

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, June 25, 2001  
7:30PM**

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

Also present were: John S. Bender, 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 Bennington announced the Board met in Executive Session prior to this meeting in order to discuss legal, personnel, and real estate matters.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the May 29, 2001 Supervisor's Meeting – Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the minutes of the May 29, 2001 Supervisor's Meeting, as written. There was no public comment.

Action on the minutes of the June 11, 2001 Supervisor's Worksession Meeting – Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the minutes of the June 11, 2001 Supervisor's Worksession Meeting, as written. There was no public comment.

C. APPROVAL OF CURRENT BILLING – Chairperson Bennington presented the Bills List dated June 26, 2001, with General Fund payments in the amount of \$35,545.14, Fire Fund payments in the amount of \$42,600.00, and Escrow Fund payments in the amount of \$765.76; for a grand total of all payments in the amount of \$78,910.90.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the Bills List dated June 26, 2001. There was no public comment.

D. CONFIRMED APPOINTMENTS: None.

E. MANAGER'S REPORT –

1. Bid Results:

Bid #2001-2 -- Asphalt – Only one bid received.

H&K Materials – ID-2 Wearing - \$23.00/Ton (2000 tons)  
ID-2 Binder - \$21.00/Ton (2000 tons)  
Total: \$88,000.00

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to award Bid #2001-2 for Asphalt to H&K Materials in the amount of \$88,000.00. There was no public comment.

Bid #2001-3 – Aggregate – Only one bid received.

H&K Materials - #1B Crushed Stone (1,500 tons) \$7.55/Ton  
#2A Modified Stone (500 tons) \$4.95/Ton  
#2 Crushed Stone (100 tons) \$7.55/Ton  
#3A Crushed Stone (50 tons) \$5.65/Ton  
#4 Crushed Stone (150 tons) \$5.45/Ton  
#5 Crushed Stone (200 tons) \$5.45/Ton  
Surge (200 tons) \$5.65/Ton  
Total: \$17,875.00

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to award Bid #2001-3 for Aggregate to H&K Materials in the amount of \$17,875.00. There was no public comment.

Bid #2001-4 – ID-2 Wearing Course (Fairhill Road from Rt. 152 to Spur Road, Highview Road, and Fairhill School Road): Three bids received.

Blooming Glen Contr. ID-2 Wearing (5,270 Tons) \$31.20/Ton  
ID-2 Leveling Course (2,230 Tons) \$31.95/Ton  
Total: \$235,672.50

M&M Stone ID-2 Wearing (approx. 7,500 Tons) \$34.11/Ton  
Total: \$255,825.00

Bracalente Constr. ID-2 Wearing (5,270 Tons) \$37.20/Ton  
ID-2 Leveling Course (2,230 Tons) \$37.20/Ton  
Total \$279,000.00

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to award Bid #2001-4 for ID-2 Wearing Course for Fairhill Road from Rt. 152 to Spur Road, Highview Road, and Fairhill School Road, to Blooming Glen Contractors in the amount of \$235,672.50. There was no public comment.

2. The Open Space Committee and Park and Recreation Board recommended the appointment of Donna DiMella, Charles Moyer, Jon Apple, and Jane James to the Berry Brow Walking Trail Committee. With the Board's approval, the committee will begin meeting as soon as possible.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to appoint Donna DiMella, Charles Moyer, Jon Apple, and Jane James to the Berry Brow Walking Trail Committee. There was no public comment.

3. The Park and Recreation Board, by a 6-1 vote, recommended the Township go to bid on the Orchard Glen/Pleasant Meadows walking trail. The bid specifications have been prepared by the Township Engineer's office and have been approved by the Department of Conservation and Natural Resources.

Mr. Rick Lambrecht of 202 Goldenrod Court lives within 50 ft. of the proposed walking trail. He hopes that the Supervisors recognize that the construction of this walking trail is a very important decision that will affect a number of homeowners. Mr. Lambrecht asked that every consideration be given to working with the residents of Pleasant Meadows to insure that the trail is safe, is constructed properly, and that the natural buffers proposed in the plan take priority.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to authorize going out to bid for the work on the Orchard Glen/Pleasant Meadows Walking Trail. There was no public comment.

