

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, August 28, 2000
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Kenneth B. Bennington at 7:29PM and opened with the Pledge of Allegiance.

Also present were: John S. Bender, Vice-Chairperson
E. Diane Parks, Supervisor
Gregory J. Lippincott, Township Manager
Francis X. Grabowski, Township Solicitor
Tim Fulmer, Township Engineer's Office
Lynda Seimes, Township Secretary
Officer Timothy Murphy, Hilltown Police

Chairperson Bennington announced that the Supervisors met in Executive Session following the August 14th worksession meeting in order to discuss legal and personnel issues; and met this evening prior to the meeting to discuss both legal and real estate issues.

A. COMMENDATION PRESENTATION: The Supervisors presented a Commendation to Mr. Michael Beatrice, who recently resigned from the Planning Commission, recognizing his 3 ½ years of service on the Commission. A copy of the Commendation is attached to these minutes.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. APPROVAL OF CURRENT BILLING: Chairperson Bennington presented the Bills List dated August 29, 2000, with General Fund payments in the amount of \$46,731.55, State Highway Aid Fund payments in the amount of \$2,142.56, and Escrow Fund payments in the amount of \$629.12; for a grand total of all payments in the amount of \$49,503.23.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to approve the Bills List dated August 29, 2000. There was no public comment.

D. CONFIRMED APPOINTMENTS: None.

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

1. At last month's meeting, Supervisor Bender had asked Mr. Lippincott to investigate the status of the Township's request for expansion of the Hilltown Post

Office. Mr. Lippincott spoke with Mr. Steve Gale, Perkasio Postmaster, concerning the possible expansion of the delivery area of the Hilltown Post Office. He will be providing the Township with an update on the situation in the future, but warns that this is a long process that may take up to 3-5 years before it even begins.

The Supervisors urged Mr. Lippincott to continue pursuing their directive with regard to the Hilltown Post Office expansion.

2. Totals of the Comprehensive Plan Task Force questionnaire have been tallied and included in the Supervisor's packets for review. This information will be forwarded to the Comprehensive Plan Task Force members and the database has been forwarded to Keith Miller, chairperson of that committee.

3. On August 24, 2000, Mr. Wynn and Mr. Lippincott met with officials from Franconia Township and Hatfield Township regarding two dangerous intersections along our mutual borders. Since all three municipalities use the same Traffic Engineer, Mr. Andy Heinrich, they have agreed to share the cost of a traffic study of those two intersections.

4. On October 7, 2000, representatives of PEMA (Pennsylvania Emergency Management Agency) will be conducting a workshop here at the Township building. Representatives of local fire departments and neighboring municipalities will be invited. The Supervisors are also invited to attend.

5. The Emergency Management Plan has been completed and forwarded to the Emergency Management Coordinator and Assistant Coordinator. The Plan will be before the Supervisors for adoption at their September 11, 2000 worksession meeting.

6. Officer Dave Miller will be taking classes to become certified in CPR and First Aid Instruction for future in-house training of Township employees, per the Safety Committee's recommendation.

7. Mr. Buzby and Mr. Lippincott will be attending a Recycling Seminar on Wednesday, August 30, 2000.

8. There is one Authorization Voucher for the Board's consideration this evening:

Longleaf Estates Phase II	Voucher #02	\$71,770.66
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Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to release the Authorization Voucher as noted above. There was no public comment.

F. CORRESPONDENCE – Mr. Greg Lippincott, Township Manager –

1. Correspondence has been received from Mrs. Constance Citro of the National Academy of Sciences, who has been requested to evaluate all aspects of the 2000 Census, in particular, the LUCA (Local Update of Census Addresses) program. Mr. Lippincott participated in a telephone interview this afternoon as part of this evaluation of the LUCA process at the local level.

2. Correspondence has been received from Congressman Greenwood thanking the Township for expressing their strong opposition to H.R. 2372, the Private Property Rights Implementation Act of 1999, which will allow plaintiffs in property rights cases to bring their claims directly to federal court rather than litigate them first in state court, as is currently required. In the 105th Congress, an identical measure to H.R. 2372 was introduced. Because of the many concerns raised in relation to the Private Property Rights Implementation Act, the bill passed the full House of Representatives without Congressman Greenwood's support.

