

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED WORKSESSION MEETING
Monday, June 12, 1995
7:30PM**

The regularly scheduled Worksession Meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:50PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman
Jack C. Fox, Supervisor
Bruce G. Horrocks, Township Manager
Thomas A. Buzby, Director of Public Works
George C. Egly, Chief of Police
Warren L. Nace, Zoning Officer

Chairman Bennett apologized for the late start of the meeting, explaining the Board met in Executive Session prior to this meeting with the Township Manager to discuss legal and real estate matters.

A. APPROVAL OF CURRENT BILLING: Chairman Bennett presented the Bills List, dated June 13, 1995, with General Fund payments in the amount of \$48,354.85; State Highway Aid payments in the amount of \$33.18; and Escrow Fund payments in the amount of \$59.00; for a grand total of \$48,447.03.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List, dated June 13, 1995, subject to audit.

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

1. Mr. Horrocks presented two bids for the Board's review this evening. Bid #95-4 is for a 1994 or newer dump truck, with 5,000 miles or less, with a gross vehicle weight of 36,220 pounds. One bid was received from William F. Deibert, Inc. of Allentown in the amount of \$58,000.00.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to award Bid #95-4 for the 1994 or newer dump truck to William F. Deibert, Inc. in the amount of \$58,000.00 from the Liquid Fuels Account.

The second bid, Bid #95-5, is to sell a 1986 Chevrolet Monte Carlo which is a used police vehicle. Seven bids were received in the amounts of \$499.00, \$250.00, \$895.50, \$351.98, \$250.00, \$533.00, and \$632.00. Mr. Horrocks recommended the bid from Mr. William Devlin, in the amount of \$895.50 be accepted.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to award Bid #95-5 for the used police vehicle to Mr. William Devlin in the amount of \$895.50.

***8:00PM - PUBLIC HEARING - ADVERTISED PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE RESTRICTING TRUCK AND OTHER COMMERCIAL VEHICULAR USE ON SEVERAL TOWNSHIP ROADS.**

Mr. Horrocks read the opening paragraph of the proposed Ordinance which states "An Ordinance restricting truck and other commercial vehicular use on the full length of Telegraph Road, East Creamery Road, West Creamery Road, Twinbrook Road, Hayhouse Road, Welcome House Road, Longview Road, Forest Road, Frontier Road, Bypass Road, Fretz Road, Quarry Road, and Tiffany Drive; Rickert Road from Rt. 152 to the boundary with Dublin Borough; and the full length of Middle Road to the boundary with Dublin Borough."

If this Ordinance is passed, Supervisor Bennington asked the fine that trucks or other commercial vehicles will encounter if they travel on any of the above listed roads. Chief Egly believes the fine is \$110.50 per incident, and explained the Ordinance does allow for local deliveries. There was no public comment.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to **adopt Ordinance #95-3 restricting truck and other commercial vehicular use on the full length of Telegraph Road, East Creamery Road, West Creamery Road, Twinbrook Road, Hayhouse Road, Welcome House Road, Longview Road, Forest Road, Frontier Road, Bypass Road, Fretz Road, Quarry Road, and Tiffany Drive; Rickert Road from Rt. 152 to the boundary with Dublin Borough; and the full length of Middle Road to the boundary with Dublin Borough.**

***The Public Hearing to consider the adoption of the above noted Ordinance was adjourned at 8:07PM and Chairman Bennett reconvened the regularly scheduled Worksession meeting of June 12, 1995 at 8:07PM.**

B. MANAGER'S REPORT (continued)

2. Following this meeting, Mr. Horrocks has two linens for the Board's signature, including the Calvary Church Subdivision and the Ralph Moyer Subdivision.

3. The Township received a hand drawn thank you note from the students of St. Agnes Sacred Heart School who recently used the new park for a field day outing.

4. For the Board's consideration, Mr. Horrocks presented proposed Resolution #95-24 to establish fees for purchase of the Zoning Ordinance, Subdivision/Land Development Ordinance, Comprehensive Plan, and the Neshaminy Creek Stormwater Management Ordinance. The proposed fee is \$20.00 for each Ordinance. Mr. Horrocks explained these are the Ordinances the Township has either

printed or copied.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #95-24 to establish a \$20.00 fee for the purchase of the Zoning Ordinance, Subdivision/Land Development Ordinance, Comprehensive Plan, and the Neshaminy Creek Stormwater Management Ordinance.**

5. At its regularly scheduled meeting of May 11, 1995, the Hilltown Township Park and Recreation Board proposed Recommendation #95-6, requesting the Township Supervisors to consider approval of forwarding \$200.00 to the Pennridge Community Day Committee. Mr. Horrocks noted there is a line item in the budget in which there is \$1,000.00 budgeted for donations.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to donate \$200.00 to the Pennridge Community Day Committee.