4. At the June 11, 2001 meeting, the Board made a motion to accept additional parcels, including those from Hilltown, New Britain, and East Rockhill Townships into the Hilltown Agricultural Security District. A Resolution must also be adopted and recorded at the Bucks County Courthouse.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to adopt Resolution #2001-17 to accept additional parcels from Hilltown, New Britain, and East Rockhill Townships into the Hilltown Agricultural Security District. There was no public comment.

5. There are six escrows for the Board's consideration this evening, three of which are cash held by the Township:

Frank Eckert Land Dev.	Voucher #04	\$ 10,250.26
Frank Eckert Land Dev.	Voucher #05	\$ 508.61
Kunkin Steel	Voucher #11	\$ 130.54
Longleaf Estates Phase I	Voucher #58	\$ 36,502.65
Longleaf Estates Phase II	Voucher #18	\$ 1,428.00
Lynrose Estates	Voucher #14	\$ 41,718.83

Supervisor Snyder asked for clarification of the release for Longleaf Estates Phase I, wondering if Mr. Wynn is content with the recreation area in that phase. Mr. Wynn explained that he did not release all of the funds the developer had requested due to the erosion in the open space area. The Township continues to withhold \$6,600.00 on the pedestrian bridge because the developer did not touch-up the scratches that were put in during installation, which is something Heritage has been told about for several months. Further, there was \$15,000.00 withheld for the recreation area in open space A. The payment of \$1,428.00 for the Phase II release is the balance due to the Township for the tot lot equipment.

With regard to the release for Lynrose Estates, Supervisor Snyder recalls that the Planning Commission had concerns regarding the basin depth that is basically turning into a perpetual pond. Mr. Wynn noted that the Township did not approve release of funds for the basin that the developer had requested for excavation, replacement of topsoil, and fertilizing, seeding, and mulching of the basin that had never been adequately completed. Therefore, the Township has withheld all of those funds. The Township also withheld funds from replacing the topsoil along the road because of the erosion that has occurred there, and also the fertilizing, seeding, and mulch until it has been corrected.

Motion was made by Supervisor Bender, seconded by Supervisor Snyder, and carried unanimously to authorize release of the six escrows as noted above. There was no public comment.

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

1. Correspondence was received from Grace Community Church seeking a waiver of Scout Cabin rental to hold an evening Kids' Club the week of July 23 through 27<sup>th</sup> from 6PM-8PM Monday through Friday. The Church is willing to provide the required \$100.00 refundable security deposit.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to waive Scout Cabin rental fees for Grace Community Church Kids' Club the week of July 23<sup>rd</sup> through 27<sup>th</sup> from 6PM-8PM Monday through Friday, pending receipt of the required \$100.00 security deposit. There was no public comment.

2. A copy of correspondence from Heritage Construction to the homeowners in Longleaf Estates Subdivision has been received. The letter advises homeowners that the installer of their home sprinkler system has agreed to extend the warranty on the system for an additional year, and that Heritage will provide follow-up drywall repairs in the event HAS Protection must cut drywall to perform a repair on the sprinkler system.

Chairperson Bennington asked when the one-year extension of the sprinkler system warranty begins. Mr. Larry Wargo of Heritage Building Group replied that the extension is from two years of the date of closing. Chairperson Bennington is concerned that a sprinkler system may continue leaking anti-freeze in the second year of the supposed two-year warranty, and believes that the homeowner should have one year from the time that any sprinkler problem has been resolved once and for all. Chairperson Bennington asked who would be responsible for repairs of any floors, carpeting, etc. from sprinkler leakage. Mr. Wargo advised that all sprinkler damage would be covered by Heritage, as with any other warranty items. Chairperson Bennington asked if there would be contracts with the individual homeowners who have experienced problems with their sprinkler systems. Mr. Wargo stated that a copy of the letter the Supervisors have reviewed would be given to each individual homeowner. Chairperson Bennington feels that a contract should be given to each homeowner, noting exactly what will be covered under warranty.

3. Correspondence was received from Mr. McBride, representing the Berry Brow Farm Subdivision and the David Cutler Group, advising that the Cutler Group has agreed to accept the responsibility for the golf course consultant's services for evaluating the configuration of open space to allow for possible future use as a Township constructed golf course. Mr. McBride has been advised that a \$2,500.00 escrow is required.

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

1. Solicitor Grabowski presented Development Agreements, Financial Security Agreements, and Declaration of Easements for Rt. 113 for the Harleysville National Bank Project.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to accept the Development Agreement and Financial Security Agreement for Harleysville National Bank. There was no public comment.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2001-18, accepting the Declaration of Easement for Rt. 113 for Harleysville National Bank.** There was no public comment.