3. A letter has been received from Cathy and Rocky Griffo of Haven Court, Sellersville, indicating their interest in moving the barn currently located on the Papiernik property to a portion on the rear of their property that abuts that subdivision. Mr. Lippincott noted that Mr. and Mrs. Griffo have not provided a copy of the cost estimate to move the barn.

Since the Planning Commission's two recommendation votes on this matter had results of 3 to 3, Chairperson Bennington preferred to table this issue until the applicant appeared before the Supervisors to discuss a possible preliminary approval for the Papiernik Subdivision. Supervisors Bender and Parks agreed.

4. Correspondence was received from Perkasio Borough Manager advising that the Borough has been awarded two grants totaling \$240,800.00 for construction of the Pleasant Spring Bike Path, which will provide a new path segment between the inter-municipal path system along the East Branch of the Perkiomen Creek, and the Stonycrest path/bridge near the Hilltown/Perkasio Borough line.

5. Notification of a free "Pennsylvania Growing Smarter for the Future" seminar was received. This seminar will address review of the 1999 Land Use Forums, Growing Smarter Initiatives, and Growing Greener Initiatives. The Bucks County

seminar will be held on Thursday, October 19, 2000 from 6:30PM to 9:00PM at the Warrington on Rt. 611.

Supervisor Parks suggested the Planning Commission be notified of this seminar.

6. Correspondence was received concerning notification of an "Impact on Tourism on Bucks County" seminar and workshop to be held on Tuesday, September 19th from 8:30AM to 4:00PM at the Middletown Country Club, sponsored by the Bucks County Conference and Visitors Bureau. Cost is \$55.00/person.

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

1. Chairperson Bennington commented that many times he announces that the Board met in Executive Session prior to a meeting to discuss legal matters, real estate, personnel, etc.; and he wanted the public to understand that the Township has been served with three separate lawsuits by the Elliott Building Group in conjunction with their proposed development, Hilltown Chase.

2. Solicitor Grabowski presented the Agreement of Modification for the Hilltown Hunt Subdivision. The punchlist items from the Township Engineer have now been completed and the developer has requested dedication for acceptance by the Township. There is an 18-month maintenance period that began on June 26, 2000. The developer has obtained a performance bond through the National Fidelity Insurance Company in the amount of \$95,047.87. Of that amount, the Township requires that the developer substitute \$5,000.00 in cash, which Solicitor Grabowski presented to Mr. Lippincott for deposit with the Township. The purpose of those funds is in the event the Township would have to default on the bond, cash is available to pay the expenses of doing so.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to accept the Agreement of Modification to the Development Agreement of the Hilltown Hunt Subdivision to accept dedication of the interior road system and to accept the Performance Bond Issue. There was no public comment.

2. Solicitor Grabowski presented the North Penn Water Authority Agreement for the Board's review and execution. Solicitor Grabowski explained that several municipal authorities, one of which is North Penn Water, serve Hilltown Township. Their district covers Rt. 309, as well as the village of Line Lexington, the Hilltown Pike area, Swartley Road, and Keystone Drive. The North Penn Water Authority also serves the Hawk Ridge Subdivision for water supply. Historically, the N.P.W.A. lines were installed with verbal agreements and the permission of Hilltown Township, based upon their request. There was never any delineated area of limit to the N.P.W.A. service area.

Within the last year, Hilltown Township has attempted to enter into agreements with all the municipal authorities or utility servers delineating their districts. There is a map attached to the Agreement providing for N.P.W.A.'s existing service area, which provides for no future expansion. The Agreement stipulates that N.P.W.A. would continue to be the exclusive provider of water service within the existing district. From a legal standpoint, Solicitor Grabowski noted one of the more important provisions of the Agreement states that should North Penn Water Authority, at any time during the Agreement, receive an offer from anyone else to purchase the North Penn service area and should North Penn desire to accept that offer, they must provide Hilltown Township and the Hilltown Township Water and Sewer Authority with 180-day first option to purchase that area. This Agreement has been executed by N.P.W.A. and by the H.T.W.S.A. The Hilltown Authority will be in future negotiations with North Penn for possibly purchasing bulk water.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to adopt and accept the North Penn Water Authority Agreement, as specified above. There was no public comment.

Supervisor Bender questioned the status of the other Authorities who provide water service to Hilltown Township. Solicitor Grabowski explained that the Hilltown Authority is currently serving under a charter of an area that, based upon this agreement, may or may not be changed. There is also an agreement with Dublin Borough for bulk water, which is being purchased by the Hilltown Authority and serves a small portion of area on the eastern boundary. Hatfield Township Sewer Authority provides sanitary sewer service along the western portion of the Township along Rt. 309. Solicitor Grabowski has prepared an agreement that has been sent to Hatfield for review. He spoke with the attorney representing Hatfield who has some minor issues to address with Solicitor Grabowski, however it appears that the Hatfield Authority is in general agreement to sign an agreement with the Hilltown Authority. Perkasio Borough Authority serves a small portion of territory in the northern portion of Hilltown Township. They were also presented with an agreement, however Solicitor Grabowski received correspondence from them last week with a counter-proposal included. This counter-proposal agreement requests that Hilltown Township consider adopting a Mandatory Connection Ordinance for their area, which is something Hilltown has not done with Hatfield or North Penn. Historically, there was some question concerning providing Perkasio Borough Authority with a mandatory connection enforcement connection along Callowhill Road approximately 2 or 3 years ago. Perkasio Borough Authority wanted all of the existing dwellings along Callowhill Road to be forced to connect to their sewer line, whether they had a failing system or not. The Township at that time was not ready or prepared to take that action. This issue will have to be readdressed and discussed at a future date.

3. With regard to the C.D. Moyer site on Walnut Street, which has become an eyesore and a safety hazard, Solicitor Grabowski noted that a Notice of Condemnation of the buildings was issued to the property owner on August 17, 2000 to demolish and remove those buildings. If there is failure to comply with the Notice of Condemnation, the Township will undertake the required demolition pursuant to the Property Maintenance Code. Whether or not the property owner appeals the Condemnation in court remains to be seen.

4. Solicitor Grabowski presented a Declaration of Easement for the Homsher Subdivision, for the Board's consideration.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2000-23, Declaration of Easement for the Homsher Subdivision.** There was no public comment.

5. Solicitor Grabowski advised that a mandatory conference has been scheduled by Judge Heckler concerning the three lawsuits brought against Hilltown Township by the developers of the Hilltown Chase Subdivision, the Elliott Building Group, for Wednesday, August 30, 2000. A mandatory conference is held in all zoning appeals for the judge to meet with the attorneys representing each party to narrow and focus in on specific issues to determine whether or not there is need for oral argument. There is probably some misconception that this, as with any other zoning appeal, will go to a hearing. Solicitor Grabowski explained that this matter would not necessarily go to a hearing because the facts are currently on record. It will be based upon legal argument as to whether the Township reasonably or unreasonably took the action that it took. The Township denied the Hilltown Chase Subdivision based upon the location of a proposed sewer treatment facility on the site. There was testimony on the night of the decision to relocate the proposed sewer treatment facility further south on the property, and the developer has since agreed to do that. The second lawsuit claims that Hilltown Township violated the Pennsylvania "Sunshine Law" when the Board of Supervisors recessed the public meeting and held an Executive Session, at which time Solicitor Grabowski explained the matter of "deemed approval" to the Board. The third lawsuit was in the form of injunction, stating that by the fact of the recusal of Supervisor Bender and with the Sunshine Law violation arguably taking place, deemed approval should have been the decision in any event. If the parties can agree to any of the issues, there could possibly be a further conference, or an oral argument scheduled.

H. PLANNING – Mr. Tim Fulmer, Township Engineer's Office –

1. Eckert Land Development Waiver Request – A request for waiver of land development submission was received on behalf of Mr. Frank Eckert for a proposed 80' X 188' (15,040 sq. ft.) indoor riding rink on Lot #1 (10 acres) of the Eckert Subdivision

located at the corner of Rickert Road and Rt. 152. The Planning Commission unanimously recommended approval of the land development waiver request conditional upon the following:

- The indoor riding rink is for personal use only and not a riding academy (Use A-5) as represented by the applicant's design surveyor.
- The structure must be located a minimum of 100 ft. from the rear property boundary in accordance with requirements for Use A-1 within the Zoning Ordinance.
- Stormwater management must be addressed in accordance with the Stormwater Management Ordinance and as required by the conditional subdivision approval.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to approve the Eckert Subdivision Land Development Waiver Request, pending completion of the outstanding items as noted above. There was no public comment.

***8:00PM – PUBLIC HEARING** - Chairperson Bennington adjourned the regularly scheduled meeting of August 28, 2000 at 8:00PM in order to enter into a Public Hearing to obtain residents views and proposals for Community Development Block Grant funding in the amount of \$83,800.00.

Mr. Lippincott explained that every three years, there is a Community Development Block Grant available for municipalities to provide funding for low-income and/or renovation of historical areas. There are three proposals for the Board's consideration this evening. The first proposal is a request for a study of the former Municipal Building/former Hilltown High School in Blooming Glen to determine its historic value. This will cost approximately \$2,500.00. Once the site is deemed historical, future Community Development funding could be used to refurbish the building. The second proposal is an application for the paving of three roads – Central Avenue in the amount of \$29,770.00, Maron Road in the amount of \$30,400.00, and Fairhill School Road in the amount of \$41,740.00. The third proposal is from the Hilltown Historical Society for continued restoration of the Hartzel Strassburger Homestead in order to complete brickwork repair and make much needed roof repairs.

Mr. John Gras, the corresponding secretary of the Hilltown Historical Society, along with Mr. Robert Chope and Mr. Norman Porter, members of the Hilltown Historical Society Board of Directors, were in attendance to discuss their proposal. Mr. Gras referred to Mr. Fox's correspondence dated August 4, 2000, and explained that the Historical Society is

doing its best to improve the Hartzel Strassburger Homestead so that it can be a source of pride for the Township. A great deal of work has been done lately, including painting of the fence, installation of a sign, improving the bake house roof, and restoration of the interior of the tenant house. It is the Society's intent to move the library, which is currently housed inside the Hartzel Strassburger Homestead to the tenant house, where perhaps someday it could be open to the public for private research. The Historical Society is not requesting a specific dollar amount from Community Development funding, but rather any unused funds that the Township may have available after completion of its own projects.

Supervisor Parks asked if the Historical Society has a master plan of the overall restoration budget for the buildings on the site. Mr. Gras replied that they do not, however they do know that the immediate priority is repair and restoration of the roof and the walls. Some of the walls have been completed, thanks to a previous Community Development Block Grant plus \$14,000.00 of the Historical Society's own funds. One badly damaged wall remains, that has experienced a goodly amount of water seepage. The roof is a very old, wooden shake roof, which requires immediate repair. A lengthy discussion took place concerning the Historical Society's proposal for funding.

The Supervisors agreed to continue the Public Hearing to the September 25, 2000 meeting in order to further consider proposals for the Community Development Block Grant funding. In the interim, the Supervisors requested that the Historical Society provide a master plan for their overall restoration budget along with a specific amount of funding requested, prior to the September 25, 2000 Supervisor's meeting.

Public Comment:

1. To be fair to everyone, Mrs. Jean Bolger of Rt. 152 feels that the Hilltown Historical Society should provide accountability of how much money they are requesting for the Community Development Block Grant.

*The Public Hearing was adjourned and the regularly scheduled Hilltown Township Board of Supervisors Meeting of August 28, 2000 was reconvened by Chairperson Kenneth B. Bennington at 8:13PM.

H. PLANNING (Continued) –

2. Cinnabar Farm Land Development Waiver Request – A request for waiver of land development submission was received for Cinnabar Farm located on Midway Road between Branch Road and Blue School Road for construction of an 80' X 200' (16,000 sq. ft.) indoor riding rink on a 46+/- acre site. The Planning Commission

unanimously recommended approval of the waiver of land development submission conditional upon the following:

- Riding rink will not be used for Use A-5, riding academy, as represented by the applicant at the meeting.
- Stormwater management must be addressed in accordance with the requirements of the Stormwater Management Ordinance adopted on May 22, 2000.

At the Planning Commission meeting, the applicant, Ms. Doreen Spolar, indicated she was desperate to commence construction, as she requires use of the pole building this winter. She also asked for waiver of both submission to the Bucks Conservation District for erosion and sedimentation control approval, and Stormwater Management Ordinance requirements. Ms. Spolar was advised that the Township could not waive requirements of the Bucks Conservation District, and that an erosion and sedimentation control approval from B.C.D. is a requirement prior to issuance of a Building Permit. Further, the size of the proposed structure is larger than permitted under the exemption criteria of the Stormwater Management Ordinance (maximum building size which may be exempted under the Ordinance is 7,500 sq. ft.). Her design surveyor, David Downs, indicated that it would take two months to obtain B.C.D. approval and six months to design a stormwater management plan because his sub-consultant, Irick and Eberhardt Engineers, Inc. is extremely busy at this time.