At its regularly scheduled meeting of June 8, 1995, the Hilltown Township Park and Recreation Board proposed Recommendation #95-7, suggesting that the Township Supervisors accept the donation of field lights with poles which have been offered to the Township for possible future use.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to accept the donation of field lights with poles that have been offered to the Township for possible future use.

6. Following this meeting, Mr. Horrocks would like to meet with the Supervisors in order to discuss scheduling a date to hold a B.O.C.A. Code Hearing. A request has been received from Blooming Glen Restorations concerning an appeal of some sections of the B.O.C.A. Code which will be in effect for their property located at Blooming Glen Road and Rt. 113. A fee has been paid by the applicant. In the past, Mr. Horrocks noted B.O.C.A. Code Hearings are tape recorded with regular minutes transcribed.

7. Mr. Horrocks requested Board approval for Resolution #95-25, which deals strictly with PP&L bringing in underground power to the Comcast Metrophone tower which will be located on this property. There is no cost of any sort charged to the Township. Since it is Township property, PP&L can not install their underground line until the Supervisors provide authorization via a Resolution.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to **adopt Resolution #95-25 to allow PP&L to install an underground line through Township property**

located at 13 West Creamery Road.

8. The next item deals with the Stoneycrest Subdivision and the Perkasio Borough Authority waterline construction project performed on that site after the streets were dedicated to Hilltown Township. Mr. Horrocks desires the Board to consider a motion to allow Mr. Wynn, Township Engineer, to hold further discussions with Perkasio Borough Authority as to why they have not repaved the two cul-de-sacs as initially required.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to authorize Mr. Wynn to meet with Perkasio Borough Authority to arrange for repaving of the two cul-de-sac streets within the Stoneycrest Subdivision.

9. A request has been received from Cub Scout Pack #199, a non-profit organization, for waiving rental fees for their use of the Scout Cabin in Blooming Glen.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to waive rental fees at the Scout Cabin for Cub Scout Pack #199.

C. CORRESPONDENCE: None.

D. CONFIRMED APPOINTMENTS:

1. Mr. Jeff Marshall - Heritage Conservancy - Mr. Jeff Marshall, Director of Historic Preservation for the Heritage Conservancy was in attendance to discuss the Hartzell-Strassburger House at the request of the Board of Supervisors. Mr. Marshall presented a short letter outlining his involvement in the project. At the request of the Office of Community Development, Mr. Marshall visited the Hartzell-Strassburger House to inspect the work completed by the masonry contractor, recognizing the fact there was significant and possibly irreversible damage done to the historic fabric of the building. Mr. Marshall contacted a masonry contractor, Mr. John Harry who specializes in restoration work, to prepare a very detailed report concerning the problems with the project. Mr. Harry's overall impression can be summarized by the following quote from the report conclusion, which states "In over twenty years of dealing with thousands of historic and other old buildings, this is the worst work I can remember seeing." Mr. Marshall forwarded a copy of that report to Mr. Jamison of the Office of Community Development and copies were also given to the Board of Supervisors. Subsequently, Mr. Marshall met with Mr. Michael Leibley, the vice-president of Brite Maintenance Company, where a review of Mr. Harry's report took place. Mr. Leibley agreed that his company had done some considerable overcutting and widened a number of joints. One of the issues mentioned in the

