

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, September 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
Jack Wuerstle, Township Solicitor's Office
George C. Egly, Chief of Police
Lynda Seimes, Township Secretary

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

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

B. APPROVAL OF CURRENT BILLING: Chairman Bennett presented the Bills List dated September 23, 1997 with General Fund payments in the amount of \$21,980.55, and Escrow Fund payments in the amount of \$624.36; for a grand total of all payments in the amount of \$22,604.91.

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

C. CONFIRMED APPOINTMENTS/PUBLIC COMMENT:

1. Ms. Rebecca Van Pelt - Sterling Knoll Speed Limit and Stop Signs - Ms. Van Pelt of 130 Gentry Drive was in attendance to discuss speeding vehicles and lack of stop signs in the Sterling Knoll Development. Ms. Van Pelt and her neighbors asked Hilltown Township to erect stop signs and speed limit signs along Gentry Drive in this development.

The residents of Sterling Knoll respectfully submitted petitions with 100 signatures for the following:

- the northern intersection to become a four way stop sign. It is currently a two way stop, with motorists traveling on Sterling Drive being required to stop.
- the southern intersection of Sterling Drive and Gentry Drive to become a three way stop sign. It is currently only a one way stop, with motorists traveling on Sterling Drive being required to stop.
- 20 m.p.h. posted speed limit signs to be erected on Sterling Drive and Gentry Drive.

Ms. Van Pelt believes many motorists travel through the Sterling Knoll Development in order to avoid the traffic signal in Silverdale Borough. After speaking with Chief Egly, Ms. Van Pelt is now aware that in a residential area, the speed limits are posted at 25 m.p.h.. Currently, there are no posted speed limit signs along Sterling Drive and Gentry Drive in the Hilltown Township portion of the development. The only posted speed limit signs within Sterling Knoll are in the Silverdale Borough section of the development.

The residents of this development are requesting that these measures be taken because they feel the first concern must be with the number of children living in the area. A small boy narrowly escaped being hit by a car in front of Ms. Van Pelt's home recently, which is what prompted this petition. Further, with the anticipation of the Penridge Middle School located in Silverdale Borough, the area residents are concerned with increased traffic through their development.

In conclusion, Ms. Van Pelt thanked the residents of the Sterling Knoll development for all their support, and also expressed great appreciation to Chief Egly for the immediate attention he and his department gave to this situation.

Chief Egly commented he has been lobbying for developers to provide signage when constructing developments in Hilltown Township. Chief Egly observed the speeding traffic through Sterling Knoll himself and recommends that stop signs and 25 m.p.h. speed limit signs be erected, as proposed by Ms. Van Pelt. These measures can be taken without a speed survey within a private development. Notations of the intersections where these stop signs are placed must be added to the Stop Sign Ordinance. Supervisor Bennington suggested these signs be erected as soon as possible. The Supervisors were in agreement.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the installation of stop signs and speed limit signs, as specified above, within the Sterling Knoll development as soon as possible.

*Chairman Bennett called for a two minute recess to allow residents of Sterling Knoll to leave the meeting.

D. MANAGER'S REPORT - Mr. Bruce G. Horrocks -

1. Mr. Horrocks presented a series of four escrows releases for the Board's authorization, all four of which are bank held letters of credit:

Bricks Villa Phase II	Voucher #17	\$ 659.27
Country Roads Phase II	Voucher #33	\$ 5,944.50
Country Roads Phases III & IV	Voucher #31	\$26,010.00
Country Roads Phases III & IV	Voucher #32	\$ 4,000.00

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

2. The Board had previously requested that Mr. Horrocks and Mr. Lippincott prepare a revised Tenant Identification Ordinance. After considerable research on neighboring municipality's Ordinances and P.S.A.T.S., Mr. Lippincott has presented a draft Ordinance to the Board for consideration. Mr. Horrocks asked the Board to authorize review by the Township Solicitor and hopefully, advertise the revised Ordinance for possible adoption.

Supervisor Fox felt the monetary fine should be higher in order to make people think twice about not reporting tenants. Mr. Horrocks suggested that the language be worded in such a way that each and every day is a separate violation, which could take it to the \$8,000.00 cap for violating this Ordinance very quickly. Discussion took place concerning whether the onus should be on the Township or the landlord for notification of tenants. Solicitor Wuerstle commented that approximately 50% of Bucks County municipalities have Tenant Identification Ordinances, with most of those putting the onus on the landlord to comply with the Ordinance.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize the Township Solicitor to review the proposed revised Tenant Identification Ordinance and to make recommendations to the Board of Supervisors.

