adopt Resolution #2002-33 accepting dedication of the internal roadway in the Longleaf Subdivision, Phase I; and to adopt Resolution #2002-34, acknowledging Public Purpose for the internal roadway in the Longleaf Subdivision, Phase I, as noted above.** There was no public comment.

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

1. Walton/Vineis Lot Line Adjustment (Prel./Final) – This lot line adjustment subdivision located on Callowhill Road was unanimously recommended for preliminary/final plan approval by the Planning Commission subject to the following conditions:

- Parcel A must be consolidated with TMP #15-28-159-4 into a single deed.
- The ultimate right-of-way of Callowhill Road must be dedicated to the Township as an easement.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to grant conditional preliminary/final plan approval to the Walton/Vineis Lot Line Adjustment, pending completion of the outstanding items as noted above. There was no public comment.

2. Kirk Minor Subdivision (Prel./Final) – This minor subdivision located on Upper Stump Road and Skunk Hollow Road was unanimously recommended for preliminary/final plan approval by the Planning Commission subject to the following conditions:

- All waivers requested by the applicant relative to street improvements, wetland delineation, lot configuration, stormwater management for Lot #2, and recreation land dedication were recommended for approval by the Planning Commission subject to the applicant granting the Township a 25 ft. wide easement along the southwest property boundary for future pedestrian path/trail. The applicant was present at the Planning Commission meeting and advised that the granting of the easement is an acceptable condition.
- Ultimate right-of-way of Skunk Hollow Road and Stump Road must be dedicated to the Township as an easement.
- Sewage Facilities Planning Modules must receive approval from PADEP.
- Property monumentation must be installed.
- Development/Financial Security Agreement must be executed to guarantee installation of stormwater management facilities (Lot #1) and driveway entrance improvements.

Mr. Thomas Bonner, and Mr. David Artman, the applicant's representatives, were in attendance to present the plan.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to grand preliminary/final plan approval to the Kirk Subdivision, pending completion of all outstanding items as noted above. There was no public comment.

3. Egitto/Kane Subdivision (Prel./Final) – This minor subdivision located on Minsi Trail was unanimously recommended for preliminary/final plan approval by the Planning Commission subject to the following conditions:

- Waivers requested by the applicant regarding depth to width ratio, cartway widening and drainage, curb and sidewalk, and streetlights were unanimously recommended for approval by the Planning Commission.
- Approval must be received from PennDot for the proposed driveway access to Lot #2.
- Details of stormwater management proposed for both lots must be finalized to the satisfaction of the Township.

- Approval must be received from the Bucks Conservation District for erosion and sedimentation control measures.
- Planning Module approval must be received from PADEP.
- Property monumentation must be installed.
- Minsi Trail right-of-way must be dedicated to the Township.
- Financial Security/Development Agreements must be executed between the applicant and the Township to guarantee stormwater management facilities, erosion and sedimentation control measures, and driveway entrance for Lot #2.
- A fee in the amount of \$1,500.00 for the proposed new dwelling unit must be paid in lieu of recreation land.
- Miscellaneous engineering/drafting details must be satisfactorily addressed on the plan.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to grant preliminary/final plan approval to the Egitto/Kane Subdivision, pending completion of all outstanding items as noted above. There was no public comment.

***8:00PM – PUBLIC HEARING – Chairperson Bender adjourned the September 23, 2002 Board of Supervisors meeting in order to enter into an advertised Public Hearing to consider the adoption of two Ordinances: (1) to reduce the speed limit on Telegraph Road to 35 m.p.h.; and (2) Stormwater Management Ordinance.**

Telegraph Road Speed Limit Ordinance – Solicitor Grabowski advised that the proposed Ordinance was properly advertised in the Doylestown Intelligencer. This Ordinance is to reduce the speed limit on Telegraph Road for its entire length to 35 m.p.h.

Public Comment: None.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to **adopt Ordinance #2002-7, reducing the speed limit on Telegraph Road to 35 m.p.h. for its entire length.** There was no public comment.

Stormwater Management Ordinance – The Township was required by DEP to adopt this Stormwater Management Ordinance by September 27, 2002. However Mr. Wynn

recently spoke to representatives of DEP, advising of the Hilltown Landowner's concerns, and was told that there is no firm date for adoption. Discussion took place.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to table the proposed Stormwater Management Ordinance indefinitely. There was no public comment.

