

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, December 22, 1997  
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:35PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman  
Jack C. Fox, Supervisor  
Bruce G. Horrocks, Township Manager  
C. Robert Wynn, Township Engineer  
Francis X. Grabowski, Township Solicitor  
George C. Egly, Jr., Chief of Police

Chairman Bennett announced the Board of Supervisors met in Executive Session with the Township Manager, Township Solicitor, and Township Engineer prior to this meeting in order to discuss personnel matters.

A. ACTION ON THE MINUTES OF THE DECEMBER 8, 1997 SUPERVISOR'S WORKSESSION MEETING: Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the December 8, 1997 Supervisor's Worksession Meeting, as written.

B. APPROVAL OF CURRENT BILLING: Chairman Bennett presented the Bills List dated December 23, 1997 with General Fund payments in the amount of \$26,749.71, Fire Fund payments in the amount of \$55,539.46, State Highway Aid payments in the amount of \$1,052.10, and Escrow Fund payments in the amount of \$745.11; for a grand total of all payments in the amount of \$84,086.38.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated December 23, 1997, subject to audit.

C. CONFIRMED APPOINTMENTS: None.

D. MANAGER'S REPORT - Mr. Bruce G. Horrocks, Township Manager -

1. Mr. Horrocks presented nine escrow releases, eight of which are bank held letters of credit, for the Board's authorization:

Bricks Villa Phase II	Voucher #21	\$ 496.87
Country Roads Phase I	Voucher #1B	\$ 6,600.00
Country Roads Phase II	Voucher #35	\$ 725.62

Country Roads Phase II	Voucher #36	\$15,945.75
Country Roads Phase II	Voucher #37	\$ 5,000.00
Country Roads Phases III & IV	Voucher #35	\$ 1,003.95
Country Roads Phases III & IV	Voucher #36	\$52,322.81
Hilltown Hunt	Voucher #35	\$ 436.70
Orchard Glen Subdivision	Voucher #26	\$12,150.00

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the release of the nine escrows as noted above.

2. Mr. Horrocks suggested the Supervisors consider establishing a new and separate General Reserve Fund and to transfer \$150,000.00 from the 1997 General Fund to that fund. The purpose of the General Reserve Fund shall be for contingency, emergency and unexpected expenditures and any other legal expenditure as determined by the Board of Supervisors.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to establish a new and separate General Reserve Fund and to transfer \$150,000.00 from general fund revenues to this fund, which shall be for contingency, emergency, and unexpected expenditures, as well as any other legal expenditures as determined by the Board of Supervisors.

3. Mr. Horrocks presented the 1998 General Fund Budget, which has been balanced at \$2,819,835.00 with no real estate tax increase in 1998. This proposed budget includes the addition of a full-time Code Enforcement Officer, in lieu of contracting those services to a neighboring municipality. In the Public Works Department, there are capital purchases proposed for a new Tandem roller for paving purposes, and for a new pick-up truck with a plow attachment. In the Police Department, there are capital purchases proposed for the refurbishment of an existing police vehicle. There are also funds available in the proposed budget for the installation of a traffic signal at the intersection of Hilltown Pike and Callowhill Road. Further, the budget includes \$123,800.00 for contracted services in Public Works, which involves a \$93,800.00 grant from Community Development Block Grant for roadway resurfacing and approximately \$30,000.00 for the Progress Drive/Keystone Drive area of the Township.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to adopt the 1998 General Fund Budget in the amount of \$2,819,835.00, with no tax increase.

4. Mr. Horrocks presented the 1998 Fire Fund Budget, which is balanced at \$117,901.00.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to adopt the 1998 Fire Fund Budget in the amount of \$117,901.00.

5. Mr. Horrocks presented the 1998 Debt Service Budget, which is balanced at \$346,206.00.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to adopt the 1998 Debt Service Budget in the amount of \$346,206.00.

6. Mr. Horrocks presented the 1998 State Highway Aid Budget, which is balanced at \$272,329.00.

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Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to adopt the 1998 State Highway Aid Budget in the amount of \$272,329.00.

7. For the Board's approval this evening, Mr. Horrocks presented a three year labor agreement between Hilltown Township and the Public Works Department. To summarize, salary increases are as follows - 4% in 1998, 4.5% in 1999, and 5% in 2000.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the three year labor agreement between Hilltown Township and the Public Works Department, as specified above.

8. The Zoning Officer, Mr. Lippincott, has been researching the possibility of updating and revising the Tenant Identification Ordinance. A draft Ordinance has been presented for Supervisor review. Supervisor Fox did not believe the proposed penalties are high enough to encourage residents to comply with the Ordinance. Supervisor Bennington agreed, and suggested that the fine be raised to \$500.00 for each unreported tenant. Discussion took place.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the advertisement of the proposed Tenant Identification Ordinance for adoption, with the revision in fines as noted above.