3. The Park and Recreation Board, at their meeting of September 11, 1997, unanimously recommended to the Township Supervisors that they accept the report dated September 8, 1997 on Open Space Preservation Recommendations made by the Open Space Committee and that the Supervisors ask the Committee to proceed with their plans. The Planning Commission also unanimously forwarded that same recommendation to the Board of Supervisors. Supervisor Fox felt the Open Space Committee should proceed expeditiously. Supervisor Bennington reviewed the Open Space Plan as submitted at the last meeting, and believes it is very thorough.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to accept the Open Space Plan as submitted and to direct the Open Space Committee to proceed with rating parcels and establishing link routes.

Mr. Horrocks asked if the Board would like the Township Solicitor to review and develop the one section that has not yet been addressed in the Open Space Plan, dealing with possible financing, both from the County and any future financing that may be available. Supervisor Fox was agreeable. Supervisor Bennington asked if this information would be used as a vehicle for the Open Space Committee to determine what they can purchase with funding and also to determine how much money might be available to borrow. Mr. Horrocks explained it would be a review by the Township Solicitor to identify in the plan how finances could become available. Discussion took place. The Supervisors were not yet willing to have a review of the Open Space Plan by the Township Solicitor at this time.

4. Bid Awards - Mr. Horrocks advised bids were opened for salt, diesel fuel, gasoline, and heating oil at 2:00PM this afternoon. Results are as follows:

<u>Bid #97-8 - 1,250 Tons - Sodium Chloride -</u>	
Oceanport Industries, Inc.	\$29.12/Ton
Rochez Bros., Inc.	\$31.46/Ton
Continental Salt Inc.	\$31.47/Ton
International Salt Company, LLC	\$31.88/Ton
Morton International Inc.	\$35.70/Ton
Cargill Inc.	\$39.89/Ton
Yardville Supply Co.	\$44.30/Ton

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to award Bid #97-8 for Sodium Chloride to Oceanport Industries, Inc. in the amount of \$29.12 per ton.

Bid #97-9 - Diesel Fuel -

Farm and Home Oil Co. \$.7285/Gallon (Card Key)
 \$.7530/Gallon (Delivered)

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to award Bid #97-9 for Diesel Fuel to Farm and Home Oil Co. in the amount of \$.7285/Gallon (Card Key) and \$.7530/Gallon (Delivered).

Bid #97-10 - Super Unleaded Gasoline -

Farm and Home Oil Co. \$.8161/Gallon

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to award Bid #97-10 for Super Unleaded Gasoline to Farm and Home Oil Co. in the amount of \$.8161/Gallon.

Bid #97-11 - Heating Oil -

Farm and Home Oil Co. \$.7380/Gallon
H. L. Garges \$.686/Gallon (*no bond or certified check)

Mr. Horrocks noted that Mr. Wismer of H. L. Garges has expressed reluctance to bid due to the requirement of a 10% bid bond, which he feels is expensive to obtain. Last week, Mr. Horrocks informed Mr. Wismer that a certified check would be acceptable in place of a 10% bid bond, however neither was received with this bid. A certified check or a 10% bid bond is a specification of the bid. Mr. Horrocks suggested the bid be re-advertised. Discussion took place.

Motion was made by Supervisor Fox, seconded by Chairman Bennett and carried unanimously to reject all bids for #97-11 Heating Oil and to re-advertise for this bid.

5. The Township has advertised a number of times for residents interested in serving on the Architectural Review Board, however only two responses have been received. Mr. Horrocks asked those reporters present to mention the formation of the Architectural Review Board and to direct interested residents to contact the Township office. Engineers, architects, planners, etc. would be likely candidates. The exact function of this board has not yet been defined by the Board of Supervisors, however Mr. Horrocks believes it will be to review certain architectural and historic values of buildings and areas in Hilltown Township.

E. CORRESPONDENCE: None.

F. SOLICITOR'S REPORT - Mr. Jack Wuerstle, Township Solicitor's Office -

1. Solicitor Wuerstle presented an Escrow Agreement in the amount of \$14,508.00 for improvements to the Gray Subdivision.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to accept the Escrow Agreement for the Gray Subdivision, as noted above.