2. Solicitor Grabowski presented the Development Agreement and Financial Security Agreement and the Street Light Petition for the Callowhill Road Subdivision (aka – Pleasant View Subdivision).

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to accept the Development Agreement and Financial Security Agreement for the Callowhill Road Subdivision (aka – Pleasant View Subdivision). There was no public comment.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2001-19 to accept the Street Light Petition for Callowhill Road Subdivision (aka – Pleasant View Subdivision)**. There was no public comment.

3. Solicitor Grabowski presented the Sewage Maintenance Agreement and Declaration of Easement for the Platt Subdivision.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to accept the Sewage Maintenance Escrow Agreement for the Platt Subdivision. There was no public comment.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2001-20, to accept the Declaration of Easement for the Platt Subdivision**. There was no public comment.

4. At a previous meeting, the Supervisors had suggested that Solicitor Grabowski draft a revision to the Burning Ordinance for their review, possibly amending the language to read that a setback of 50 ft. or 75 ft. from a property line for burning is required for every zoning district. The Supervisors main concern was open burning in the high-density areas of the Township.

Public Comment:

1. Mr. Jack McIlhinny understands 50 ft. or 75 ft. from side property lines, however he does not necessarily agree with that distance from the rear property line.

2. Mr. George Egly of Minsi Trail suggested that consideration be given to a setback from any structure, as well as from a property line.

A lengthy discussion took place. Solicitor Grabowski suggested that the Township obtain input from the fire companies as to what is considered a safe distance from a structure. The Fire Prevention Bureau's next meeting is in October, therefore, Supervisor

Bender suggested that the fire chiefs of Silverdale and Hilltown be solicited for their opinions at the next worksession meeting when they are in attendance to present their reports. Supervisors Snyder and Bennington agreed.

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

1. Landis Block Land Development Waiver – Landis Block, a non-conforming manufacturing business located within the PC-1 Zoning District on County Line Road, received approval by the Zoning Hearing Board to enclose a portion of their manufacturing facility with a 20' X 40' steel building. Enclosure of the batch plant is to prevent freezing in the winter to allow continued concrete production during cold weather. The Planning Commission had no land development issues relative to the proposed enclosure, and unanimously recommended waiver of land development submission.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to grant waiver of land development to Landis Block as noted above. There was no public comment.

2. Braccia Subdivision (Minor) – This minor subdivision located on Hilltown Pike, formerly the Habitations Inc. Subdivision is located partially within the Rural Residential and partially within the Village Center Zoning District was submitted to the Township on September 11, 2000. No plan revisions have been received since November of 2000. The current review period expires on July 16, 2001. Accordingly, the Planning Commission unanimously recommended denial of the plan unless a written 90-day extension is received not later than July 16, 2001. The reason for denial of the plan is due to non-compliance with Zoning and Subdivision regulations as contained within the engineering review for this site dated November 29, 2000.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to deny the Braccia Subdivision, unless a written 90-day extension is received not later than July 16, 2001, due to non-compliance with Zoning Ordinance and Subdivision regulations as contained within the Braccia Subdivision engineering review dated November 29, 2000. There was no public comment.

3. SALDO Amendment – The Planning Commission recommended minor modification to the Subdivision Ordinance Amendment draft dated February 20, 2001 and unanimously approved a motion recommending that the Board of Supervisors authorize the Ordinance be forwarded to the Bucks County Planning Commission for review and recommendation.

The proposed changes are as follows:

- Section 305, Major Subdivision/Land Development Procedure, paragraph 2.A.(2) – The application form shall be accompanied by the requisite fee as set forth in Section 302 of this Ordinance and by not less than 4 copies of all required material and not less than 7 prints of the preliminary plans, or as amended by resolution, and 13 sets of the record plan reduced and presented on an 11” X 17” sheet. Reduced plan must be legible.
- Section 404, Final Plan (Record), paragraph 1 – Upon completion of all conditions of preliminary and final plan approval, applicant shall submit 2 clear and legible blue or black line prints on Mylar and 5 paper prints of the Record Plan, including all sheets of the plan set. Major subdivision plan applications shall include a disk or compact disk of the record plan prepared on AutoCAD Version 14 or more recent edition.
- Section 504, Blocks and Lots, paragraph 2.D.- Lot lines intersecting street lines shall be substantially at right angles or radial to street lines from the street line to the rear lot line. “Substantially at right angles” shall mean an intersection angle of not less than 80 degrees.
- Section 505, Streets – General, paragraph 18 is added -- All new residential subdivisions/land developments containing 25 dwelling units or more, or generating 250 daily vehicle trips or more shall have a minimum of two public street accesses to/from existing public roadways. No residential subdivision/land development of 25 units or more shall be served only with a cul-de-sac street or P-loop street, but shall include construction of a new through street.
- Section 506, Street Standards, paragraph 9 is added -- Speed limit, no parking, and advisory signs shall be installed along new development streets in accordance with PennDot regulations and as required by the Township.
- Section 513, Sidewalk, paragraph 4 – The minimum width of all sidewalk and pedestrian paths shall be 4 ft. wide for residential developments and 6 ft. wide for commercial/industrial areas.
- Section 513, Sidewalk, paragraph 5 – Sidewalks shall have a minimum depth of 4 inches and shall be placed on a 4 inch thick bed of PennDot 2B stone base. Concrete driveways, driveway aprons, and sidewalks that will provide access for vehicles shall have a minimum concrete depth



of 6 inch thick bed of PennDot 2B stone base. All concrete shall be Class "AA", 3750 psi, 28-day strength.

- Section 515, Landscaping and Street Trees, paragraph 1.G – Remove *Acer plantanoides* 'Erectum' – Erect Norway Maple.
- Section 516, Stormwater Management, paragraph 1.F – Where a subdivision/land development is traversed by a natural watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse. The width of the easement shall be adequate to provide for unimpeded flow of stormwater runoff from the 100-year return storm event based upon existing topography. Terms of the easement shall prohibit excavation, the placing of fill or structures, and any alterations which may adversely affect the flow of stormwater runoff within any portion of the easement. Periodic maintenance of the easement to ensure proper runoff conveyance shall be required by the landowner.
- Section 516, Stormwater Management, paragraph 4 – HEC I and HEC II study shall be performed where it is necessary to determine the limits of the 100-year floodplain. Technical Paper No. 40, U.S. Department of Commerce, "Rainfall Frequency Atlas of the United States" and NOAA Technical Memorandum NWS Hydro-35 shall be used to establish rainfall intensities for the HEC programs.
- Section 517, Excavation and Grading, paragraph 16 – No area designated as open space shall be used for storage of construction materials, construction trailers, sales trailers, or parking; or to stockpile fill or topsoil material upon occupancy of 50% of the dwelling units within the development phase. Removal of such materials/construction items shall be designated within the construction staging plan.

Public Comment –

1. Mr. Jack McIlhinny stated that at the last Planning Commission meeting, he asked Mr. Wynn where the proposed amendment regarding "P-loop" streets came from and stated that he did not feel that should be considered a "minor" amendment. Mr. Wynn had told Mr. McIlhinny that two of the proposed amendments had come from the Board of Supervisors, and the other proposed amendments had come from discussions at previous Planning Commission meetings. Mr. Wynn explained that when an issue arises either at a Planning Commission or Board of Supervisors meeting where an Ordinance requirement is discussed or questioned, he keeps a running list of any proposed

amendments. Then, when a draft Ordinance amendment is being considered, Mr. Wynn adds the language to address those previous comments or concerns. If the Board of Supervisors and the Planning Commission then determine that the drafted Ordinance amendment is not appropriate, it is removed from the proposal. Chairperson Bennington asked if in the instance of a P-loop street, Mr. Wynn felt this amendment was appropriate, and Mr. Wynn replied that he did. Supervisor Snyder noted that there is a safety issue involved with being able to get ambulance or other emergency vehicles into developments. She explained that if there is a development with only one access, and there is an accident at that access, while there is a fire in a dwelling in the development, emergency vehicles will not be able to get into the development. Mr. McIlhinny asked when such a scenario has ever happened in Hilltown Township. Supervisor Snyder commented that the Township must plan for that eventuality, even though it may not happen every day.