E. CORRESPONDENCE:

1. The Township has been awarded a Community Development Block Grant in 1998 for street re-paving in the amount of \$93,800.00.

2. The Park and Recreation Board is seeking approval to schedule a bus trip to the Philadelphia Flower Show on Monday, March 2, 1998. The price is \$30.00 per

person. Provided there is a minimum of 40 tickets sold, the bus will be paid for entirely by the users. Discussion took place.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve the request of the Park and Recreation Board to schedule a bus trip to the Philadelphia Flower Show on Monday, March 2, 1998, with the stipulation that a minimum of 35 tickets must be sold.

F. SOLICITOR'S REPORT - Mr. Francis X. Grabowski, Township Solicitor -

1. At a Conditional Use Hearing held on December 8, 1997, Deep Run Valley Sports Association was unanimously approved to utilize a vacant field adjacent to their property for use as three soccer fields and a possible t-ball field. Solicitor Grabowski recommended the Board of Supervisors approve the form of the written decision to be forwarded to the Deep Run Valley Sports Association, with the only condition being that no permanent facilities be constructed or installed without prior written approval of the Township.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve the final Deep Run Valley Sports Association Conditional Use decision, with the proviso that no permanent structures shall be constructed or installed without prior written approval of the Township.

2. Several months ago, the Township was involved with a jurisdictional issue concerning sewer service for the proposed Baker Subdivision located on Rt. 113. Solicitor Grabowski advised the Baker Subdivision project is located within the Telford Borough Authority jurisdictional service district. Telford Borough Authority has relinquished its rights and privileges to that project to the Hilltown Authority. It was Solicitor Grabowski's recommendation that an agreement be accomplished which would be an amendment to an original agreement executed in 1993 between Hilltown Township, Hilltown Authority, and the Telford Borough Authority. That amended agreement has been executed by both the Telford Borough Authority and the Hilltown Authority and is before the Supervisors for execution this evening.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize execution and approval of the amended jurisdictional service agreement for the Baker Subdivision, between Hilltown Township and the Telford Borough Authority, as noted above.

3. Solicitor Grabowski presented a Sewage Treatment Maintenance Agreement for a Small Flow Treatment Facility for Lot #1 of the Kenneth Beer Subdivision. Funds in the amount of \$2,500.00 have been escrowed as required.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve the Sewage Treatment Maintenance Agreement for a Small Flow Treatment Facility for Lot #1 of the Kenneth Beer Subdivision.

G. PLANNING - Mr. C. Robert Wynn, Township Engineer -

1. J.R. Associates Land Development Waiver Request - Mr. John Konick, on behalf of the applicant, appeared at the Planning Commission meeting to present a sketch plan for a proposed 10,000 sq. ft. addition to the rear of the existing furniture store located at the corner of Rt. 309 and Swartley Road. Mr. Konick requested a waiver of land development procedures to permit construction of the building via issuance of a zoning/building permit. The Planning Commission unanimously recommended denial of the land development waiver request noting that no land development plan has ever been approved for this site.

Mr. Konick was in attendance to present a request for waiver of land development requirements. By the removal of the existing storage trailers and the installation of the proposed 10,000 sq. ft. addition, Mr. Konick explained the applicant will be able to pick up an additional green space. At present, there are super graphics located on the sides and front of the building. In an attempt to improve the image of the building itself, the signage will be removed which will bring the signage into compliance with present Ordinance requirements. Included with that will be the addition of a clock tower in front of the building. Mr. Konick is not objecting to the submission of a land development plan, however he is asking that the pre-existing non-conforming uses not be reviewed as part of the process. Discussion took place.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to require the submission of a full land development plan for J.R. Associates, as recommended by the Planning Commission.

2. Silverman Mini Storage (Prel.) - The preliminary plan for a mini storage facility located on Rt. 313, just south of Rt. 113, was unanimously recommended for approval by the Planning Commission. While there are a number of outstanding conditions, the applicant has cooperated with the Planning Commission with respect to roadway improvements and has agreed to widen the roadway 26 feet from centerline in a manner consistent with the widening along the frontage of WAWA (17 feet from centerline is the Ordinance minimum requirement), and to extend roadway improvements

50 feet beyond the limit of the site to include the frontage of an adjacent lane to a flag lot. The conditions for approval as recommended by the Planning Commission are as follows:

- Request for waiver of Subdivision/Land Development Ordinance requirements are as follows:

Section 408 - Water Resources Impact Study recommended to be waived conditional upon completion of an individual on-lot well test/certification as required by Section 519.3. of the Subdivision Regulations.

Section 513 - requirements for installation of sidewalk along the frontage of the site is recommended to be waived.