2. Solicitor Wuerstle presented the Declaration of Easement for the Gray Subdivision for Board approval.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #97-26, accepting the Declaration of Easement for the Gray Subdivision.**

3. Solicitor Wuerstle presented the Declaration of Easement for the Edmonds Subdivision for Board approval.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #97-27, accepting the Declaration of Easement for the Edmonds Subdivision.**

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

1. Dublin Hunt Subdivision - Preliminary/Final - Mr. Wynn advised the Planning Commission unanimously recommended preliminary/final plan approval (with conditions) of the subdivision located primarily within Dublin Borough. Only rear yard area of Lots 1 through 9 are located in Hilltown Township. Conditions are as follows:

- Building setback lines for Lots 9 through 13 must be revised to identify a 35 ft. wide minimum rear yard along the common property boundary with Hilltown Township in accordance with Dublin Borough Ordinance requirements. Additionally, the rear yard setback for Lots 2 through 8 and a portion of Lot 9 must be revised to the minimum requirement of 50 ft. within Hilltown Township. Side yard setback for that part of Lot 9 located within Hilltown Township must be revised to 25 feet. Finally, the side yard setback for Lot 1 must be revised to 25 ft. within Hilltown Township in accordance with Zoning District regulations.

- Zoning data for Hilltown Township including district and setback requirements must be included on sheet 6 of 16, Record Plan.

- Sheet 6 of 6, Record Plan, must be revised to include signature blocks for Hilltown Township Board of Supervisors and Planning Commission.

- All of the area within Hilltown Township on proposed Lots 2 through 9 and a part of the area on Lot 1 is proposed as deed restricted open space to be owned and maintained by the individual lot owners. Restrictions, covenants, and other requirements regarding ownership and future maintenance of the open space area must be reviewed by the Township Solicitor.

- Item II.21.c. of the August 26, 1997 Cowan Associates, Inc. engineering review for Dublin Borough indicated that John Pascavage, who owns property within Hilltown Township fronting on Frontier Road (TMP #15-29-107-3), desires to connect his dwelling to the Dublin Borough sewer system. In the event this connection is proposed (a sewer lateral has not been shown on the plan), a Request for Revision to the Township Act 537 must be submitted for consideration by both the Township Planning commission and the Board of Supervisors. The Act 537 Revision should include alternative analysis documentation.

Mr. Wynn advised the applicant requested the Planning Commission authorize execution of an exemption request to PADEP to exempt this connection from Planning Module review. Mr. Wynn noted there is a 10 ft. wide strip of land which will be retained by Mr. Pascavage as access for lateral connection of his dwelling to the Dublin Borough sewer system. As the plan proposes public sewer connection within the Rural Residential Zoning District, the applicant was advised that the Planning Commission would not agree to a waiver of Act 537 review. By separate vote, the Planning Commission unanimously recommended that the applicant be required to submit an Act 537 Revision for consideration by the Planning Commission and the Board of Supervisors prior to authorization for public sewer connection of this property. Discussion took place.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant preliminary/final plan approval to the Dublin Hunt Subdivision, pending submission of an Act 537 Revision application for the Pascavage property located in Hilltown Township.

2. Tall Oaks Subdivision - Final - The Planning Commission unanimously recommended final plan approval (with conditions) of this 8 lot subdivision located on Orchard Road. Conditions include the following:

- In accordance with correspondence received from Pennsylvania Power and Light Company dated September 15, 1997, PP&L Inc. has agreed that the primary cable trench for electrical service will be located within the public right-of-way of the proposed

street. A plan identifying the location of PP&L facilities must be submitted for review and approval by the Township prior to construction activity relative to underground utilities within the proposed right-of-way.

- Verification of approval of proposed public water/sanitary sewer collection system design and capacity must be received in writing from the Hilltown Township Water and Sewer Authority.

- Planning Module approval must be received in writing from PADEP.

- All perimeter (outboundary) monuments must be installed and certified as to their accuracy by the responsible surveyor prior to plan recordation. Concrete monuments required to be installed at all other lot corners within the subdivision pursuant to Section 522.2 of the Subdivision Ordinance must be guaranteed via the financial security agreement.

- Financial security/development agreements must be executed between the applicant and Township to guarantee installation of all "public" improvements. An opinion of cost must be prepared by the design engineer and submitted for review and preparation of agreements.

- All rights-of-way/easements shown on the plan to be dedicated to Hilltown Township must be accomplished in a manner satisfactory to the Township.

- The following engineering/drafting details must be revised and addressed on the plan:

- Inlets 5 and 6 (Station 0+41) must be relocated to the physical low point of Tall Oaks Drive (Station 0+50).

- As proposed, sanitary sewer will conflict with storm sewer to be installed by the Township along the south side of Orchard Road. Sanitary sewer extension must be relocated into the center of the existing cartway of Orchard Road to permit installation of the proposed storm sewer extension. Extent of ID-2 wearing course overlay must be revised to correspond with the limit of cartway disturbance associated with sanitary sewer extension.

