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**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED PUBLIC MEETING
Monday, February 28, 1994
7:30PM**

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:39PM and opened with the Pledge of Allegiance.

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

Chairman Bennett announced the Supervisors and Township Manager met in Executive Session prior to this meeting to discuss personnel matters. Further, the regularly scheduled meeting will be adjourned at 8:00PM in order to hold the advertised Public Hearing to consider the adoption of an Ordinance amending the Hilltown Township Zoning Ordinance of 1983, as amended, with regards to Section B5 - Conversion.

A. APPROVAL OF MINUTES: Action on the minutes of the January 24, 1994 Board of Supervisors Meeting:

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the January 24, 1994 Board of Supervisors Meeting, as written.

Action on the minutes of the February 14, 1994 Board of Supervisors Worksession Meeting: Supervisor Bennington noted the following corrections - noted the following corrections: Page 1, third paragraph, should read "Supervisor Bennington commented all three candidates **appear** to be very well qualified for the position". Page 2, Section D, third paragraph, should read "Supervisor Bennington commented Mr. Buzby thanked his employees for the fine job they did, **which was well deserved**, however he does not believe that Mr. Buzby receives the credit that he deserves."

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the February 14, 1994 Board of Supervisors Worksession meeting, as corrected.

B. APPROVAL OF CURRENT BILLING: Chairman Bennett presented three Bill's Lists for approval this evening. The first is dated January 26, 1994, which includes \$60,963.17 of General Fund payments, \$164.61 of State Highway Aid payments, and \$663.90 of Escrow Fund payments, for a grand total of \$61,791.68.

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Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated January 26, 1994, subject to audit.

The second Bills List is dated February 4, 1994 which includes \$13,055.36 of General Fund payments, and \$27,882.23 of State Highway Aid payments, for a grand total of \$40,937.59.

Chairman Bennett noted a number of these bills were for purchase of rock salt, de-icing material, and outside contractors for snow removal purposes. Supervisor Fox commented he was flabbergasted by the cost of rock salt.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated February 4, 1994, subject to audit.

The third Bills List is dated February 16, 1994, which includes \$31,954.49 of General Fund payments, and \$9,717.00 of State Highway Aid payments, for a grand total of \$41,671.49.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated February 16, 1994, subject to audit.

C. TREASURER'S REPORT - Mr. Bruce G. Horrocks, Township Manager - Mr. Horrocks presented the Treasurer's Report with the following balances as of February 25, 1994:

General Fund Checking Account	\$ 33,503.96
Payroll Checking Account	\$ 230.13
Fire Fund Checking Account	\$ 73,289.74
Debt Service Checking Account	\$ 13,406.87
State Highway Aid Checking Account	\$ 26,098.32
Escrow Fund Checking Account	\$184,920.51

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Treasurer's Report dated February 25, 1994, subject to audit.

D. RESIDENT'S COMMENTS ON CONFIRMED APPOINTMENTS ONLY: None.

E. CONFIRMED APPOINTMENTS: None.

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

1. Upon further investigation by Chief Egly, it was determined that there was a State bid award price for the purchase of police vehicles in Pennsylvania for 1994. The Board had accepted a bid for one police vehicle at the last Board meeting,

though the Township was not aware of the State bid price at the time. The bid accepted from A & T Chevrolet was in the amount of \$17,235.00, however Chief Egly was able to get that price down to \$14,493.00, which is an additional savings to the Township of \$2,742.00.

2. Mr. Horrocks presented two Escrow releases for the Board's authorization, both being Letters of Credit:

Country Roads Phase I	Voucher #27	\$ 6,437.71
Telvil Corporation	Voucher #03	\$ 302.91

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to release the two Escrows as listed above.

3. Two separate Girl Scout troops are requesting a waiver of rental fees for use of the Scout Cabin this spring for a camping trip. Chairman Bennett asked if non-profit organizations supply the Township with a security deposit, and Mr. Horrocks replied that they do.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to waive fees for the two Girl Scout troops for use of the Scout Cabin, as specified above.

4. The bid for a new telecommunications system, which the Board authorized at a previous meeting, will be advertised this week.

Chairman Bennett asked how many lines are proposed. Mr. Horrocks replied ten lines are proposed, and explained the proposal is for a "system", as opposed to each phone containing a line.

5. Mr. Horrocks advised of the following snow removal costs so far this year. Since January 1, 1994, Hilltown Township has spent \$19,055.00 in overtime for the Public Works Department, which was originally budgeted at \$10,000.00. This is \$9,055.00 over budget, or 190% of budget. After a full shift, if Public Works employees remain on duty for extra hours, they receive an \$8.00 meal allowance. The amount budgeted for meal allowance was \$300.00, though so far, \$588.00 has been spent.

