

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED WORKSESSION MEETING
Monday, November 8, 1993
7:30PM**

The Worksession meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:45PM 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 Buzby, Director of Public Works
George C. Egly, Chief of Police
Eric D. Applegate, Code Enforcement Officer
John Friel, Zoning Officer

Chairman Bennett announced the Board and Mr. Horrocks met in Executive Session prior to this meeting, to discuss personnel matters.

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

1. Mr. Horrocks requested the Board's direction to distribute the Foreign Fire Relief monies among the seven responding fire companies. In lieu of a more detailed formula, Mr. Horrocks recommends the same distribution as was given last year, which is that the increase of funds would go to Silverdale Fire Company, and every other fire company would receive the same dollar amount received in 1992. Supervisor Bennington noted the increase for 1993 is only \$679.00. Chairman Bennett advised total funds received for the 1993 distribution is \$57,519.00.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to distribute the Foreign Fire Relief monies in the amount of \$57,519.00, by the same distribution as was given in 1992, with the \$679.00 increase going to the Silverdale Fire Company, and to recommend that a more thorough investigation is done before the 1994 distribution to insure the integrity and a more equal distribution of funds.

2. Mr. Horrocks presented linens for signature for the Blooming Glen Quarry Maintenance Building following this meeting. There were no agreements required in this matter, therefore there is no concern on the behalf of the Township Solicitor and the Township Engineer.

3. A speed study was conducted on Broad Street from Upper Church Road to Rt. 152, and the Hilltown Township Police Department is recommending a speed of 35 m.p.h. on that stretch of the roadway. If the Board so wishes, advertisement for a Public Hearing to consider the adoption of an Ordinance lowering the speed limit on Broad Street can be placed.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize advertisement of an Ordinance to consider reduction of the speed limit on Broad Street.

As traffic continues to increase, Chairman Bennett wondered if it would be possible to post all Township roadways at 35 m.p.h.. With the population of Hilltown Township growing, Chairman Bennett believes this may be a viable solution. Discussion took place with Chief Egly.

3. Mr. Horrocks is seeking authorization for advertisement for a short, simple amendment to the Zoning Ordinance, dealing with Section 404 B5, Conversion.

Mr. Horrocks explained "Conversion" deals with homes being converted into apartments. The addition is found in VC-Village Center, and proposes the addition subject to Conditional Use which is approved by the Board of Supervisors, and with CR-Country Residential and RR-Rural Residential, the proposed addition is that it will be subject to a Special Exception, which is approved by the Zoning Hearing Board.

Supervisor Fox requested that one clarification be added. The proposal has been forwarded to the Board from the Planning Commission, who voted at their last meeting for this change in the Conversion Table. Over the years, Supervisor Fox feels it has gotten away from what it was supposed to be, which was to allow old farmhouses or sections of farmhouses, to be converted into apartments for the owner's married children or tenants who worked on the farms. Under "I" in this Section, Supervisor Fox would like to see a statement that the reason for this amendment is the older farmhouses and farm families. If the Township wished to have apartments in the Rural Residential area or other portions of the Township, Supervisor Fox believes they would have changed the Comprehensive Plan a long time ago for areas where we do not want apartment houses. Chairman Bennett recalls several years ago when discussion took place concerning in-law suites. Supervisor Fox stated that is a different issue because the circumstances would be that a relative would be utilizing the same kitchen and it is attached to the house. Therefore, an in-law suite would be an addition, and a conversion is not an addition. A conversion would actually be constructing apartments inside an existing dwelling, utilizing separate kitchens and separate baths. When Supervisor Fox moved into Hilltown Township, most farmhouses contained two separate kitchens, living rooms, etc.. However, this was not meant to be legal, because the idea was not to have apartments within the Rural Residential Zoning District.

Chairman Bennett asked if a similar conversion had been approved recently. Supervisor Fox replied that he is aware of one. Such

Page 3
 Board of Supervisors Worksession
 November 13, 1993

8 (122)
 requests have been going to the Zoning Officer, who has been following the Zoning Ordinance. Neither the Planning Commission nor the Board of Supervisors review these conversion requests unless the applicant is adding on or proposing to build in the right-of-way in an older home that is located close to the road.

Supervisor Bennington noticed Supervisor Fox had mentioned adding Section I in the Use Regulations, however that is not listed on the proposal before the Board. Supervisor Fox stated the Planning Commission recommended the addition of Section I, however it appears to be omitted from the proposal. Supervisor Fox feels it would be wise to advertise it with the addition of Section I.

Chairman Bennett asked if, for historical reasons, this type of conversion has been permissible in the past. Supervisor Fox replied it has not. The Comprehensive Plan has never changed, and it presently denies apartments in the Rural Residential Area, as well as other areas, except for the Development Area.

Supervisor Bennington asked for clarification of the proposed Section I. Supervisor Fox replied Section I speaks of the conversion of only old farmhouses. Mr. Horrocks suggested the Township Solicitor review that subparagraph dealing with old farmhouses, to determine what is considered "old".