report was the use of power tools. Mr. Leibley pointed out and followed up via fax, that he was in possession of a change order signed by Supervisor Fox to allow the use of power tools to cut out mortar. However, Mr. Marshall stated this does not absolve Brite Maintenance of the responsibility for several problems that were a direct result of overcutting from the power tools. Mr. Marshall and Mr. Leibley discussed the issue for quite some time, and came to an understanding that there were some problems with the project. Mr. Leibley's concern was that he had never been given a detailed punchlist of the problems, nor was he given an opportunity to correct the mistakes made by his firm. Mr. Marshall noted Mr. Leibley admitted there were some mistakes made by his firm. Upon review of the contract, Mr. Marshall advised there does not seem to be an issue that the job performed to date was not done as the contract calls for, in a satisfactory manner or completed in a "proper, thorough, and skillful manner," as also stipulated in the contract. Mr. Marshall commented the contract stipulates that "If necessary, the owner shall prepare a punchlist of work items requiring completion and/or correction by the contractor before the owner will make final acceptance of the work. It shall be the responsibility of the contractor to complete all punchlist items within two weeks of receiving a list from the owner, following which another inspection for final acceptance will be conducted. This procedure shall continue until such a time that the work can be accepted by the owner." This contract, unlike most contracts, Mr. Marshall noted, does not have a clause for dismissal for cause. Further, the report continues "The consultant's report suggests that a careful study should be undertaken to determine what remedial measures will be necessary to correct the greatest amount of problems with the least further damage to the building and that detailed specifications be prepared for such work. It is from such a study that a punchlist should be drawn. Based on the results to date, it is difficult to see how Brite Maintenance is qualified to complete the remediation necessary to restore the house, but according to the contract, the Township appears obligated to give Brite Maintenance an opportunity to correct the problem. I can only suggest that an extremely extensive, detailed punchlist be completed and that the remediation work be done under close supervision."

In conclusion, Mr. Marshall explained the site had some masonry repointing work done and there was considerable use of power tools, as well as a list of problems involved with the project. Mr. Marshall provided the following options for the Board to consider for correcting the problems:

- Produce a punchlist and give the contractor the opportunity to repair it.
- Prohibit Brite Maintenance from completing the project

and contract with another firm to complete the work. Mr. Marshall noted this may obviously cause significant problems, and suggested this option be discussed with the Township Solicitor.

Mr. Marshall advised the contract, as forwarded to him from the Office of Community Development, does not give the Township the latter option, and suggested the Supervisors investigate whether or not that is a viable option. The option allowed by the contract is to draft a punchlist of the problems and to allow Brite Maintenance the opportunity to repair. In discussing this issue with Mr. Harry, Mr. Marshall commented he feels this could be an extremely expensive proposition and the Township would have to determine specifications as to what exactly must be remediated and how it is to be accomplished. The bottom line is there is significant damage to the historical fabric to the building which can not easily be repaired. If the Board so desires, Mr. Marshall and Mr. Harry can be involved with working on the specifications, with the Office of Community Development's approval, to insure that remediation is done in the gentlest means possible.

Supervisor Fox wished to make a correction to a statement made earlier by Mr. Marshall. Mr. Marshall had said that Mr. Leibley had a change order signed by Supervisor Fox authorizing the use of power tools. Supervisor Fox explained the change order was to fix stucco in the front of the building with bricks. The power tools were in the specifications themselves to be used on cement and concrete, where they could not rack out the joint. What Supervisor Fox does not understand is that the specifications, which are like a punchlist, were not followed from the very start of the job. Had Brite Maintenance done a 4 ft. section, after notifying Supervisor Fox, he would have discovered earlier that they had not follow the specifications. Mr. Marshall commented he is not present this evening to defend Brite Maintenance. He is present to state that he agrees there has been a great deal of substantial damage and that very little of the specifications were followed. The concept that this is a preservation effort should have been treated by the contractor with extreme sensitivity yet Mr. Marshall does not believe that concept was adopted at all by the people on the site.

It came to Mr. Horrocks' attention today that the 100% Performance Bond for this bid was never submitted to the Township. Mr. Horrocks recommended that before the Board takes any action, they insist that the 100% Performance Bond be submitted to the Township, as the bid requires.

Supervisor Bennington does not understand how this contract could have been written without containing a clause to dismiss the contractor for cause. Mr. Horrocks noted that issue should certainly be addressed by the Township Solicitor. Chairman Bennett asked if Brite Maintenance has ever done this type of historical

maintenance before. When the bids were first opened, Supervisor Fox checked with the Office of Community Development, who stated that Brite Maintenance had previously done work for them. When Supervisor Fox checked with Community Development a second time, they advised Brite Maintenance had done work for them, but never this type of work. Mr. Marshall believes that points to a problem with the Community Development Office when qualifying bidders for particular restoration projects. Chairman Bennett felt nothing can be done at the moment until the Board speaks to the Township Solicitor and until the Township receives the Performance Bond. Supervisor Fox thanked Mr. Marshall for responding so expeditiously to the Board's request.