***8:05PM – Chairperson Bender adjourned the two Public Hearings and reconvened the regularly scheduled September 23, 2002 Board of Supervisors meeting at 8:05PM.**

H. PLANNING (Continued)

4. Pompei Subdivision – Ms. Cheryleen Strothers, the applicant's engineer was in attendance to present the plan. Revised plans were submitted, addressing the comments in Mr. Wynn's engineering review dated September 13, 2002. Discussion took place concerning correspondence from a neighboring property owner on South Perkasio Road, Mr. McIntyre, regarding the tree row separating the properties. Mr. Pompei noted that he has agreed to Mr. McIntyre's request. Discussion also took place regarding stormwater concerns previously noted by Mr. Curtis States of Seven Corner Road. Mr. States advised that his concerns have been addressed and satisfied by Mr. Pompei.

Motion was made by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously to grant conditional preliminary plan approval to the Pompei Subdivision, pending completion of all outstanding items as noted in Mr. Wynn's engineering review dated September 13, 2002. There was no public comment.

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

1. Longleaf Estates Phase II – The Supervisors reviewed correspondence dated September 11, 2002 from John F. Maczonis, of Heritage Construction Company, advising of their latest schedule for completion of final wearing course paving within the Longleaf Estates Subdivision. This work was initially to be completed by July 31, 2002, however the timeframe was extended to September 30, 2002 to allow completion of dwelling construction. The applicant is now proposing that the wearing course paving be installed the week of October 7, 2002.

2. Braccia Subdivision – Mr. Wynn advised that the Planning Commission reviewed a sketch plan for the Braccia Subdivision to revise the development to a village concept with an increase in the number of dwelling units from 8 to 17. The smaller lots would be designed architecturally to Township requirements to be consistent with

architecture within Hilltown Village. The proposed development would be served by public water and a community sandmound to be dedicated to the Hilltown Township Water and Sewer Authority. Three of the Planning Commission members indicated their preference for this type of design over the preliminary subdivision plan, which proposed a standard cul-de-sac with larger (B1) residential lots. Two members advised the applicant that they were undecided while one member was strongly opposed. Mr. Ed Wild, the applicant's legal counsel, indicated he would discuss the community sandmound issue with the Hilltown Authority, and would then schedule an appearance before the Supervisors at a future meeting to discuss whether or not they should proceed with a village concept. Discussion took place.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT:

1. Mrs. Marilyn Teed of Mill Road commented that she was treated rudely by the Park and Recreation Board members during her recent interview for the vacancy on that Board. The Park and Recreation Board conducted their interviews for vacancy in private, which Mrs. Teed feels is a violation of the Sunshine Law.

2. Mr. Harry Mason of 902 Morgan Lane asked what the requirements are for a loaded truck to have all possible load-sharing wheels in full contact with the roadway. Chairperson Bender directed Mr. Mason to ask that question of Chief Trauger in the morning, since he was not present this evening.

3. Mrs. Alice Kachline, Hilltown Township Tax Collector, encouraged all residents to register to vote in the November 5, 2002 election. The last day to register is Monday, October 7, 2002. Mrs. Kachline also noted that the Occupation Tax will be a referendum question on the ballot. If passed, this would eliminate the Occupation Tax, but raise the Earned Income Tax.

The Hilltown Civic Association will be holding their semi-annual Candidate's Night here at the Township Building on Tuesday, October 22, 2002 at 7:30PM.

Another issue Mrs. Kachline wished to discuss was the difficulties she has again been having with Wells Fargo, who purchased First Union last year. She advised that there are still 61 properties in Hilltown, that she is aware of, that have not had their school taxes paid by Wells Fargo, as the mortgage holder. Mrs. Kachline appealed to residents who have their mortgages through Wells Fargo to contact her at the Tax Office at 215-453-6057 during normal business hours.

L. SUPERVISOR'S COMMENTS:

1. Supervisor Bennington advised that the Agricultural Security District Committee will meet on Thursday, October 3, 2002 at 7:30PM.

2. Supervisor Snyder welcomed the newest members to the Hilltown Open Space Committee and Park and Recreation Board.

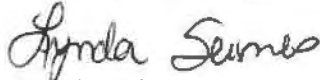
3. Mr. Wynn presented the Equestrian Court Planning Module for the Board's adoption this evening.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to **adopt Resolution #2002-35, accepting the Equestrian Court Subdivision Planning Module.** There was no public comment.

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

N. ADJOURNMENT: Upon motion by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously, the September 23, 2002 Board of Supervisor's Meeting was adjourned at 8:32PM.

Respectfully submitted,



Lynda Seimes
Township Secretary