Mr. Wynn noted that normally underground electrical facilities are placed in private easements just beyond the ultimate right-of-way of the proposed streets. However, at this location, the site is heavily wooded and, in order to reduce the extent of required clearing, the applicant has proposed, and the Planning Commission recommends, acceptance of the

utilities installed within the Township right-of-way subject to approval by the Township regarding their depth and location.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant final plan approval to the Tall Oaks Subdivision, pending completion of all outstanding items as specified by the Planning Commission and the Township Engineer.

3. Longleaf I Subdivision - Final - This plan received preliminary plan approval from the Supervisors in May of 1997. The final plan for Longleaf Estates I was unanimously recommended for approval (with conditions) by the Planning Commission. Those conditions include:

- Open space areas "A" through "E" shall be accepted for fee simple dedication by Hilltown Township. Open space areas on Lots 15-16, 23-24, 26-32, 33-40, and 48-50 must be deed restricted as proposed on the plan. Proposed deed restriction, method of conveyance, and maintenance of open space must be resolved in a manner satisfactory to the Township in accordance with Sections 533, 534, 535, 536, and 537 of the Zoning Ordinance as amended. A capitol contribution in the amount of \$6,000.00 must be made payable to Hilltown Township in consideration of acceptance of dedication of detention basin "B". Maintenance responsibility/restricted covenants of basin "A" must be submitted for review and be prepared in a manner acceptable to the Township. Easements must be conveyed to the Township for all stormwater management facilities located within deed restricted open space to allow inspection and emergency repair of same.

At the time of preliminary plan approval, Ms. Curtin believes the Supervisors discussed the possibility of further review of Mr. Kulp's request to deed restrict a portion of Open Space "E" (where his present driveway is located) to him. Supervisor Fox noted Mr. Kulp currently has an easement across that property, and if that portion of the open space area were to be deeded to Mr. Kulp, the residents of that development and the entire Township, could not use that portion of property as recreational open space. The Supervisors saw no reason to change their original motion and stated that no portion of the open space area "E" should be deed restricted to Mr. Kulp.

- Recreation facilities proposed on open space "A" have been schematically shown on the plan and include two play fields, a tot lot, gazebo, and three park benches. A drinking fountain is proposed along the eastern side of Cheryl Lynn Drive in the vicinity of the northernmost play field. Grading for the play field, installation of park benches, installation of the drinking fountain, and installation of a sign at the commencement of construction advising future property owners of the recreational area

must be accomplished. Construction of the proposed tot lot/gazebo may be delayed pending commencement of Longleaf Estates II (Jager Tract) with \$10,000.00 included in the financial security agreement to guarantee future installation. In the event Longleaf Estates II does not begin prior to completion of this subdivision, the \$10,000.00 will be utilized for installation of gazebo/tot lot improvements as directed by the Township.

Mr. Wynn explained the tot lot and gazebo has not been detailed on the plan at this time because the applicant has offered a \$10,000.00 financial security to guarantee this installation such that it can be coordinated with the construction of Longleaf Estates Phase II (Jager Subdivision). If the construction of phase II does not begin prior to the completion of phase I, the \$10,000.00 would be utilized for the installation of a gazebo and/or tot lot, as directed by the Township. It is Ms. Curtin's understanding that the Park and Recreation Board recommended that the gazebo not be installed and that a large tot lot, the size of two, be installed instead. At that point, \$10,000.00 would be placed in escrow for construction of the large tot lot later in the project. Supervisor Bennington asked how the figure of \$10,000.00 was arrived at. Ms. Curtin replied the figure was decided at a meeting held with the Park and Recreation Board, the Township Manager, and the Township Engineer. Supervisor Bennington commented the tot lot constructed at the Civic Park cost \$15,000.00. Mr. Horrocks explained two meetings were held - the first was with the chairman of the Park and Recreation Board, Mr. Wynn, Mr. Collie and himself; and the second meeting was with the Park and Recreation Board (although the chairman of that board was not present), Mr. Wynn, Mr. Collie and himself. At the first meeting, Mr. Horrocks advised Mr. Collie that the tot lot constructed at the Civic Park cost approximately \$15,000.00. Mr. Collie then proposed installation of the park benches, the water fountain, and the tot lot in the amount of approximately \$10,000.00. At the second meeting, the Park and Recreation Board agreed that no gazebo should be required at this time, that a sign advising of the eventual construction of a park at that site be erected, and that one large tot lot, instead of two, should be required. Further, at the second meeting, specific dollar amounts were not mentioned. Supervisor Bennington commented the water fountain and the park benches were not part of the actual tot lot construction. Based upon the cost of prior installation of a tot lot at the Civic Park, Supervisor Bennington asked that \$15,000.00, rather than \$10,000.00, be provided for the tot lot construction in the Longleaf I Subdivision. Supervisors Fox and Bennett agreed.