Mr. Mike Leibley, vice-president of Brite Maintenance, stated his firm has done this type of historical restoration work for approximately 17 or 18 years. Mr. Leibley hires all of his pointers and laborers from the Bricklayers, Pointers, Cleaners, and Caulkers Union #1 which is based in Philadelphia. Looking back over the years Mr. Leibley has done business with this union, he has never experienced a problem with the laborers. Mr. Leibley agrees there is a problem with this particular job and he is not very happy with the carelessness that was exhibited with the work performed on this site. Mr. Leibley will personally rectify the problems on this job if necessary, because at stake for Mr. Leibley is his good reputation of 18 years. Mr. Leibley noted the fact that a Performance Bond was never forwarded to the Township was a total oversight and he promised to supply that to the Township tomorrow or the next day. Mr. Leibley asked the Board to give Brite Maintenance the opportunity to correct these problems under close supervision as Mr. Marshall suggested. Mr. Leibley apologized for any problems Brite Maintenance may have caused.

2. Residents concerning Tiffany Drive Traffic - No one was present at this time.

3. Ms. Wanda Renshaw - Pearl Buck Foundation - Ms. Renshaw was in attendance representing the Pearl S. Buck Foundation. The Foundation was notified by the Pennsylvania Historical and Museum Commission in Harrisburg that they have been selected to receive a historical marker for the Pearl Buck House and for Pearl Buck herself. One of the criteria of the donation is that the marker must be placed on a road where passersby and pedestrians can see and read it. Ms. Renshaw has been in contact with Mr. George Beyer of the Commission and the wordage has been determined for the marker. Presently, a foundary in Erie is producing the marker and it is expected for placement later this week or early next week. The marker will contain a Pennsylvania coat of arms at the top, being 45 inches by 45 inches, and placed on a ten ft. pole with seven ft. above ground. The sign itself will read "Pearl S. Buck - 1892 - 1973, Author of over 300 books and other published works.

She strove for better understanding between peoples. Her novel "The Good Earth" was awarded a Pulitzer Prize in 1932. Her epic portrayals of Chinese farm life helped win her the Nobel Prize in literature in 1938. Following her many years in China, she lived after 1934 here at Green Hills Farms. It later became home to the Pearl S. Buck Foundation."

Ms. Renshaw explained the placement on the Pearl S. Buck property is what is in question this evening. Ms. Renshaw presented a map of the property, showing existing signs notifying of the Pearl S. Buck Foundation site. The historical marker sign is proposed to be placed approximately 125 ft. from the driveway in an open area framed by trees. After completing the appropriate sign permit application, the Zoning Officer notified Ms. Renshaw that the Foundation is zoned as Rural Residential and that the present signage is all that is permitted in that zoning district. Ms. Renshaw is present this evening to request a temporary permit allowance or a waiver for the erection of this historical marker, since presently there are no provisions in any Ordinance for historic signs or national landmarks. Ms. Renshaw requests this on behalf of the Pearl S. Buck Foundation until an Ordinance can be adopted, one that would include historic signs and national landmarks. The Foundation and the Pearl S. Buck House are an asset to Hilltown Township, to Bucks County and to the state of Pennsylvania. The Foundation staff and the Board of Directors are excited about their selection and asked the Board to please consider this request.

Supervisor Bennington feels the temporary sign request is a good idea until the Zoning Ordinance, which was recently adopted after eight years, can be amended. Supervisor Fox stated Ms. Renshaw is correct, Hilltown Township has never had a historic site and therefore it was never addressed in the Ordinance. Supervisor Fox agreed with Supervisor Bennington.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to grant a temporary sign permit to the Pearl S. Buck Foundation, until the Zoning Ordinance can be amended to address this type of historical marker.

Ms. Renshaw thanked the Board for their understanding and invited everyone to join them at 1:00PM on June 25, 1995 at the Pearl S. Buck Foundation for the unveiling of the historical marker.

Ms. Renshaw wrote to the Township several weeks ago requesting a waiver of the sign permit fee, and asked if the Board would give consideration to that request this evening.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to grant a waiver of the

temporary sign permit fee for the Pearl S. Buck Foundation.

E. HILLTOWN TOWNSHIP WATER AND SEWER AUTHORITY REPORT - Mr. Jim Groff, Operations Manager - Mr. Groff read the Authority Report for the month of May, 1995, which is on file at the Township office.

With regard to the Act 537, Mr. Groff explained there was an offer made by the Hilltown Township Water and Sewer Authority to prepare an updated Act 537 within the development district. This plan would be developed in conjunction with the Township for approval by the Supervisors, and the Authority would then work in direct contact with the Supervisors on this matter. Mr. Groff called the Board's attention to correspondence sent by Mr. Scott Tagg, chairman of the Authority, on March 20, 1995. Mr. Bill Kee of Cowan Associations, engineer for the Authority, was in attendance to answer any technical questions.

Supervisor Fox would like to meet with the Authority, as Mr. Tagg recommends in his letter, to see exactly where the Authority is heading. It has always been that the Planning Commission reviews the Ordinances on sewer and water for the entire Township. At present, the Planning Commission is addressing the Subdivision/Land Development Ordinance and the next Ordinance to be addressed will be the Water and Sewer Ordinance for the entire Township. Mr. Groff will present Supervisor Fox's suggestion to the Authority Board.

Supervisor Bennington asked if the Authority is proposing to update only the development district, not the entire Act 537 Plan. In order to get 50% reimbursement by DER, Mr. Groff replied the Authority was told they had to branch out a bit. This statement was made by Mr. Glenn Stinson of DER, who recently attended a meeting with Bruce Horrocks, Bill Kee, Frank Grabowski, and Mr. Groff. The Authority is amenable to doing that in order to receive the 50% reimbursement. Mr. Kee will be concentrating on the service district. If the Authority just intends on doing the development district, Supervisor Bennington does not understand Supervisor Fox's concern because we already know where the water and sewer lines will be in that district. Supervisor Fox stated that is why he wishes to have a meeting with the Authority. He believes there must be a reason for the Authority to update the Act 537 Plan again. Supervisor Bennington believes it is because the Authority wants to help the Township.

Mr. Kee explained the reason the Act 537 Plan needs to be updated is that the Pennridge Wastewater Treatment Plant, at this time, is accepting very few applications. The development district must have sewerage solutions. Those solutions could include, and what should be studied in this plan, is the removal of I and I, and how

much capacity the removal of I and I in Hilltown Township would bring in the existing Pennridge Wastewater Treatment Plant. Secondly, the Pennridge Wastewater Treatment Plant is considering bringing forth their Act 537 Plan for that sewage treatment plant again, which means this Township must report to them how much capacity they are expecting to use in either the existing or upgraded plan. Mr. Kee noted East Rockhill Township is proposing a sewage treatment plant, and wondered if Hilltown Township should be involved in that plant. Finally, there is the possible solution of spray irrigation on a golf course. Mr. Kee advised these are all items which should be reviewed and addressed. The Township should also be in the midst of an I and I study for the existing sewer system, metering, etc.; of which 50% of those costs can be made a part of this Act 537 Plan. Therefore, the purpose is to outline where the Township will go with sewage in the central district in the future and how we can reduce and make available more capacity in the existing sewer system. Supervisor Bennington agrees at least one meeting should be held between the Board of Supervisors and the Hilltown Authority to discuss the issue. Supervisor Bennington does not feel there are any ulterior motives behind what the Authority has proposed. Supervisor Fox asked if the Authority has given Pennridge Wastewater Treatment Authority their estimate on how much more sewage capacity is needed within the next five or ten years. Mr. Kee believes that was done approximately five years ago, based upon the 1990 Bucks County Planning Commission study. Chairman Bennett agrees that one meeting should be held between the Board of Supervisors and the Water and Sewer Authority members to discuss this issue.

Mr. Kee advised DER has a checklist that is several pages long of items they want included in an Act 537 Plan. That list is modified based upon the need of the Township. While at the meeting Mr. Groff spoke of earlier, those attending reviewed with Mr. Stinson what DER was expecting to see in a Township update of their Act 537 Plan. Mr. Kee suggested that when a meeting between the Supervisors and the Authority is held, the agenda could be defined as the scope of work that DER wishes to see in an Act 537 Plan, which is the next step after the Supervisor's agreement. A proposal is then made to DER that an Act 537 will be accomplished based upon these parameters. Once that is approved by DER, it then becomes eligible for 50% funding. Supervisor Fox commented DER will do that same thing for the Township, and the deviation of our cost would be 50% on the entire Act 537 Revision, which is why he feels it should be done jointly. Mr. Kee noted the scope can be expanded. What the Authority was attempting to do was to limit it so that the Board would not feel the Authority was branching out too far. Mr. Groff will collaborate with Mr. Horrocks to schedule a meeting between the Supervisors and the Authority.

F. DIRECTOR OF PUBLIC WORKS REPORT - Mr. Thomas A. Buzby - Mr. Buzby read the Public Works Report for the period of April 30, 1995 through May 27, 1995, which is on file at the Township office.

Supervisor Bennington praised Mr. Buzby and the Public Works Department for the fine work they have done on the new park and thanked them for doing a superb job. The entire Board was in agreement.

Mr. Horrocks is seeking the Board's authorization to allow Mr. Wynn to review an alternative site for the seasonal storage and salt storage buildings, and to draw it to scale.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize Mr. Wynn to review and draw to scale an alternate site for the seasonal storage and salt storage buildings.

G. POLICE CHIEF'S REPORT - Chief George C. Egly, Jr. - Chief Egly read the Police Report for the month of May, 1995, which is on file at the Township office.

Supervisor Bennington asked Chief Egly's opinion on a traffic signal for the intersection of Diamond Street and Rt. 113. Chief Egly recommended that a traffic signal be erected at that intersection. The family of the deceased were supposed to be present this evening, and their request was to have a traffic signal installed at that intersection, as well. Supervisor Bennington asked the cost involved. Mr. Horrocks replied a traffic signal would have to be bid for that intersection. He has spoken to several firms over the last few weeks, and a ballpark figure was given in the amount of \$45,000.00. When this issue was first discussed back in 1988, Chairman Bennett believes the price quoted was \$65,000.00; and when it was discussed in 1991 again, the price was then quoted at \$85,000.00. Chief Egly does not know where those figures came from, however he has seen other municipalities erect traffic signals for a great deal less than that. At that time, Chairman Bennett recalls the Supervisors were shocked by the price, which was why the Township then applied for a Community Development Grant. The Township did not qualify however, because the area is not considered a "low income area." A few months after Hilltown applied and was refused, Silverdale Borough applied and was accepted because it was considered a "low income area." Chairman Bennett believes the traffic light in Silverdale, which is not quite as complicated, cost approximately \$38,000.00.

Chairman Bennett asked what will happen if funds could be found to install the traffic signal and then another fatality occurs at the site. Chief Egly replied after a traffic light has been installed, the Township will have exhausted their last resort to correct the

problem. The Township will no longer have the threat of liability if a traffic signal is installed. Chairman Bennett is very frustrated by the whole issue. Several times, he has suggested rumble strips as an additional warning, however Chief Egly has advised they are not allowed by the State. Chief Egly is not saying installation of a traffic light will solve the problem, however it appears to be the Township's only recourse.

Last year, Chairman Bennett commented, the city of Philadelphia removed 600 traffic lights and replaced them with stop signs. Chairman Bennett noted a majority of residents do not realize that besides the initial cost of a traffic light, there are ongoing operating costs which are quite expensive. For instance, a controller recently had to be replaced on the light at the intersection of Bethlehem Pike and Rt. 113, costing \$5,400.00. Supervisor Bennington stated that is basically "nickels and dimes" compared to people's lives. Supervisor Bennington knows there is a budget line item for off-site repairs, and asked how much money remains in that account. Eighteen months ago, Mr. Horrocks replied, there was \$95,000.00 remaining, which consisted of funds donated to the Township in lieu of certain public road improvements. A school flasher was purchased for Seylar Elementary School during the last 18 months which cost \$2,500.00, and approximately \$43,000.00 worth of guiderail was installed throughout the Township last year. Mr. Horrocks believes that account is balanced at approximately \$48,000.00. Chief Egly feels a fund should have been established a long time ago for future traffic control. Since both the roads involved, Diamond Street and Rt. 113, are State roads, Supervisor Bennington is amazed that the State refuses to provide funding for the installation of a traffic signal. Mr. Horrocks has spoken to Representative Druce, who agreed to send a letter to PennDot concerning this intersection. There is current legislation available to provide a 50% co-pay, however Mr. Horrocks does not believe it will be approved because PennDot does not budget for traffic signals.