Chairperson Bennington asked what regulation was in place for a P-loop street prior to this proposed amendment. Mr. Wynn explained that there was no limit on the number of dwellings permitted on a P-loop street, there was only a requirement that a P-loop not be any longer than a certain length; and there was no requirement for a second access for a P-loop street. Mr. McIlhinny asked if there is a National or Statewide standard for P-loop streets or if this proposal is merely someone's opinion. Mr. Wynn replied that there is a standards publication available from the Bucks County Planning Commission, which is a nationally recognized publication that won awards in the late 1980's for highway planning and design standards.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to authorize that the proposed Subdivision/Land Development Ordinance amendments be forwarded to the Bucks County Planning Commission for review and their recommendation. There was no public comment.

4. Marple Properties Petition for Zoning Change -- The applicant is requesting a zoning change of a property located at Rt. 113 and Rt. 313 from Rural Residential to Commercial, in order to construct a CVS Pharmacy. The Planning Commission unanimously recommended that the Supervisors provide the petition and associated documents to Bedminster Township, as an adjoining municipality, for their consideration and comment.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to provide the petition and associated documents with regard to the Marple Properties Petition for Zoning Change to Bedminster Township, an adjoining municipality, for their consideration and comment.

Solicitor Grahowski explained that a 45-day review by the Bucks County Planning Commission is permitted, and once that review is received, the Supervisors can schedule a Public Hearing to consider the applicant's request.

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

1. Keystone Estates Subdivision – Mr. Wynn provided a status report as to the improvements required at the Keystone Estates Subdivision located on Keystone Drive. The developer has been relatively unresponsive in completing items at the subdivision site. Of greatest concern is continued erosion, inadequate stabilization of the right-of-way area of the new cul-de-sac street, and straightening, staking, and mulching of installed street trees. Mr. Wynn recommended that the developer be advised that, in the event all required improvements within the development have not been completed by September 10, 2001, the Supervisors will consider declaring the development in default and completing the improvements at the expense of the developer. The September 10, 2001 date is recommended, as many of the items will be difficult to complete during the summer months.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to authorize Mr. Wynn to advise the developer of Keystone Estates Subdivision that in the event all required improvements within the development have not been completed by September 10, 2001, the Board of Supervisors will consider declaring the development in default and completing the improvements at the expense of the developer. There was no public comment.

2. Kunkin Land Development – The Kunkin Land Development located on Cherry Lane was reviewed at the May 29<sup>th</sup> Supervisors meeting. Following that meeting, Mr. Wynn forwarded correspondence dated June 5, 2001 to Mr. Bertram Kunkin advising that in the event the remaining items as contained within the May 22, 2001 correspondence is not completed by June 29, 2001, the Board of Supervisors will consider finding Kunkin Associates in default of the agreement. Mr. Wynn understands that the recorded mylar has been returned to the Township, as required. With regard to the intersection improvements that have not yet been resolved with PennDot, Mr. Wynn was advised by the applicant's engineer that she is attempting to get that signed off. The work at the site entrance, which is required by the plan, has been staked out. It is Mr. Wynn's understanding that there is a fire hydrant that is to be relocated later this week. Due to the activity, Mr. Wynn recommended that the Board not take action on this plan this evening. The Township still retains almost \$20,000.00 in a cash escrow to guarantee the completion of these two remaining items. The Supervisors unanimously agreed to table the Kunkin Land Development Plan.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT:

1. Mr. Jack McIlhinny asked if the meetings of the Berry Brow Walking Trail Committee that was appointed earlier this evening, will be open to the public and when those meetings will be held. Mr. Lippincott replied that they will be advertised and open to the public. At this time, their first meeting has not yet been scheduled.

There was discussion that the Committee may, at some point, meet at the site with the permission of the property owner. Mr. Lippincott envisions that the Committee will meet with members of New Britain Township open space committee to determine where the location of their open space/walking trail is proposed. This would provide a good starting point as to where the trail through the Berry Brow property should go. Further, the Berry Brow Walking Trail Committee should also meet with the golf course consultant to determine where would be the best location for nature or walking trails.

2. Mr. Carl Reppert of 306 Fox Lane noted that there have been two more sprinkler system leaks in the Longleaf Estates Subdivision, one at 305 Fox Lane and one at a property in Phase II of the subdivision. Mr. Reppert has not received any documentation from HAS Protection stating that they are moving forward or making an effort to resolve this issue. Mr. Reppert did, however, receive the warranty letter from Heritage Building Group. He has contacted the National Sprinkler Association, who advised that there is a problem across the industry with the solution and the compatibility of the sprinkler heads. Mr. Reppert believes that something more must be done to insure against future sprinkler system leaks. Discussion took place.