Ms. Spolar, along with Mr. Jeff Graham, was present to seek the Board's authorization to secure a building permit without addressing stormwater management in accordance with the recently adopted Ordinance. Because of the very large site (46 acres) and the location of the structure, in excess of 400 ft. from each property boundary, addressing stormwater management should be relatively simple. Mr. Wynn's office recommended that the Board of Supervisors table any consideration of modification of stormwater management requirements at this time and authorize Mr. Wynn to meet with Ms. Spolar and her design professionals regarding stormwater management. Mr. Wynn believes that stormwater management could easily be addressed in the same time frame necessary to secure the required Bucks Conservation District approval. A lengthy discussion took place with Mr. Graham.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to grant waiver of land development for Cinnabar Farms pending completion of the two conditions as recommended by the Planning Commission; and to authorize the Township Engineer to meet with Ms. Spolar and her design professionals regarding stormwater management for the Cinnabar Farm Land Development Waiver Request. There was no public comment.

3. Platt Subdivision (Preliminary/Final) – This lot line subdivision located on Rickert Road was unanimously recommended for preliminary/final plan approval by the Planning Commission conditional upon the following:

- The driveway for TMP #15-28-42-2 must be installed prior to plan recordation. Prior to installation of driveway, a Highway Occupancy Permit must be obtained from Hilltown Township. Design of the driveway must evidence compliance with the engineering review correspondence dated August 15, 2000.
- Buffer plantings must be installed for the proposed spray irrigation system in accordance with Ordinance #96-5, Section 3.C.1 & 4.
- Spray irrigation design plans and operation/maintenance manual must note that the spray field may be operated only between the hours of 11:00PM and 5:00AM. Additionally, a Maintenance Agreement must be executed between the applicant and Township to ensure compliance with regulations and standards for operation and maintenance of the system.
- Proposed concrete monuments as shown on the plan must be installed prior to plan recordation and be certified in writing by the responsible surveyor.
- The ultimate right-of-way of Rickert Road along the frontage of the site must be dedicated to the Township as an easement.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to grant conditional preliminary/final plan approval to the Platt Subdivision, pending completion of the outstanding items as noted above. There was no public comment.

4. Papiernik Subdivision – No action was taken by the Planning Commission on the preliminary plan for the Papiernik Subdivision, however, the applicant presented a sketch plan to revise the townhouse/twin home layout as requested by the Planning Commission at a previous meeting. Specifically, the townhouses located along the western portion of the site behind the existing single-family dwellings located along Diamond Street are proposed to be replaced with twin units, while the townhouses that were initially proposed in this area have been relocated internally on the site. Prior to revising the formal preliminary plan, the applicant requested recommendations on

various Subdivision Ordinance waiver requests:

- Section 511 – The Planning Commission unanimously recommended waiver of the requirements to install concrete monuments at every property corner within the development. Specifically, and as approved for the Orchard Hill Subdivision, the townhouse units will be concrete monumented at the end of each building with the internal property boundaries field marked with iron pins.
- Section 504.2.A – This section limits block length to 1,600 feet. Although the applicant disagrees with the interpretation of the Ordinance, they have requested a waiver of block length for Hampshire Drive, which is approximately 2,800 feet from intersection to intersection with Ridgeview Court when measured along Hampshire Drive. The applicant believes the measurement should only be along Ridgeview Court where the intersection distance meets the requirements of the Ordinance. By a majority vote (4:2), the Planning Commission recommends approval of the waiver of Section 504.2.A. Mr. Kachline and Mrs. Snyder were opposed.

A lengthy discussion took place concerning this waiver request and the applicant's interpretation of Ordinance requirements. Mr. Fulmer read the definition of "block" in the Subdivision Ordinance, which states "A tract of land bounded by streets. Block lengths shall be measured along the center line of the street between centerlines of intersecting streets." Supervisor Bender would like to learn more about this waiver request prior to making any decisions. Supervisors Parks and Bennington agreed.

- Section 504.2.K – The Planning Commission unanimously recommended approval of a waiver of lot depth to width ratio requirements for all townhouse units. The 3 to 1 limit on lot depth to width ratio is a standard typically applied to single-family dwellings. A lot design strictly in accordance with minimum requirements of the Zoning Ordinance (with a minimum lot width of 22 ft. and minimum lot area of 2,200 sq. ft.) has a lot depth to width ratio of 4.5 to 1.
- Section 511.1.A – The proposed twin unit located at the western intersection of Hampshire Drive and Ridgeview Court has the driveway located approximately 50 ft. from the ultimate right-of-way of Ridgeview Court. Section 511.1.A requires a minimum separation of 60 ft. By a majority vote (5:1 with Mr. Kachline opposed), the Planning Commission recommended waiver of Section 511.1.A for this twin unit.

- Section 510.5 – A waiver is requested from the requirement that horizontal curves not be permitted on a proposed street within 50 ft. of the ultimate right-of-way of an existing or proposed street. This design requirement could be met by revising the plan, however it would result in an unnecessarily sharper curve on Ridgeview Court. Accordingly, the Planning Commission unanimously recommended waiver of Section 510.5.

- Section 504.2.D – A waiver has been requested from the requirement that side lot lines intersecting street lines must be at substantially right angles or radial to street lines for certain townhouse units located on curved sections of the proposed streets. The Planning Commission unanimously recommended approval of the waiver request conditional upon the revised plan providing an enlarged detail of the proposed improvements along the frontage of the affected lots to ensure there are no encroachments of driveways onto adjoining properties.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to table the waiver requests for the Papiernik Subdivision, pending further review. There was no public comment.

5. Vanthuyne Subdivision (Lot Line Adjustment) – This lot line subdivision located on Green Street was unanimously recommended for denial unless an extension is received. The current review period for this subdivision expires on September 17, 2000. There has been no response from the applicant or design professional since the initial plan submission.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to deny the Vanthuyne Subdivision unless an extension is received by September 17, 2000. There was no public comment.

6. Fedele Tract Subdivision (Minor) – This minor subdivision located on Rt. 152 was unanimously recommended for denial due to non-compliance with Zoning Ordinance and Subdivision Regulations itemized in the engineering review dated January 3, 2000, and the Bucks County Planning Commission review dated January 2, 2000. The Planning Commission also recommends denial of any further time extension for review of this project since there has been no response from the applicant since the initial submission to the Township on December 1, 1999. The current review period expires on September 14, 2000.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to deny the Fedele Tract Subdivision due to non-compliance with Zoning

Ordinance and Subdivision Regulations itemized in the engineering review dated January 3, 2000, and the Bucks County Planning Commission review dated January 2, 2000, with no acceptance of any further time extension for review of this project due to the lack of response from the applicant since the initial submission to the Township on December 1, 1999. There was no public comment.

I. ENGINEERING – Mr. Tim Fulmer, Township Engineer’s Office --

1. Country Roads Subdivision Status Report – Mr. Wynn met with Mr. Rick Weiss, representing Mignatti Ventures, Inc. at the site on August 24, 2000 to review the status of the punchlist items, many of which have not yet been satisfactorily completed. Mignatti Ventures, Inc. refused to extend the Letter of Credit to October 31, 2000, as directed by the Supervisors at a previous meeting, and instead provided an extension until September 14, 2000. Since that time, Mr. Wynn spoke with the developer, who agreed to extend the Letter of Credit to October 31, 2000, as originally requested.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT:

