

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Tuesday, May 28, 2002
7:30PM

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson John S. Bender at 7:33PM 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 S. Seimes, Township Secretary

Chairperson Bender announced the Board met in Executive Session prior to this meeting in order to discuss legal matters.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the May 13, 2002 Worksession Meeting – Motion was made by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the May 13, 2002 Supervisor's Worksession Meeting, as written. There was no public comment.

C. APPROVAL OF CURRENT BILLING – Chairperson Bender presented the Bills List dated May 29, 2002, with General Fund payments in the amount of \$29,659.51.

Motion was made by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated May 29, 2002. There was no public comment.

D. CONFIRMED APPOINTMENTS:

1. Ms. Cindy Owen – MTBE Legislation – Ms. Cindy Owen of 506 Dublin Road was present to seek the Board's support in the passage of House Bill #1918, which proposes the removal of the additive MTBE (Methyl Tertiary Butyl Ether) from gasoline in Pennsylvania by the year 2004. The Bill unanimously passed in the House of Representatives, and currently is before the Environmental Resources Committee. Once the Bill is approved by the Environmental Resources Committee, it can move forward to the Senate floor for a full vote, where if it is approved, it will pass to the Governor for signature to become law in Pennsylvania. Six other states have passed similar Bills. House Bill #1918 was co-sponsored by State Representatives Kathy Watson and Chuck McIlhinney from our area, along with various Pennsylvania representatives and others.

Ms. Owen advised that MTBE has contaminated wells that supply drinking water in Hilltown Township, surrounding communities, and throughout southeastern Pennsylvania. This contamination has affected millions of Americans from coast-to-coast. Ms. Owen's neighbor's wells have been contaminated, which has created a nightmare for everyone involved.

Ms. Owen encouraged the Supervisors to place additional information and a copy of a sample letter in the Hilltown Township Newsletter for area residents to write to the attention of Senator Mary Jo White, Chairperson of the Environmental Resources Committee, Senator David Brightbill, the Senate Minority Chairperson, and Senator Ralph Musto, the Senate Minority Chairperson. Ms. Owen also reminded residents to contact Congressman Greenwood about this pending House Bill.

Public Comment:

1. Mr. Harry Mason of Morgan Lane believes that one of the reasons that the Bill is being held up in the Environmental Resources Committee is that California passed such a law to phase out MTBE, however there are threats of a lawsuit being filed by a Canadian company who is the major producer of MTBE.

The Board directed Mr. Lippincott to place this information on the Township website, and to place the pertinent information in the next quarterly Township Newsletter.

2. Mr. Nick Lupinacci – Groundwater Concerns – Mr. Lupinacci of Upper Stump Road expressed concerns about the drought conditions and groundwater. One of the residents of a new development in Mr. Lupinacci's neighborhood is contemplating the construction of a private pond on his property. Currently, the Township's Ordinance has no requirements or criteria for manmade ponds on private property. The Bucks County Conservation District has jurisdiction over and issues permits for the construction of manmade ponds. Mr. Lupinacci advised that he and his neighbors live in an area of the Township that is one of the highest points in Hilltown and Bucks County, and therefore, there is always a lack of water. He is concerned about how this proposed pond would be filled. Mr. Lupinacci presented information and requirements concerning manmade ponds from Bucks County, the standards of which are established by Penn State for the management of fishponds in Pennsylvania. Mr. Lupinacci asked the Supervisors to consider establishing some sort of notification and requirement policy for residents wishing to construct ponds on their property. Discussion took place.

Mr. Lippincott believes that the Supervisors should review and revisit Ordinance #87-3, the Township's Well Ordinance, which currently has no specifications for construction of a pond on a residential property, though there are specifications for agricultural and

commercial properties. The Supervisors agreed to review the Well Ordinance.

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

1. A speed survey was conducted by the Police Department on Green Street on May 10, 2002. Chief Trauger is requesting the advertisement of an Ordinance to reduce the speed limit on Green Street to 40 m.p.h., which is five miles per hour below the recommended speed of the survey.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to authorize the preparation and advertisement of an Ordinance reducing the speed limit on Green Street to 40 m.p.h. There was no public comment.

2. Mr. Lippincott presented a Resolution to permit the installation and operation of a traffic signal at Walnut Street and Applewood Drive at the Orchard Hill Subdivision/Heritage Executive Campus location.

Motion was made by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously to **adopt Resolution #2002-19, to permit the installation and operation of a traffic signal at Walnut Street and Applewood Drive at the Orchard Hill Subdivision/Heritage Executive Campus location.** There was no public comment.

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

1. Correspondence was received from PennDot acknowledging Chief Trauger's request to reduce the speed on Limekiln Pike between Silverdale Borough and the Village of Hilltown to 45 m.p.h. PennDot conducted an engineering and traffic study on this portion of roadway, and based upon their results, a reduced speed zone to 50 m.p.h. is justified.

Supervisor Snyder expressed concern with a 45 m.p.h. speed limit near the Civic Park, which is also very close to the intersection and the village of Hilltown. She believes the speed limit should be reduced even further in that particular area. Discussion took place. A copy of the correspondence will be forwarded to Mr. Wynn, the Township Engineer, for review.

2. Mr. Tim Browning has submitted his resignation from the Open Space Committee per the Pennsylvania Municipalities Planning Code Section 903 (1), which does not permit a member of the Zoning Hearing Board from serving in any other capacity in the Township.

3. Several months ago, Mr. Lippincott wrote to PennDot, seeking advice as to what types of traffic calming techniques could be used on Diamond Street. PennDot's response was to send their manual regarding traffic calming, which was received today. Mr. Lippincott was directed to contact Mr. Chuck Richards of PennDot's Safety and Mobility Division for a recommendation on traffic calming.

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

1. Solicitor Grabowski presented the Subdivision/Land Development Agreements, Financial Security Agreements, Street Light Petition, and Declaration of Road Frontage Easement for the Summer Lea Subdivision for the Board's consideration.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to accept the Subdivision/Land Development Agreements and Financial Security Agreements for the Summer Lea Subdivision. There was no public comment.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to **adopt Resolution #2002-20, accepting the Street Light Petition for the Summer Lea Subdivision.** There was no public comment.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to **adopt Resolution #2002-21, accepting the Declaration of Road Frontage Easement for the Summer Lea Subdivision.** There was no public comment.

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

1. B & S Auto Body – The Planning Commission unanimously recommended approval of a land development waiver for a proposed 40' X 75' addition to the auto body shop located at 4351 Bethlehem Pike. The Planning Commission recommended waiver of land development subject to verification that the proposed impervious surface ratio conforms to Zoning Ordinance requirements and the applicant's compliance with requirements of the Stormwater Management Ordinance relative to additional runoff from the proposed impervious surface prior to building permit issuance.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to recommend waiver of land development to B & S Auto Body, pending verification of proposed impervious surface ratio, and compliance with requirements of the Stormwater Management Ordinance relative to additional runoff from the proposed impervious surface prior to building permit issuance. There was no public comment.

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

1. Orchard Hill Belgian Block Curb Request – The Township received a request from Heritage Construction Company to use Belgian Block curb internally within the Orchard Hill Subdivision. Section 512.4 of the Subdivision Ordinance permits Belgian block curb as an alternate to concrete curb where authorized by the Township. As the plan was approved utilizing concrete curb, the request for Belgian Block curb is directed to the Supervisors as a revision to the approved plan. Mr. Dave Watts and Mr. Paul Abdala of Heritage Building Group were in attendance to make this request. Discussion took place as to the advantages of using Belgian Block curb.

Motion was made by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously to revise the Orchard Hill Subdivision Final Plan to permit the use of Belgian Block curb internally within the subdivision. There was no public comment.

2. Mill Road Storm Drainage – Mr. Wynn advised that Mr. Joe Bush, the Public Works Director of Bucks County, finally contacted him earlier this week in response to the Township's many requests and particularly in response to phone calls that the County has received from a concerned Hilltown resident regarding the Mill Road/Park Road storm drainage issue. Mr. Bush indicated that a meeting would be scheduled with Mr. Wynn and Mr. Buzby within the next ten days.

3. Kunkin Truck Terminal – Mr. Wynn provided a status report regarding the improvements required at the Kunkin Truck Terminal located at the intersection of Central Avenue/Bethlehem Pike. The applicant was issued a zoning permit, with requirements to construct berms and complete street improvements along Bethlehem Pike. An escrow was established by the applicant for completion of these improvements, but when this work was not completed in a timely manner, the applicant agreed to increase the escrow to guarantee the street improvements, which have since been completed and approved by PennDot. Mr. Wynn recommends that the Township return the Bond to the developer.

Motion was made by Supervisor Snyder, seconded by Supervisor Bennington, and carried unanimously to return the bond to the developer for the berms and street improvements for the Kunkin Steel Truck Terminal, as noted above. There was no public comment.

4. Longleaf Estates Phase I – Mr. Wynn provided a status report regarding improvements required at the Longleaf Estates Phase I Subdivision. A complete punchlist containing a number of outstanding items was provided to the developer in March of 2002. Upon review of those punchlist items last week, Mr. Wynn noted that there are only approximately twelve rather minor items to be completed. Mr. Wynn and Mr.

Buzby, the Director of Public Works, intend to inspect the site in the near future to determine the limit of open space areas for mowing purposes and to check signage, because Federal regulations have changed with regard to size of signage since the development was constructed.

The Supervisors directed Solicitor Grabowski to review the necessary documents for dedication of Longleaf Estates Phase I for the Board's consideration at their June 24, 2002 meeting.

J. MYLARS FOR SIGNATURE:

1. Jefferson Tract

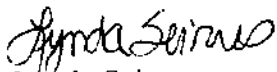
K. PUBLIC COMMENT: None.

L. SUPERVISOR'S COMMENTS: None.

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

N. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Snyder, and carried unanimously, the May 28, 2002 Hilltown Township Board of Supervisors Meeting was adjourned at 8:20PM.

Respectfully submitted,



Lynda Seimes
Township Secretary