- Sight distance at the access road (proposed Cheryl Lynn Drive) intersection with Orchard Road is to be improved to comply with sight distance requirements of Section 510.8 of the SALDO by lowering the existing profile of Orchard Road. However, plans must detail driveway profiles to verify all work will be accomplished within the legal right-of-way.

- Curbs, sidewalk, and cartway widening improvements are proposed along Diamond Street from Orchard Road to Narothyn Road. However pursuant to the preliminary plan approval action of the Board of Supervisors on may 27, 1997, street improvements including curb, sidewalk, and cartway widening must be installed along Diamond Street between Orchard Road and the easternmost tract houndary. Plan must be revised accordingly.

Mr. Wynn advised improvements, including cartway widening, curb, and sidewalk have been proposed along Diamond Street from Orchard Road to Narothyn Road. No improvements are shown from Narothyn Road to the easternmost corner of the site. The applicant advised the Planning Commission that they will be offering a donation to the Township for "required" improvements not proposed along Diamond Street. The applicant was advised that the offer should be in writing and provided for review and consideration by the Supervisors in advance of this meeting. Ms. Curtin was further advised that if the donation request was not in writing in advance, final action on this subdivision may be tabled by the Supervisors. The Planning Commission indicated that they were not opposed to either full improvements or a contribution in lieu of, if deemed appropriate by the Supervisors.

Heritage Building Group (via correspondence that is undated) has offered the following donations in lieu of the following:

In lieu of the installation of the walking bridge	\$50,000.00
In lieu of sidewalks along Orchard Road (beginning on the westerly side of the Manero property to Diamond Street and along Diamond Street to Narothyn Road).	\$12,250.00
In lieu of all improvements along Diamond Street (from Narothyn Road southeast to the end of the Finkelstein property).	\$20,000.00

Supervisor Bennington was not willing to accept fees in lieu of the installation of the walking bridge or the sidewalks along Orchard Road. However Supervisor Bennington would consider accepting fees in lieu of the improvements from Narothyn Road southeast, but not for the offered \$20,000.00. Supervisor Fox agrced, stating that a more reasonable dollar amount should be offered before consideration is given to accepting fees in lieu of Diamond Street improvements.

It is Mr. Wynn's estimate that installation of curb, sidewalk and roadway widening only would be approximately \$32,000.00, not including clearing, grading, erosion control, traffic control, pole relocation and storm sewer. Mr. Wynn agreed that the \$20,000.00 figure offered by the applicant does not represent a realistic cost of those improvements.

With the amount of expenses by the applicant for this project, Ms. Curtin stated it would be very difficult to consider a larger fee in lieu of those improvements. However, Ms. Curtin suggested the Board put language into their approval, allowing the applicant 30 days to review the possibility of raising the dollar figure for those improvements. Mr. Wynn recommended that if the dollar figure is not acceptable to the Board, they continue with the preliminary plan approval by requiring the full improvements.

- Pedestrian Bridge site Plan and Elevation View propose a pedestrian bridge that is a steel frame, wood deck structure manufactured by Continental Bridge, or approved equal. The following items regarding the bridge must be addressed:

- Design engineer must verify if the County acquired right-of-way around the bridge at the time it was reconstructed. If additional rights-of-way exists, same must be shown on the plan.
- Verification of approval received in writing from the County Bridge Engineer for construction of adjacent pedestrian bridge.
- Protective railing must be proposed between pedestrian bridge and County bridge at proposed abutment wall.
- Appropriate permits must be received from PADEP/ACOE for proposed construction within the floodplain.
- Manufacturer literature provided with submission indicates painted finishes last 2 to 4 yrs. or 5 to 10 yrs. depending on the paint system used. Bridge must be provided with the most maintenance free finish available and specified as "high grade" paint finish.
- Plans must note that poured-in-place concrete for bridge abutment/wing wall construction will require quality assurance/quality control testing in accordance with PennDot Publication 408 Specifications.
- Strength grade of steel reinforcing bars must be indicated on plan.

- Verification of approval of proposed erosion and sedimentation control measures has been received from BCCD. General permits have been received from BCCD/PADEP for the proposed outfall structures at the stream. An individual NPDES permit must be obtained from BCCD/PADEP for earth disturbance in excess of 25 acres.