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to advertise the proposed amendment to the Zoning Ordinance concerning Conversions, direct the Township Solicitor to clarify definition of "old farmhouse", and authorize the Planning Commission to review proposed subparagraph I.

4. Mr. Horrocks opened the lone bid received from Collinson, Inc. for New and Used Guiderails. The bid price received was in the amount of \$44,955.31. If the Board cares to award this bid, all the funds will be provided from the undefined public road improvement escrow monies. Chairman Bennett asked why there was only one bid for this project. Mr. Buzby, Director of Public Works, replied to his knowledge there are only three companies in this area that do this type of work.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to accept the lone bid from Collinson Inc. for New and Used Guiderails in the amount of \$44,955.31.

Chairman Bennett asked if Hilltown Township has recently purchased items through the Consortium of Upper Bucks County. Mr. Horrocks replied there are really not many purchases made by the Upper Bucks Consortium, though the Lower Bucks Consortium does get involved in purchasing.

1774
Page 4
Board of Supervisors Worksession
November 8, 1993

B. CORRESPONDENCE - None.

C. CONFIRMED APPOINTMENTS: None.

D. DIRECTOR OF PUBLIC WORKS REPORT - Mr. Thomas Buzby, Director of Public Works - Mr. Buzby read the Public Works Report dated October 3 through October 30, 1993, which is on file at the Township office.

Mr. Buzby advised the Public Works Department is in the process of leaf pick-up, however there is not a set schedule to clean ditches. Mr. Buzby mentioned that several residents are utilizing the leaf drop off site here at the Township building.

Supervisor Bennington complimented the Public Works Department on the fine job they did on Broad Street.

E. POLICE CHIEF'S REPORT - Chief George C. Egly - Chief Egly read the Police Report for the month of October, 1993 which is on file at the Township office.

Supervisor Bennington mentioned the fact that police officers charge the Township for Daylight Savings Time, and asked if the Township gains an hour from the officers when clocks are set forward one hour. Chief Egly replied that is not true. Supervisor Bennington felt it would only be fair, since the officers are charging for an hour overtime when the clocks are set back. Chief Egly commented this issue has been a problem for all of the 31 years he has been in law enforcement. Before contracts were in existence, officers were paid only for the hours worked, however with the advent of contracts, that is no longer the case.

Chief Egly presented copies of the Seat Belt Safety Grant for Chairman Bennett to sign following this meeting.

F. CODE ENFORCEMENT OFFICER'S REPORT - Mr. Eric D. Applegate - Mr. Applegate read the Code Enforcement Officer's Report for the month of October, 1993 which is on file at the Township office.

Chairman Bennett noted revenues are down by almost 50% for 1993, as compared to 1992. Mr. Applegate feels revenues in 1994 will increase marginally. Supervisor Bennington suggested Mr. Horrocks contact neighboring municipalities to determine if Hilltown Township's building fees are comparable.

G. ZONING OFFICER'S REPORT - Mr. John Friel - Mr. Friel read the Zoning Report for the month of October, 1993 which is on file at the Township office.

Supervisor Bennington asked Mr. Friel to remain following the meeting in order to get clarification on a recent zoning denial.

H. HILLTOWN FIRE CHIEF'S REPORT - Mr. Robert Grunmeier, II - Mr. Grunmeier read the Hilltown Fire Company Report for the month of October 1993, which is on file at the Township office.

Mr. Grunmeier advised progress for purchase of a refurbished truck should take place in either late 1993 or during January, 1994.

The new territory for the Quick Response Service, which is the medical unit being run out of Line Lexington Station 60, is completed and on-line. One exception for coverage area, however, would be Keystone Drive between Fairhill Road and Schoolhouse Road. Mr. Grunmeier explained that service area was contested by Silverdale Fire Company, but to avoid confrontation, that service area was dropped. The Silverdale Fire Chief has been instructed to submit a letter to Hilltown Township stating his reasons for the contention. The remaining service area shown on the map has been approved by all parties involved. Also, Centennial Ridge and Conestoga Way were both added to the map, per Souderton Ambulance Corp..

With regards to the Foreign Fire Tax, the Supervisors previously suggested it be reviewed for 1994, on a different distribution rate basis. Mr. Grunmeier asked if any of the seven responding fire companies might face a funding cut. At this point, Supervisor Bennington can not answer that questions, because he would like to determine if there is a fair distribution of Foreign Fire Tax funds at present. Mr. Grunmeier asked when the new distribution rates might come into effect. Supervisor Bennington replied that will not happen until the Foreign Fire Tax monies are distributed in November of 1994. Mr. Grunmeier is concerned because a budget cut could be detrimental to the fire department.

Chairman Bennett noted there are several ways to distribute funds, including by area. If the distribution was done by area and the percentage of land covered by the various fire companies, Chairman Bennett believes the it would be quite a bit different from today's distribution. If it was done purely by area, Hilltown, Silverdale and Dublin would each be handling 23% or 24% in terms of physical area of the Township, however the funds are not presently split that way. Other municipalities have distributed funds on the basis of assessed valuation, which would be a big change to the present method of fund distribution, basically because shopping centers, etc., are concentrated within one area of the Township.

Chairman Bennett is not necessarily suggesting a change of distribution, however the Board would like it to be done in the most fair way possible to all seven responding fire companies. The

money decision will be made, ultimately, by the Board of Supervisors, however during discussions with the newly formed Fire Prevention Panel, there may be some ideas contributed as to what type of system should be used. Mr. Grunmeier hoped that the impact of financial cuts to the fire companies would be taken into consideration.

Supervisor Bennington stated he is not seeking a drastic cut in funding, however in his opinion, Silverdale Fire Company is greatly underfunded at present. Supervisor Bennington would prefer to look at the whole picture, rather than unilaterally when making a decision to cut funds from any fire department. To be fair, Supervisor Bennington can not tell Mr. Grunmeier what effect 1994 funding might have on Hilltown Fire Company's funding, though he does not look to drastically cut funding for any of the seven fire departments. Mr. Grunmeier agreed that Silverdale Fire Company is underfunded, however he does not believe they are underfunded from this Township. Supervisor Bennington noted he has no control over Silverdale Fire Department's other funding. Hopefully, when the Supervisors look at the whole picture, they will be able to determine funding that is fair to every fire department.

Supervisor Fox stated the formula used for this evening's distribution was discussed in great detail, yet there were so many intangibles involved. Supervisor Fox reminded Mr. Grunmeier that Hilltown Township gives a large amount of money for insurance to the home base fire company, and he would hope it would remain the same. Chairman Bennett stated the Board will attempt not to make any drastic changes to the distribution.

Residents have been questioning Mr. Grunmeier about a proposed shopping center in the Line Lexington area, and asked if the Board knows about it. Chairman has only heard rumors the past few days, however he does not know anything certain about that.

I. EMERGENCY MANAGEMENT COORDINATOR'S REPORT - Mr. Robert Grunmeier, II - Mr. Grunmeier advised Hilltown residents recently expressed concern over a possible release of toxic gas in Montgomery County. Mr. Grunmeier contacted Mr. John Dougherty, the Bucks County Emergency Management Coordinator, who in turn notified Montgomery County. It was determined that a Montgomery County business released nitric oxide, which thankfully turned out to be nothing, and was taken under control. There appears to be a bit of a communication problem between Bucks and Montgomery counties, and Mr. Dougherty has agreed to initiate some type of communication lines between the two counties.

Supervisor Bennington recalls that Mr. Grunmeier had previously indicated he is no longer interested in serving as the Emergency Management Coordinator after the first of the new year. Mr. Grunmeier agreed, stating he really does not have the time to

Page 7
Board of Supervisors Worksession
November 8, 1993

spare. Supervisor Bennington asked if Mr. Grunmeier has any one in mind to fill that position. To date, Mr. Grunmeier advised there are three potential candidates for the position. Mr. Horrocks is aware of two of the interested parties.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to advertise for the vacant position of Emergency Management Coordinator for Hilltown Township.

J. RESIDENT'S COMMENTS:

1. Mrs. Jean Bolger announced the Taxpayer's Association will be holding it's monthly meeting on Tuesday, November 9, 1993 at 7:30PM here at the Township Building. Representative Thomas Druce will be the guest speaker.

Further, Mrs. Bolger advised the Pennridge Taxpayer's Association was able to obtain 8,507 official signatures on the petition regarding the teacher's strike in eight days.

2. With regards to discussion which took place earlier concerning the change to the Zoning Ordinance for Conversion, Mr. John Snyder recommended the Board of Supervisors set a date limit, rather than just stating "old farmhouse". Mr. Snyder feels "old" will be considered a vague term.

When an applicant appears before the Zoning Hearing Board proposing apartments in an old farm house seeking a Special Exception, Chairman Bennett asked if the applicant is required to pay a \$500.00 Residential fee, or a \$1,500.00 Commercial fee. Supervisor Fox replied if the site is located in a Residential Zoning District, the applicant will pay the \$500.00 residential fee. Chairman Bennett asked what happens if a developer owns an old farm house that he wishes to convert into apartments. Supervisor Bennington feels apartments and commercial operations are two different things.

Also, presently before the Planning Commission there is an application for a two lot subdivision on Mill Road, between Diamond and Green Street called the Wietecha Subdivision. Mr. Snyder knows the applicant will be appearing before the Board of Supervisors in the not to distant future.

Mr. Buzby's crew did an excellent job this year attempting to cut back the wild rose bushes that now completely obscure the "s" turn on Mill Road. Mr. Snyder wondered whether the cutting of the wild rose bushes by the applicant could be made a condition of plan approval for any waivers they are requesting. When that pasture was used for cattle, the wild rose bushes were kept to a minimum, however that is no longer the case. Mr. Snyder presented a

1778
Page 8
Board of Supervisors Worksession
November 8, 1993

photograph of the site, showing the overgrown wild rose bushes.

K. SUPERVISOR'S COMMENTS: None.

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 November 8, 1993 Board of Supervisors Worksession meeting was adjourned at 9:00PM.

Respectfully submitted,

Lynda Seimes

Lynda Seimes
Township Secretary

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