Chairman Bennett commented he does not object to paying overtime costs for employees, however he does object to the meal allowance of \$8.00 for lunch. Chairman Bennett feels \$8.00 is too much to be spent on lunch. Mr. Horrocks explained meal allowance is for dinner costs, after a full 8 hour shift. Chairman Bennett stated he can not argue with \$8.00 for dinner costs, however he cited the same problem with the police department with \$8.00 lunches, even

when the officers attend conventions where lunch is provided, the Township still pays the officers an \$8.00 meal allowance. Chairman Bennett does not object to paying a fair price for meal allowances. Mr. Horrocks suggested that during the next round of negotiations with both the Public Works Department and the Police Department, that the issue be addressed, since meal allowances are presently contractual.

Mr. Horrocks explained that the meal allowance, while it is a small number, is still presently 195% of budget. For rock salt/cinders, \$14,000.00 was budgeted, however to date, \$35,308.00 has been spent, or \$21,308.00 over budget, which is 252% of budget. For contracted snow removal services, \$250.00 was budgeted. To date, \$1,920.00 has been spent, which is \$1,670.00 over budget. The total spent since January 1, 1994, directly related to salt costs, is \$56,872.00. Adding costs for repair of vehicles or operating expense of vehicles, the Township can very easily come up to \$61,000.00. The total budget for 1994 snow removal was \$24,550.00. Mr. Horrocks explained the Township is basically over budget for snow removal by \$32,322.00, which is roughly 230% over budget. One of the reasons for this being that salt was priced early on at \$33.00 to \$34.00 per ton, however the Township is now paying from \$85.00 to \$89.00 per ton. Hilltown Township spread approximately 393 tons of salt since January 1, 1994. Mr. Horrocks noted he is still hopeful of receiving some FEMA funds, though that is not guaranteed because the snow was not one event like it was a year ago during the blizzard of 1993.

The bad part of this entire situation, Supervisor Bennington commented is that March weather still remains to be contended with, plus the Township must also consider bad weather which may occur in November or December of this year. Chairman Bennett suggested investigating the pricing policy of those firms that raised the price of salt so drastically this winter.

G. *PUBLIC HEARING - 8:00PM - Chairman Bennett adjourned the regularly scheduled meeting of the Hilltown Township Board of Supervisors at 8:00PM in order to begin the advertised Public Hearing. The Public Hearing is being held to consider the adoption of an Ordinance amending the Hilltown Township Zoning ordinance of 1983, as amended, with regards to Section B5 - Conversion.

Supervisor Fox explained this proposed amendment concerns conversion of single family dwellings into apartments. Originally the ordinance was for older homes and farmhouses to be converted for use by children and employees of those owners of farms. It appears that developers have managed to find a way around the ordinance by converting new houses into apartments in areas where apartments should not be. The Comprehensive Plan and the Zoning Ordinance allows apartments in the Development District and in the

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Village Center only. The proposed amendment states that if someone wishes to put apartments in the Rural Residential area, they would have to appear before the Zoning Hearing Board for a Special Exception, and if someone wished to put apartments in the Village Center, they would have to appear before the Board of Supervisors for a Conditional Use. Supervisor Fox stated the purpose of allowing the conversion of apartments was to allow the farmers to accommodate their extended family or farm employees to live there and work the farm. Unfortunately, developers have found a loophole around the intended purpose of allowing conversions, which is what the Supervisors are attempting to correct. Chairman Bennett asked if the homes that currently contain apartments are "grandfathered". Supervisor Fox replied they would have to be, as long as they have a permit.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to **adopt Ordinance #94-1, amending the Hilltown Township Zoning Ordinance of 1983, as amended, amending Section 404 B5, and Section 405 B5 - Conversion.**

***The Public Hearing was adjourned at 8:09PM, and the regularly scheduled Board of Supervisors meeting was called back to order.**

H. CORRESPONDENCE - Mr. Bruce G. Horrocks, Township Manager -

1. Correspondence was recently received from a resident of a private roadway, Shirley Lane, asking what is required to bring their street up to Township requirements in order to dedicate the road to the Township so that it is no longer private. Mr. Horrocks explained that any time there is foul weather, be it snow or ice, residents who live in homes located on private streets "forget" that they are responsible for snow removal and maintenance of their street. Mr. Horrocks realizes roads must be brought up to State specifications before they can be dedicated to the Township, and is attempting to determine State specifications in order to accomplish that. Mr. Horrocks noted most residents will be shocked at the cost involved. It has been suggested to those residents of private roadways that they and their neighbors should group together and contract with a private snow plow contractor. Mr. Horrocks intends to contact the resident of Shirley Lane with the specifications and details of what is involved with bringing private roads up to State standards. Discussion took place concerning private roadways, with Chairman Bennett suggesting that Mr. Horrocks advising residents of private roads that they do live on private roads and should form some type of association for snow removal.

Chairman Bennett commended Mr. Horrocks for the fine job he has done while working with a smaller staff, since three employees were laid off 60 days ago.