- Verification of approval of proposed public water design and capacity must be received in writing from HTWSA. In addition, fire hydrant locations must e

reviewed by the fire marshal and servicing fire company. Comments received must be incorporated into the design.

- Planning Modules for proposed sewage facilities must be approved by PADEP. Additionally, verification of final approval of the proposed sanitary sewer collection system design must be received in writing from HTWSA.

- In accordance with Section 522 of SALDO, all perimeter (outboundary) monuments must be installed and certified as to their accuracy in accordance with plan information, by the responsible surveyor prior to plan recordation. Concrete monuments required to be installed at all other lot corners within the subdivision pursuant to Section 522.2 of the SALDO must be guaranteed via the Developers/Financial Security Agreements.

- Proposed street names are subject to review by the postmaster and approval by the Supervisors. "Cheryl Lynn Drive" may be confused with "Cheryl Crest Drive" also located within the Perkasio postal region in East Rockhill Township.

Correspondence dated September 12, 1997 was received from the applicant today, proposing the following street names for Supervisor consideration, in place of all three street names originally submitted - Maple Court, Dogwood Drive, Pin Oak Drive, Birch Court, Beech Street, Hemlock Lane, and Long Leaf Drive.

Since this is Supervisor Fox's last year serving on the Board, Supervisor Bennington suggested consideration be given to naming one of the streets in the Long Leaf I Subdivision "Fox Lane." The applicant was agreeable. Discussion took place. The Supervisors suggested the following street names for the Long Leaf I Subdivision - Birch Court, Fox Lane (or Drive), and Long Leaf Drive.

- All rights-of-way/easements shown on the plan to be dedicated to Hilltown Township must be accomplished in a manner satisfactory to the Township. Legal descriptions for the subject subdivision were reviewed with comments within our correspondence dated August 19, 1997. Two copies of revised legal descriptions, signed and sealed by the responsible surveyor, must be submitted for review and preparation of dedication documents.

- Verification of approval must be received from PennDot for the issuance of highway occupancy permit for all construction activity within Diamond St. right-of-way.

- Financial security/subdivision agreements must be executed between the developer and Township to guarantee installation of public improvements. An "Opinion of Cost" must be prepared by the design engineer and submitted for review and preparation of agreements.

- Engineering/drafting details must be revised to address the comment items of the review correspondence dated September 8, 1997.

The two remaining issues that the Supervisors will not approve is the \$10,000.00 escrow for the tot lot and waiver of the improvements on Diamond Street from Narothyn Road. Supervisor Bennington is willing to make a motion to require \$15,000.00 for the tot lot or to table the entire plan until the applicant agrees to that dollar amount. Mr. Wynn reminded the Board that the Township does not have an offer of \$15,000.00 for the tot lot, and therefore recommended that the plan be tabled. Ms. Curtin asked the Supervisors to put the offer of \$15,000.00 in their motion as a condition of final plan approval. Ms. Curtin does not believe there will be a problem with the \$15,000.00 dollar amount, however she would like to have two days to respond to that dollar amount. If the applicant is not agreeable to the \$15,000.00 amount, the plan will come back before the Board of Supervisors at the worksession meeting for further discussion.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant conditional final plan approval to the Long Leaf Estates Subdivision, pending completion of all outstanding items as noted, requiring complete improvements on Diamond Street from Orchard Road southeast for the entire frontage of the Finkelstein tract, as well as a requirement for a \$15,000.00 contribution for construction of the tot lot, as specified on the plan, for the recreational facilities.

4. Rosenberger Subdivision - The applicant has provided a 90 day extension for further review of the plan.

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

1. Off-the-Wall - This site is located on Bethlehem Pike and has an agreement to complete improvements within the land development. One remaining improvement not yet completed is the final paving of the parking area. The developer is not yet ready to pave the parking area because there is still some settlement occurring. Therefore, the applicant has requested a one year extension and has provided a new letter of credit to the Township in the amount of \$25,000.00 to guarantee the parking lot paving, seeding and mulching, topsoil, landscaping, and concrete bumper stops.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve the year extension for guarantee of improvements to the Off-the-Wall Land Development, as noted above.

2. Hilltown Hunt - Mr. Wynn presented a status report of the completion of public improvements within the former Hilltown Hunt Subdivision. Mr. Wynn explained the applicant is hoping to dedicate the roadways in October, however he does not believe all improvements will be complete. Two of the larger issues that have not been resolved at present include the open space area and the detention basin, both of which are to be established as lawn.