Section 406 - Traffic Impact Study - is recommended to be waived.

The above noted modifications have been recommended for approval with the applicant's acceptance to widen Rt. 313 cartway 26 feet from centerline with curb along the frontage of the site and extending an additional 50 feet north of the site along the frontage of adjacent lands of TMP #15-29-61-3. The cartway widening will include an appropriate taper/transition at the southern end (approximately 75 feet from the southern property boundary). The design of Rt. 313 street improvements is subject to compliance with Township Regulations and approval of PennDot.

- Plan must be revised to graphically depict a Class "A" buffer yard along Rt. 313 and a Class "C" buffer yard adjoining the common property boundary with TMP #15-29-61-3 and TMP #15-29-61-4. The plan must also show typical dimensions of buffer yard width and setbacks to access drives and buildings to insure that same do not encroach within buffer yards in non-compliance with Section 511.3. of Ordinance #96-3.
- Site lighting illumination information and location/number of lights must be shown on the plan in accordance with Section 526 of the Land Development Ordinance.
- Verification of approval must be received from the Bucks County Department of Health for the proposed holding tank for sewage disposal. Additionally, proposed holding tank will require execution of a holding tank agreement and escrow with Hilltown Township pursuant to Ordinance #93-1.

- A highway occupancy permit must be obtained from PennDot for proposed site access and roadway improvements along Rt. 313.
- Stormwater Management Report indicates general compliance with Performance Standards for stormwater runoff as contained within Section 516 of the Subdivision ordinance except as follows:
  - a. Runoff from the off-site area tributary to the 15 inch CMP (driveway) and 24 inch CMP (culvert along Rt. 313) is proposed to be permanently diverted around the detention basin and along the edge of an existing stone driveway within TMP #15-29-61-2. Existing topographic conditions indicate that storm drainage from these pipes currently flows through the site in the vicinity of the hedgerow and exits the site near the southwestern property corner common with TMP #15-29-61-2. In accordance with Section 516.5.D & E. of the SALDO, the developer must secure written approval from the adjacent downstream property owner and the developer shall indemnify and/or hold harmless the Township against any claim of damage from any downstream property owner that may result due to relocation of the concentrated run-off from the site. Additionally, calculations must be provided to verify the stability and capacity of the proposed drainage path. In the alternate, the diversion must be eliminated and the upstream area included in the detention basin sizing calculations; or run-off from the bypass drainage area must be piped around the detention basin (or through) to discharge at the detention basin outlet.
  - b. Detention basin calculations for the 10 year storm exceeds the maximum depth permitted by Section 516.5.H.(6)(a) of the SALDO. Detention basin must be revised to meet maximum depth requirements. If in the opinion of the Township, topography and/or existing downstream systems make the required pond area unusually large, fence and landscape screens will be required.
- Verification of approval of proposed erosion and sedimentation control measures must be received in writing from the Bucks County Conservation District.
- Plan must be submitted to the fire marshal and servicing fire company for comment on site accessibility and proposed fire fighting facilities.

- Financial security/development agreements must be executed between the applicant and Township to guarantee installation of all required improvements.
- All engineering/drafting details must be revised to comply with the Engineering/Drafting Detail Review dated December 1, 1997.

Mr. Ed Wild, along with the applicant's engineer, was in attendance to discuss the plan. Supervisor Bennington asked how many individual storage units are proposed. Mr. Wild does not believe that number has been defined at present, however it will be based upon the uses that are desirable for the tenants. Mr. Wild anticipates that there will be no less than 200 users and no more than 300 users. With so many potential users involved, Supervisor Bennington is concerned that the Planning Commission has recommended a waiver of submitting a traffic impact study. Due to the nature of the proposal, Supervisor Fox explained the Planning Commission felt there would be as many trips generated to this facility as that of a single family dwelling. A representative of a firm who constructs these storage units was present at a Planning Commission meeting, who provided traffic engineer projected trip numbers of 1.4 trips per hour. Given the permitted uses for this parcel, Mr. Wild reminded the Board that this proposal is a much less intense use than any other use that would be permitted. Discussion took place. In lieu of a traffic study, Mr. Wynn advised the applicant has agreed to provide full lane widening along the frontage of the site. Mr. Wynn feels the percentage of traffic generated by this proposal would be significant based on the amount of traffic on Rt. 313.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant preliminary plan approval to the Silverman Family Partnership, with the conditions as specified above.

3. Jay Landis Subdivision (Final) - The final plan for this four lot subdivision located on Rt. 313 just south of East Rockhill Township, was unanimously recommended for approval by the Planning Commission subject to the following conditions:

- PennDot highway occupancy permit must be received for the proposed shared driveway entrances onto Rt. 313.
- The right-of-way area of Rt. 313 must be dedicated to the Township via an easement.
- An escrow agreement must be executed to guarantee installation of public improvements.



Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant final plan approval to the Jay Landis Subdivision, pending completion of the outstanding items as noted above.

H. ENGINEERING - Mr. C. Robert Wynn, Township Engineer -

1. Schafsteller Act 537- Planning Modules have been received for the proposed small flow treatment facility to be installed at the two lot Schafsteller Subdivision located on Park Road. This plan received final plan approval, subject to receipt of Planning Module approval for a proposed small flow treatment facility on Lot #1 in order to replace the existing rural residence in ground system. The Township is in receipt of the Planning Module package, which was recommended for approval by the Hilltown Planning Commission, the Bucks County Planning Commission, and the Bucks County Department of Health. The Act 537 Revision was recommended for approval subject to execution of a maintenance and operation agreement with cash escrow as required by Hilltown Township and P.A.D.E.P. regulations.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #97-36 for plan revision for the Schafsteller Subdivision Act 537 as specified.**

2. Waste Management - Land development requirements have been completed to permit commencement of the 18 month maintenance period. Mr. Wynn explained this site was required to have improvements completed by March of 1998.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve the commencement of the 18 month maintenance period for the Waste Management Land Development.

3. Bricks Villa/Hilltown Woods Phase II - Mr. Wynn noted the time frame for completion of improvements expires on January 17, 1998. The applicant provided correspondence dated December 19, 1997 requesting a one year extension until January 17, 1999.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve a one year extension for completion of the improvements to Hilltown Woods, Phase II until January 17, 1999.

I. LINENS FOR SIGNATURE:  
1. Longleaf I Subdivision

Mr. Wynn noted linens for the Longleaf I Subdivision were executed by the Planning Commission last week and are available for signature this evening. Mr. Wynn advised these plans can not be released for recordation until agreements have been executed. Mr. Wynn submitted revised legal descriptions to the Township Solicitor.

J. PUBLIC COMMENT:

1. Mr. John Snyder presented a summary of the 1997 Zoning Hearing Board applications and a breakdown of how they transpired. Nineteen Zoning Hearing applications were submitted this year, with six being denied, five being granted, a partial grant or denial on two, one withdrawn, one dismissed, and four pending. Of those four pending are two which the Township is attempting to come to an agreement with the applicants. One new appeal was recently submitted and is scheduled to be heard on January 15, 1998. One applicant has requested an indefinite continuance. Of those decisions rendered, four were appealed to Common Pleas Court. One of those has been upheld by the Court and the remaining three are pending.

2. Mr. Snyder noted candidates have been interviewed to fill the vacancy on the Zoning Hearing Board. Mr. Snyder's recommendation to fill that vacancy was presented to the Board.

K. SUPERVISOR'S COMMENTS:

1. Chairman Bennett advised this is Supervisor Fox's last official meeting on the Hilltown Board of Supervisors, although he will continue to serve on the Planning Commission. Contrary to some public opinion, Chairman Bennett commented that Supervisor Fox has generally been in agreement with his fellow Supervisors. Chairman Bennett and Supervisor Bennington have enjoyed working with Supervisor Fox over the years. A variety of gifts were presented to Supervisor Fox.

Supervisor Fox commented there have been some rough times over the years, however he believes the entire Board has been in agreement more than 98% of the time. Further, Supervisor Fox feels the Township has made great strides and he is proud of the accomplishments of this Board during the past six years. He commended the Police Department, Public Works Department, Township employees, and volunteers who serve on the various boards and commissions of the Township for a job well done. Supervisor Fox stated that his grandfather once told him that you are a success and have achieved status in life if you can make someone happy and he feels as though he has done that. Supervisor Fox thanked his fellow Board members and Hilltown Township for giving him the opportunity to serve his community.

Supervisor Bennington commented Supervisor Fox may be leaving the Board of Supervisors, however he will still be a member of the Planning Commission and an active member of this community. Supervisor Bennington recognized that Supervisor Fox has given 35 years of his life to serve on many different boards and committees in Hilltown Township

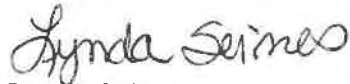
As a token of the Township's appreciation for Supervisor Fox's six years of service, Supervisor Bennington presented Supervisor Fox with a gift certificate to his favorite restaurant.

The Supervisors invited those in attendance to share cake and coffee in honor of Supervisor Fox following this meeting.

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

M. ADJOURNMENT: Upon motion by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously, the December 22, 1997 Hilltown Township Board of Supervisors meeting was adjourned at 9:20PM.

Respectfully submitted,



Lynda Seimes

Township Secretary

(\*These minutes were transcribed from notes and tape recordings taken by Mr. Bruce G. Horrocks, Township Manager).