1. Mrs. Betty Snyder of Mill Road, who is a member of the Planning Commission, advised that the Township’s traffic engineer, Mr. Andy Heinrich, requested that Heritage Building Group provide their recommendations and accompanying traffic studies to the Township for their comments prior to forwarding that information and Highway Occupancy Permit application to PennDot for the Papiernik Subdivision. Mr. Fulmer explained that it is a preliminary plan requirement for the applicant to submit all that information to the Township, prior to seeking PennDot approval of a Highway Occupancy Permit. In this particular case, Mr. Fulmer believes Heritage may have initially submitted information along with the preliminary plan. At that time, Mr. Heinrich had a number of issues that he wished to address. Mr. Fulmer noted that PennDot will not review a submission forwarded directly from an applicant unless the Township provides correspondence stating they are agreeable to having PennDot review the submission. Mrs. Snyder stated that there was a great deal of discussion at the last Planning Commission meeting concerning the applicant’s traffic study with regard to line of sight being adjusted to grade along Diamond Street. Mr. Fulmer explained that the two main intersections of the site, that at Diamond Street and Hillcrest Road, the applicant would need to provide a clear site distance looking left and right. There are certain length requirements for clear sight with no obstructions. The applicant provided a profile of the roadway along Diamond Street to show where the development intersection tie-in will be, in order to show from that profile whether or required sight distance length can be achieved. When both Mr. Wynn and Mr. Heinrich reviewed the plan, they did not see compliance with that. Though Mr. Wynn and Mr. Heinrich raised this issue in

reviews, there has not been any follow-up by the applicant. Mr. Kachline, chairperson of the Planning Commission, wishes to insure that the Township's comments are addressed when the Highway Occupancy Permit is sent to PennDot for review and approval. Mr. Fulmer assured Mr. Kachline that if the Township is not comfortable with the design proposed by the applicant, there will be no accompanying letter to PennDot for initial review of the plan. Chairperson Bennington asked if the Papiernik Tract Traffic Impact Study takes into consideration all the other proposed subdivisions in that area, such as Orchard Hill, C.D. Moyer, etc. or if it has been isolated. Mr. Fulmer replied that the applicant states that they have included C.D. Moyer, Orchard Hill, Hilltown Chase, Orchard Station, and the Nicholas site. Supervisor Parks commented that the Nicholas site is located in an entirely different portion of the Township. Discussion took place.

2. Mr. Harry Mason of Morgan Lane is concerned about the lack of speed limit signs posted along Diamond Street and the lack of sight distance along Diamond Street at present.

3. Mrs. Jean Bolger of Rt. 152 wondered if the Township could require the applicant to remove the "jog" where Orchard Road crosses Diamond Street to make it a straight shot across Diamond on Orchard. Supervisor Bender reminded Mrs. Bolger that there are existing dwellings located on those corner properties.

Mrs. Bolger thanked the Supervisors for tabling the Papiernik Subdivision plan this evening to give it the consideration it requires.

Mrs. Bolger noted there has been some stormwater run-off on Hilltown Pike, past Swartley Road towards Rt. 309. Discussion took place.

With regard to the Authority's proposed sewage treatment plant, Mrs. Bolger is very dissatisfied with the location that has been chosen. She feels that a sewage treatment plant should not be proposed in the middle of an existing residential area, and she sympathizes with the residents of Quiet Acres who are very upset with the proposal. Chairperson Bennington advised that the area proposed for construction of the sewage treatment plant is zoned Industrial. Supervisor Parks stated that the Authority has begun the formation of an Advisory Panel, has held several presentation meetings, and are arranging for field trips to other sewage treatment plants. The objective is to inform and get as many people involved as possible so that everyone is dealing with facts. If Mrs. Bolger has not seen the proposal for the plant, Supervisor Parks encouraged her to visit the Authority office or to attend one of the Authority's presentation meetings. Given the latest technology and the way this sewage treatment plant has been designed to work, Supervisor Parks does not believe it will adversely affect property values or the neighboring property owner's quality of life.

Mrs. Bolger was upset with an article she read in this morning's newspaper concerning the new law that has been adopted which curtails a municipality's power and requires that forestry and mining be included within every zoning district of the Township. The Supervisors agreed.

4. Mrs. Alice Kachline of Mill Road agreed with Mrs. Bolger's comments. With regard to the proposed sewage treatment plant, Mrs. Kachline believes it was originally proposed to be located on the opposite side of Rt. 309 of Keystone Drive, where other industry is located. Supervisor Bender knows that consideration had been given to alternative sites originally, however those sites then became an engineering issue that could not be resolved. He believes one of those early-proposed sites was along Central Avenue, and one was located in the Rt. 309 industrial area. One of those engineering issues included distance from where the treatment plant is located and the area that requires service. Mrs. Kachline felt a more appropriate site should be considered.

Supervisor Bender asked the status of the Act 537 Plan. Solicitor Grabowski explained that the Authority Engineer spoke to a representative of DEP last week, who advised that the letter is apparently awaiting one more signature before it is released approving the Township's Act 537 Plan.

5. Mr. John Kachline of Mill Road, who is the chairperson of the Planning Commission, would like the opportunity to review an actual cost estimate for moving the barn on the Papiernik Tract. He does not believe the estimate of \$60,000.00 given by the neighboring property owner to move the barn to their property could possibly accurate. He referred to the recent relocation of a smaller structure near Philadelphia, which cost \$1.6 million dollars to move just one mile.

6. As discussed at a prior meeting, Mr. Bill Godek of Broad Street asked if the results of investigation of the quarry levels had been determined. Since no formal application has yet been received from H & K Quarry, Chairperson Bennington advised that the Township Engineer's office was directed to visit the Bureau of Mining in Pottsville, which should take place in September.

Mr. Godek asked if the Township has any knowledge that H & K Quarry was purchased by another firm. The Supervisors are not aware of any sale of H & K Quarry.

Mr. Godek asked the cost to the Township in terms of placing the open space referendum question on the ballot. Solicitor Grabowski explained there are some minor filing fees, and the actual question must be approved by the Board of Elections as to whether it is appropriate or not. Solicitor Grabowski spent approximately two hours preparing the question and the Ordinance, as well as a minor advertising fee; therefore, he believes the

cost was well under \$500.00. Mr. Godek does not understand why this open space referendum question is again being posed to Hilltown Township residents when it was soundly defeated several years ago. Supervisor Parks explained that one of the reasons the referendum question did not pass the last time was that there was a very widespread perspective that funds would be provided without a plan to implement. In this instance, there is an Open Space Plan in place now and there is a very proactive group of citizens who represent the Township, the Open Space Committee, who have established goals with the input of many residents of this community. They recommended that the Supervisors consider voting on this issue once again. The Township government has changed since that last referendum question, and the encroachment of development into Hilltown Township has accelerated, which puts the rural nature of our community in jeopardy. Further, Supervisor Bender commented that both he and Supervisor Parks ran on the platform of acquiring open space.

L. SUPERVISOR'S COMMENTS:

1. Supervisor Bender reminded those in attendance that school re-opens on Wednesday of this week.


2. At the request of Chief Trauger, Chairperson Bennington announced that there are key trigger locks for weapons available for purchase for a nominal fee from the Police Department.

3. Chairperson Bennington presented a "Former Hilltown High School and Municipal Building" sign donated by Letterco, which will be erected at the former municipal building. The existing Hilltown High School sign located on the wall at the former Municipal Building is also scheduled to be repainted.

M. PRESS CONFERENCE: A conference was held to answer questions of those reporter's present.

N. ADJOURNMENT: Upon motion by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously, the August 28, 2000 Board of Supervisors meeting was adjourned at 9:18PM.

Respectfully submitted,


Lynda Seimes
Township Secretary



**COMMENDATION
HILLTOWN TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA**

The Township of Hilltown, Bucks County, Pennsylvania, does hereby recognize Michael Beatrice for his 3 ½ years of service on the Hilltown Township Planning Commission.


WHEREAS, Mr. Beatrice has devoted much time and significant effort in the true spirit of volunteerism to his community; and

WHEREAS, Mr. Beatrice has exhibited responsibility, perseverance, and professionalism as a member of the Hilltown Township Planning Commission; and

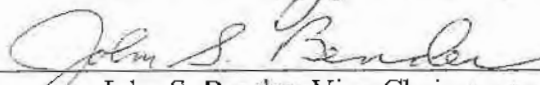
WHEREAS, recognition is hereby given to Mr. Beatrice for his tireless efforts, his exemplary and meritorious service, and his insight and vision with regard to the future development of Hilltown Township;

The Board of Supervisors of Hilltown Township, on this 28th day of August, 2000, do hereby commend and express appreciation to Mr. Beatrice for his commitment, and dedication to insuring that Hilltown Township remains a community to be proud of.

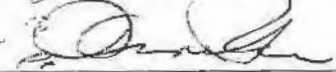
HILLTOWN TOWNSHIP BOARD OF SUPERVISORS



Kenneth B. Bennington, Chairperson



John S. Bender, Vice-Chairperson



E. Diane Parks, Supervisor