3. Country Roads - Phases III & IV - This item was tabled for discussion.

4. Bethlehem Pike/Route 113 Intersection - Mr. Wynn advised a meeting was held on September 2, 1997 with representatives of Calvary Church building committee, church pastor, Dorothy Garis (Calvary Church facilities manager), Andy Schlosser (Schlosser and Clauss - consulting engineer), Andy Heinrich (Heinrich and Klein - traffic engineer), Rich Prentis (PennDot), and Nelson Varhey (PennDot). The meeting was held to discuss improvements which may be necessary at the Bethlehem Pike/Route 113 intersection due to proposed church expansion; and coordination of these improvements with future development at or near the intersection. Mr. Wynn explained the church has a land development plan pending before the Township, of which they would like to proceed with construction in the spring of 1998. The following items were discussed at the meeting:

- Calvary Church was concerned with coordination of improvements at the intersection and wanted to be assured that they would not pay a disproportionate share of improvement costs since they are first to develop in the area.

- PennDot's general recommendation on ultimate improvements to the intersection is to flatten the radius on the northeast corner (Frederick's Flowers), and install a left turn lane on the southbound approach of Rt. 113. To accommodate alignment across the intersection, Rt. 113 should be widened along the frontage of Frederick's Flowers.

- PennDot previously prepared a revision to the signal permit in 1994, which included upgrades to the signals/mast arms, and included a split phase for northbound and southbound approaches of Rt. 113 to allow left turns without a left turn lane.

- Calvary Church discussed a second or alternate driveway to Bethlehem Pike at the rear of the property, to reduce traffic volume utilizing Rt. 113. They noted that the Township was opposed to such a driveway, however questioned PennDot on its feasibility. Upon cursory review, PennDot had no major objections to such a driveway, however, possible restrictions to turning movements into and out of the driveway were discussed.

- PennDot advised if an "ultimate" development plan for the intersection as to be prepared, costs associated with it would be the responsibility of the Township. It was noted that any plan would be general in nature and not detailed construction drawings.

- Calvary Church anticipates construction next spring and would like to work with the Township regarding the intersection improvements so that it does not delay their project. The Church is concerned that other proposed developments in the Township (including Exxon - the former seafood building, and a new shopping center behind Union National Bank) may cause delays to the design and/or improvement of the Bethlehem Pike/Rt. 113 intersection. They suggested providing a cash contribution toward future improvements and allowing these other commercial developments to install the actual improvements.

- It was suggested that the Church may consider a combination of improvements and cash contribution to the Township for the intersection. Improvements might include modifying the signal in accordance with the split phasing proposed by PennDot. A cash contribution might be considered for future improvements and installation of a left turn lane.

- Calvary Church was also concerned with delays which may be caused by acquisition of right-of-way for improvements if they are required to install a left turn lane. It was suggested that the Township may be of assistance in acquiring right-of-way by condemnation, if required.

- Calvary Church indicated they would like to resolve intersection issues, as they relate to plan approval and their construction schedule. I stated that this office would discuss preparation of an ultimate design for the intersection and options available to the Church for constructing improvements and/or cash contribution with the Board of Supervisors.

- PennDot will not officially review the traffic study prepared for Calvary Church by Heinrich and Klein, however Mr. Prentis agreed to a cursory review of the

report and stated that he would contact the Township and/or Church with any major concerns regarding the study.

- An intersection improvement sketch plan was prepared based on discussion at the meeting. It provides for a left turn lane on the southbound approach of Rt. 113, widening for the northbound Rt. 113 lane along the flower shop frontage, and widening along the proposed Exxon site to provide a right turn lane on the southbound approach of Rt. 113. Curb radius on flower shop corner is "flattened" to a 55' radius for trucks. This is similar to the sketch intersection improvement plan prepared for Calvary Church as it relates to widening along the flower shop frontage. The Exxon sketch plan does not include as much cartway widening. To proceed, we would have to research right-of-way at PennDot, request PennDot to re-design the traffic signal for this configuration (they may require a traffic/drainage review first), and determine Calvary Church contribution to this work (i.e. - actual improvements, cash, or a combination of both).

PennDot has indicated there may be existing right-of-way along the Frederick's Flower property, which was acquired many years ago when Bethlehem Pike was first constructed. PennDot will not research their own records, however they will allow an engineer to research those records. Mr. Wynn requested authorization from the Board of Supervisors to research PennDot records in order to determine whether or not there is right-of-way along the frontage of Frederick's Flowers property to permit the widening. Further, Mr. Wynn requested authorization to request a consideration of traffic signal re-design from PennDot. Also, Mr. Wynn is seeking authorization to work with Calvary Church, who has requested permission to make a cash contribution so that their project is not delayed while the other developments are still pending.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize Mr. Wynn to research PennDot records concerning rights-of-way, to request a consideration of traffic signal re-design from PennDot, and to work with Calvary Church concerning their proposed intersection improvements.