Chairman Bennett commented there are hundreds of dangerous intersections in this Township. When the Township approves new developments, such as Bricks Villa with 51 homes, at an intersection where it will add an additional 100+ vehicles per day, Chief Egly suggested costs be charged to the developer for traffic control, both present and future. Supervisor Fox commented Bricks Villa was approved approximately 15 years ago.

As Police Chief and Director of Public Safety, Chief Egly recommended a traffic signal be installed at the intersection of Rt. 113 and Diamond Street.

Motion was made by Supervisor Bennington to **adopt Resolution #95-26 to install a traffic light at the intersection of Rt. 113 and**

Diamond Street, based upon the Police Chief's recommendation, and hopefully finding enough funding from the off-site repair account as mentioned by Mr. Horrocks, to pay for that installation. There was no second to the motion at this time.

Motion was made by Supervisor Fox that if the residents of this Township are willing to pay two more mills of tax to establish a fund to pay for the installation traffic lights, which should be placed as a referendum on the ballot in November for the taxpayers to vote on. There was no second to the motion at this time.

Chief Egly is very concerned about that intersection, stating a traffic signal is the only answer. Supervisor Fox felt that was not the answer because vehicles will still run through that light and accidents will still occur. At one time, Supervisor Fox noted, there was \$80,000.00 in a traffic light fund for that very intersection, however that money disappeared between the years of 1987 and 1989. Supervisor Fox wondered if Liquid Fuels money could be used to pay for the traffic signal. Mr. Horrocks will look into that.

Discussion took place concerning raising taxes to establish a traffic signal fund. Chairman Bennett is reluctant to raise taxes any further and is not convinced that a traffic signal will prevent motorists from going through that intersection any more than a stop sign would. Mr. Horrocks suggested that the Police Department run a traffic count on that intersection over the next two weeks.

Chairman Bennett seconded Supervisor Bennington's original motion and it was carried unanimously. Chairman Bennett suggested the Township work with Representative Druce in hopes of obtaining State funds for the installation of a traffic light.

Motion was made by Supervisor Fox to raise taxes next year by two mills to assist in payment of this traffic signal and to establish a traffic signal fund for any future signal installation. There was no second to this motion. Supervisor Bennington and Chairman Bennett would like to wait until the budget process begins at the end of the year before considering raising taxes for 1996. Motion failed.

H. ZONING OFFICER'S REPORT - Mr. Warren L. Nace - Mr. Nace read the Zoning Report for the month of May, 1995, which is on file at the Township office.

I. PARK AND RECREATION REPORT -Mr. Lombardi was not present this evening. The report for the month of May, 1995 is on file at the Township office.

J. HILLTOWN FIRE CHIEF'S REPORT - Mr. William Devlin - Mr. Devlin read the Hilltown Fire Company report for the month of May, 1995, which is on file at the Township office.

It was determined that Mr. Devlin will meet with the Board of Supervisors prior to the July 10, 1995 Worksession meeting to discuss the possible creation of the position of Hilltown Township Fire Marshall.

K. EMERGENCY MANAGEMENT COORDINATOR'S REPORT - Mr. William Devlin - Mr. Devlin read the Emergency Management Report for the month of May, 1995, which is on file at the Township office.

L. RESIDENT'S COMMENTS: None.

M. SUPERVISOR'S COMMENTS:

1. Supervisor Bennington noted the Miley Subdivision located on Hilltown Pike is becoming overgrown, as it does twice a year, and suggested the property owner be advised. Mr. Horrocks replied Mr. Nace has contacted the property owner.

2. Supervisor Bennington asked if there have been any complaints received concerning the Fire Arms Ordinance which was passed several months ago. Chief Egly stated no complaints have been received to date.

3. Supervisor Bennington commended the Park and Recreation Board for their hard work in preparing for the park dedication. Further, Supervisor Bennington thanked the Planning Commission members for working long and hard for eight years in order to revise the Zoning Ordinance.

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

O. ADJOURNMENT: Upon motion by Supervisor, seconded by Supervisor, and carried unanimously, the June 12, 1995 Board of Supervisors Worksession Meeting was adjourned at 10:32PM.

Respectfully submitted,

Lynda Seimes
Lynda S. Seimes

Township Secretary

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