Mr. Reppert suggested that the Township enforce some type of Developer's Compliance Agreement, which would require developers to resolve outstanding issues within a certain time frame. He believes that going through the Better Business Bureau or other consumer associations do not really address local problems. If a builder wants to construct homes in Hilltown Township, Mr. Reppert feels they should be required to build quality homes. While Chairperson Bennington certainly sympathizes with Mr. Reppert and the other homeowners in Longleaf Estates, the outstanding punchlist items between the homeowners and Heritage Building Group is not the responsibility of the Township. If Mr. Reppert or his neighbors have concerns with their punchlist that have not been addressed by the builder within a certain period of time, Chairperson Bennington commented that those homeowners have the right to obtain an attorney to take legal action against the builder. A lengthy discussion took place.

Mr. Larry Wargo of Heritage Building Group advised that at the time of agreement of sale, Heritage enrolls all of their homeowners into a 10-year warranty program. This program is documented and a pamphlet advising of the warranty is provided to the homeowner at closing. Heritage then sends payment to an independent warranty

company, one of the big four in the country, and if the homeowners have any problems whatsoever that they do not feel Heritage is addressing, they send notice to the warranty company. The warranty company will then send an inspector to the dwelling and who will hear both sides of the story as to what quality is expected in the industry. The inspector will make a judgment as to whether Heritage should correct the problems in question. If the developer does not correct those problems within 60 days, the warranty company will send a team of workmen to the house, or will provide a check to the homeowner to correct the problem(s). Mr. Wargo advised that there is a walk-through prior to closing so that the homeowner can inspect the dwelling. At closing, the homeowner prepares a list of any items they feel need to be addressed. Heritage then has 30 days to correct those problems. Thirty days after the homeowner is in the dwelling, they can prepare another list of any additional items they feel should be corrected by the developer. Heritage then takes another 30-45 days to correct any additional items. After one year, the homeowner can submit yet another list of unresolved items, and Heritage has another 30-45 days to correct them. Any items during the course of that time, or any items throughout the 10 year period that the homeowner does not feel was properly resolved by Heritage, can be taken to the warranty company for their decision.

Chairperson Bennington asked Mr. Wargo if he would consider a leaking hot water heater an emergency. Mr. Wargo replied that he would. Chairperson Bennington asked why, then, it took Heritage 144 hours to repair Mr. Westenberg's leaking pressure valve. Mr. Wargo agreed that Heritage was remiss in not responding in a timely manner in this particular instance, however he believes they have been improving.

Chairperson Bennington suggested that Mr. Reppert contact the warranty company to review the items on his punchlist that still remain outstanding. A lengthy discussion took place.

3. Mr. John Kachline of Mill Road thanked the Supervisors for allowing him to attend the recent Bucks County Municipal Summit Meeting. A number of topics were discussed including age-restricted housing, open space, Act 515, Act 319, watershed techniques, and transportation.

4. Mr. John Gerner of Perkasio, a retired journalist, mentioned recent newspaper articles that stated that the Supreme Court ruled that municipalities cannot temporarily halt development while they revise zoning codes. Mr. Gerner asked how this ruling will affect Hilltown Township and other neighboring municipalities. Solicitor Grabowski explained that this ruling would really not affect Hilltown. There are four Townships that Solicitor Grabowski knows of who attempted to adopt a moratorium that was longer than the six-month moratorium as permitted by the Municipalities Planning Code. Discussion took place.

Mr. Gerner is also a member of the Perkasio Borough Park and Recreation Board, and is concerned about all the additional development proposed near the Hilltown/Perkasio border. Mr. Gerner encouraged joint discussions between the two municipalities' various boards and committees, the police departments, and the Supervisors and council members concerning the issues that will be common to both municipalities.

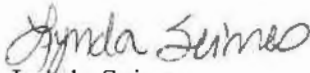
L. SUPERVISOR'S COMMENTS:

1. Supervisor Bender thanked those individuals who volunteered to participate on the Berry Brow Walking Trail Committee, and who continue to volunteer in various ways in their community.

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

O. ADJOURNMENT: Upon motion by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously, the June 25, 2001 Board of Supervisors Meeting was adjourned at 8:52PM.

Respectfully submitted,

  
Lynda Seimes  
Township Secretary