I. LINENS FOR SIGNATURE:

1. Atkinson Subdivision

J. PUBLIC COMMENT:

1. Chief Egly presented correspondence from the Hilltown Township Fire Company requesting confirmation of a new fire police officer - Mr. Joseph Kirschner. At the September 8, 1997 monthly meeting of the Hilltown Volunteer Fire Company, Mr. Kirschner was accepted into membership of the fire company as a fire police officer.

Chief Egly advised Mr. Kirschner's training level is far beyond that which is required of a fire police officer.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to confirm and appoint Mr. Joseph Kirschner as a fire police officer for the Hilltown Township Fire Company.

2. Mr. John Gillespie, chief of the Silverdale Fire Company, advised that Ms. Beth Lewis, a resident of Country Roads, is heading a fund drive to raise approximately \$25,000.00 to purchase a thermal imaging device. This device will benefit all fire companies servicing Hilltown Township and as well as the Hilltown Township Police Department. Mr. Gillespie invited the Supervisors and Chief Egly to attend a demonstration of the thermal imaging device at the Silverdale Fire Company tomorrow evening, September 23, 1997.

3. Mr. John Perritt, president of the Silverdale Fire Company, invited the Board of Supervisors to attend a joint program sponsored by the Silverdale Fire Company and the Hilltown Fire Company in recognition of Fire Prevention Week. This program will be held on October 5, 1997 from 12noon to 5:00PM at the Silverdale Fire Company.

Mr. Perritt knows that Supervisor Fox has been a champion of requesting donations to fire companies from developers, and hopes that this practice will continue. After tonight's discussion of the various large subdivisions in Hilltown Township, Mr. Perritt realizes that increased fire coverage, police coverage, ambulance services, etc. will be required to service these new developments. At the last meeting, Mr. Perritt spoke with Mr. Collie of Heritage Building Group regarding this subject, who commented that with all the requirements being imposed on his firm, there may not be funds available for contribution to the servicing fire company. Supervisor Bennington objected, stating that early on in the planning process, Mr. Collie was very much aware of the subdivision/land development requirements for public improvements, yet still was not willing to provide a contribution. Discussion took place concerning requiring fees from developers for fire protection service.

Mr. Perritt advised there are approximately six pin oak trees installed by the original developer of the Pleasant Meadows Development that have died. These trees are located on Steeplebush Drive. The Director of Public Works will be made aware of the situation.

K. SUPERVISOR'S COMMENTS:

1. Supervisor Bennington stated that Hilltown Township has an Ordinance requiring the fencing of inground swimming pools, where the fence is required to be

installed prior to final inspection. However, there is no provision in the Ordinance that water can not be placed in the swimming pool prior to fence installation and final inspection. Supervisor Bennington noticed an incomplete neighboring inground swimming pool that has been filled without benefit of fencing, and he is very concerned about the safety issues involved. Mr. Horrocks commented the building permit process completes itself upon final inspection for occupancy permit. Supervisor Bennington asked Solicitor Wuerstle who would be liable - the homeowner or the Township, if someone drowns in that swimming pool before it has received an occupancy permit. Solicitor Wuerstle replied if the resident goes through the normal permitting process with the Township, there is a point in time where there is complete authorization by the municipality, and the liability for the Township will not be significant. Supervisor Bennington feels the Ordinance should be revised so that fencing is required prior to the swimming pool being filled. Supervisor Fox commented the State has recently approved a Swimming Pool Ordinance for those municipalities who have not yet adopted their own Ordinance. Mr. Horrocks noted the BOCA 1996 regulations are far more current than standards the Township is presently using, and believes these regulations should be considered for adoption. In the past, the Township's current building inspection service has been requested to provide comments concerning BOCA 1996 regulations, however they have not been received. Mr. Horrocks is aware that BOCA 1996 regulations concerning swimming pools are far more restrictive than our current requirements. In the meantime, Solicitor Wuerstle stated the present Swimming Pool Ordinance could easily be modified to address this situation. Mr. Wynn suggested that a temporary fence be required during construction of an inground swimming pool. Discussion took place. Mr. Horrocks and Solicitor Wuerstle will research the matter and will report their findings to the Board at the next 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 September 22, 1997 Board of Supervisors meeting was adjourned at 10:10PM.

Respectfully submitted,


Lynda Seimes

Township Secretary