2. The audit from the Telford Volunteer Fire Company Relief Association has been received from the State Auditor General for the period of January 1, 1991 through December 31, 1992, which will be on file at the Township office for review.

3. At the last meeting of the Fire Prevention Bureau, Mr. Joe McDonald, the president of Sellersville Fire Company, presented a plaque to the Board of Supervisors in recognition and appreciation of their generous contribution to restore Ladder #27. Mr. Horrocks noted funds for this restoration came from the fire reserve fund while it was still in effect.

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

1. Solicitor Grabowski presented the Mark Crawford Act 537 application. Mr. Crawford owns 1.16 acres on Green Street and has made application to the Township to install a small flow sewage treatment facility, capable of treating 500 gallons of sanitary sewage daily for a proposed single family dwelling. The Township, by previous decision, directed Mr. Crawford to enter into a maintenance agreement, thereby funding cost of an underdrain along Green Street to allow for drainage and to provide for an escrow of \$2,500.00.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to accept the Crawford Maintenance Agreement for installation of a small flow sewage treatment facility.

2. Solicitor Grabowski presented an application to the Township from Jacob and Francis Smith for a similar small flow sewage treatment facility to serve a proposed single family dwelling on a 1.26 acre parcel located on Broad Street. Mr. and Mrs. Smith have deposited the sum of \$2,500.00 with the Township to be held in perpetual escrow. In this case, however, there was no underdrain necessary, so there was no additional costs involved.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to accept the Smith Maintenance Agreement for installation of a small flow sewage treatment facility.

J. ENGINEERING: None.

K. PLANNING - Mr. Bruce G. Horrocks:

1. Tel-Vil Corporation - On January 24, 1994, Mr. Wynn had discussed the buffer yard revision, dealing with trees, from Tel-Vil Corporation with the Board of Supervisors. Mr. Wynn

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recommended the issue be forwarded to the Planning Commission, who reviewed the proposed changes which would remove 11 deciduous trees from Lot #4 along the common boundary line with Kunkin Steel, and install 22 evergreen trees along Cherry Lane on the Archie Pizza property. The evergreen plantings are proposed to provide buffering on the non-conforming warehouse use of Archie Pizza. The Planning Commission unanimously recommended approval of the proposed buffer yard revision.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to adopt the revision to the buffer plantings for the Tel-Vil Corporation Subdivision, as specified above.

L. RESIDENT'S COMMENTS:

1. Mr. John Gillespie of the Silverdale Fire Company stated that it is the fire company's policy during an emergency situation, to plow roads whether they are private or otherwise, in order to respond with an emergency vehicle. Mr. Horrocks noted if the police department receives an emergency call, and there is a Hilltown Township plow nearby, the Public Works Department will respond, preceding an ambulance or other emergency vehicle, providing a 911 call is received.

Mr. Horrocks commented the Public Works Department has done an exceptional job this winter. Chairman Bennett agreed, stating the Board of Supervisors appreciate their hard work.

M. SUPERVISOR'S COMMENTS: None.

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

O. ADJOURNMENT: Upon motion by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to adjourn the February 28, 1994 Board of Supervisors meeting at 8:29PM.

Respectfully submitted,

Lynda Seimes
Lynda Seimes
Township Secretary

18453A

ORDINANCE NO. 94-1

AN ORDINANCE AMENDING THE HILLTOWN TOWNSHIP ZONING ORDINANCE OF 1983, AS AMENDED, AMENDING SECTION 404 B5, AND SECTION 405 B5.

Preamble

The Hilltown Township Board of Supervisors, upon review by the Hilltown Township Planning Commission and the Bucks County Planning Commission, hereby adopts the following Ordinance amending the Hilltown Township Zoning Ordinance of 1983, as amended.

ARTICLE I

Section 404 - Table of Use Regulations, subsection B5 (page 179) is hereby revised and amended to read as follows:

B.	<u>Residential</u>	<u>CR</u>	<u>RR</u>	<u>VC</u>
	B5 Conversion	SE	SE	CU

ARTICLE II

Section 405 - Use Regulations, subsection B5 (page 39) is hereby revised and amended to read as follows:

B. RESIDENTIAL

B5 Conversion

(a) In a Village Center (VC) district any existing single-family dwelling or accessory structure may be converted to a multi-family dwelling subject to conditional use and the criteria below.

(b) In a Country Residential (CR) or Rural Residential (RR) district any existing single-family dwelling may be converted to a multi-family dwelling for the sole use of individuals, and their immediate families, engaged in agricultural employment on the same site subject to special exception and the criteria below.

ARTICLE III

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby amended to the extent of such inconsistency.

ARTICLE IV

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, such infirmity shall not affect or impair the remaining provisions, sentences, clauses, sections, or parts of this Ordinance.

SO ORDAINED AND ENACTED this _____ day of _____ A.D., 1993.

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS