

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED WORKSESSION MEETING
Monday, February 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 7:35PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman
Jack C. Fox, Supervisor
Bruce G. Horrocks, Township Manager
George C. Egly, Chief of Police
Thomas A. Buzby, Director of Public Works
Eric D. Applegate, Code Enforcement Officer
Samantha Fellman, Zoning Officer

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

1. Mr. Horrocks presented Resolution #93-11, which establishes commission rates for the office of Tax Collector, beginning January 1, 1994 and ending December 31, 1997. Those commission rates are as follows:

Real Estate Tax	\$ 2.15 per tax bill
Per Capita Tax	\$.50 per tax bill paid
Fire Hydrant	5% of gross revenue paid
Street Light	5% of gross revenue paid

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to adopt Resolution #93-11, establishing commission rates for the office of Tax Collector, beginning January 1, 1994 and ending December 31, 1997.

2. Mr. Horrocks presented Resolution #93-12, which deals with County Liquid Fuel allocations. Bucks County is one of the only counties who offers a 90% "No Strings" option to receive funds more quickly. In the past, Hilltown Township has always opted for the full 100% distribution of Liquid Fuels monies, which involves a bit more paperwork and a bit more time.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to adopt Resolution #93-12 to accept 100% of Liquid Fuel monies.

3. Mr. Horrocks is requesting Board authorization for bids on a road driveable, 16 ft. width cut lawn mower, which will benefit the open space the Township is increasingly obtaining, and also relieve the current lawn mower. That money would be coming from the Bond. Supervisor Bennington asked the approximate cost of the lawn mower. Mr. Horrocks replied an estimated cost would be \$49,000.00.

1459
Page 2
Board of Supervisor's Worksession
February 8, 1993

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to authorize advertising for bids for the lawn mower as specified.

4. Mr. Horrocks is requesting Board authorization to continue the policy that zoning complaints shall be received in writing on a Hilltown Township Zoning Complaint form prior to an investigation by the Hilltown Township Zoning Officer.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to continue the policy stating that zoning complaints shall be received in writing, on a Hilltown Township Zoning Complaint form prior to investigation by the Zoning Officer.

5. Mr. Horrocks offered two appointments to the Recycling and Environmental Concerns Committee this evening. The new appointees are Ms. Rebecca Witczak and Mr. John Patton. Length of term for the Recycling and Environmental Concerns Committee has not yet been defined, though it will be discussed at their next meeting.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to appoint Ms. Rebecca Witczak and Mr. John Patton to the Recycling and Environmental Concerns Committee for a term not to exceed five years.

6. Correspondence has been received from Brownie Troop #23 requesting the waiving of fees for their use of the Scout Cabin on Friday, May 14, 1993 and Saturday, May 15, 1993. This same group utilized the Scout Cabin for an overnight last year, and the Board did waive the fees because of their non-profit status, at that time.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to waive Scout Cabin rental fees for Brownie Troop #23 on the dates specified.

7. Mr. Horrocks offered an appointment to the Board of Auditors, to complete the vacant term, which will expire on December 31, 1993. The appointee is Mrs. Marguerite Walton. Mr. Horrocks noted the term Mrs. Walton will be completing will be up for re-election in May of 1993.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to appoint Marguerite Walton to the Board of Auditors, for a term which expires on December 31, 1993.

8. Following this meeting, there are linens for the Country Roads development which require Board signatures.

B. CORRESPONDENCE - Mr. Bruce Horrocks, Township Manager -

1. Correspondence has been received from the Telford Volunteer Fire Company. They have purchased two new trucks and will be holding a parade and dedication ceremony on May 22, 1993, which they have invited the Board of Supervisors to attend.

2. Correspondence has been received from Mr. Bob Wynn, Township Engineer, concerning the speed limit through the village of Blooming Glen. Mr. Wynn has written a letter to Douglas May of PennDot, with a copy being sent to Mr. Tom Druce. Mr. Horrocks spoke to Mr. Druce, who has contacted PennDot, supporting the Township's request for a new traffic study because of the change in demographics.

3. A draft Population Projections Review has been received from the Bucks County Planning Commission, for the years 2000, 2010 and 2020. Mr. Horrocks will complete the survey and return it to the Bucks County Planning Commission.

4. Information has been received concerning Local Government Week. Mr. Horrocks asked if it was still the Board's intent to sponsor student participation at a Supervisor's meeting during Local Government Week. The Board was in agreement to sponsor student participation, as was done in the past.

C. CONFIRMED APPOINTMENTS: None.

D. DIRECTOR OF PUBLIC WORKS REPORT - Mr. Thomas A. Buzby -

Mr. Buzby read two Public Works Reports. The first is dated November 29 through December 26, 1992, and the second is dated December 27, 1992 through January 23, 1993. Both reports are on file at the Township office.

Mr. Buzby advised the pipe he ordered for the Broad Street and Middle Road stormsewer has come in. Hopefully, work will begin on this project within the next week.

The Public Works Department has been invited to attend the Upper Montgomery/Bucks County Community Affairs Association annual meeting. There is no charge for this meeting, which will be held at the Milford Firehouse on Wednesday, February 24, 1993. They are offering a program on road asphalt and recycling of asphalt at this year's meeting, which Mr. Buzby feels will benefit the Public Works Department.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously for the Public Works Department to attend Upper Montgomery/Bucks County Community Affairs Association

1461
Page 4
Board of Supervisor's Worksession
February 8, 1993

Meeting on Wednesday, February 24, 1993.

Supervisor Bennington saw photos of the gabion rebuilding on Reliance Road and commented the Public Works Department did a very nice job.

Concerning guide rails, Mr. Buzby has been pursuing quotes on previously used guide rails in order to reduce the cost.

Chairman Bennett asked if the Public Works Department would be qualified to take over maintenance of traffic lights, instead of utilizing the firm of Wampole-Miller. Mr. Buzby believes Wampole-Miller guarantees their replacement bulbs for one year, and they are changed free of charge. If the Township Public Works Department were to take over maintenance of traffic signals, assistance would be required from the police department since we do not have access to a bucket truck. Therefore Mr. Buzby does not believe the Township would be saving any money. Chairman Bennett advised Wampole-Miller is proposing to maintain the traffic signals at a rate of \$1,250.00 this year, which is a 25% increase over previous years.

E. POLICE CHIEF'S REPORT - Chief George C. Egly -

Chief Egly read two Police Reports for the months of December, 1992, and January, 1993. Both reports are on file at the Township office.

Chief Egly commended Mr. Buzby and the entire Public Works Department for the excellent job they did clearing the roads during the winter storm this past Saturday, and condemned PennDot for doing the lousiest job he has ever seen. In Hilltown Township, there were fifteen accidents on PennDot maintained state roads, and only one on a Township road during the storm.

Chairman Bennett commented the annual convention of the Bucks County Supervisors was held at Warrington Country Club this past Saturday. Among the speakers were two of Bucks County Commissioners, Paul Clymer and Stuart Greenleaf, to name a few, all of whom condemned PennDot for lack of road maintenance during the storm. Chairman Bennett and Supervisor Fox traveled approximately 15 miles to attend, and did not see one single PennDot snow plow or cinder truck on those state roads. Chairman Bennett echoed Chief Egly's thanks to the Hilltown Township Public Works Department.

F. CODE ENFORCEMENT OFFICER'S REPORT - Mr. Eric D. Applegate -

Mr. Applegate read the Code Enforcement Officer's Report, dated January, 1993, which is on file at the Township office.

Page 5
Board of Supervisor's Worksession
February 8, 1993

Supervisor Fox asked if a letter is sent to contractors on a yearly basis advising the renewal of contractors license is due. Mr. Applegate replied when someone makes application for a building permit, an itemized list of the contractors proposed is requested. At that time, his department confirms license numbers and advises of renewal.

G. ZONING OFFICER'S REPORT - Ms. Samantha Fellman -

Ms. Fellman read the Zoning Officer's Report, dated January, 1993, which is on file at the Township office.

Ms. Fellman asked the Board's opinion on Registration for Non-Conformities. The Board approved Ms. Fellman's suggestion to begin an on-going registry of non-conformities.

H. HILLTOWN FIRE CHIEF'S REPORT - Mr. Jim Gill, Fire Chief -

Mr. Gill read the Hilltown Fire Chief's Report for the months of December, 1992, and January, 1993, both of which are on file at the Township building.

Mr. Gill noted Hilltown Fire Company will host a farm rescue class, through the Bucks County Fire School, to be held in April at the Kevin Bishop farm. Also, in September, the Hilltown Fire Company will be hosting a two day tanker drill.

Supervisor Bennington heard there had been an oil spill at Farm and Home Oil, and asked for details of the incident. Mr. Gill explained the spill occurred in West Rockhill. Apparently they had experienced tank overflow.

Chairman Bennett asked if the overall number of fire fighter volunteers has risen since a year ago. Mr. Gill replied the number of volunteers is on the rise, with an influx of 14 to 18 year old individuals willing to serve.

If the fire company goes out on a false alarm, Supervisor Fox asked if that is noted on the fire report. Mr. Gill replied that if he is completing the report, he will note false alarms on the report.

I. RESIDENT'S COMMENTS:

1. Mr. Richard Smith of Skunk Hollow and Callowhill Roads, is before the Board to express his concern about the Gro-N-Sell Land Development. When Gro-N-Sell first made their proposal, it was with the understanding that they would only be utilizing a minimal amount of water, however now it appears that Gro-N-Sell has tripled the amount of water they are requesting to use.

1463
Page 6
Board of Supervisor's Worksession
February 8, 1993

After reading the minutes of the December meeting, Mr. Smith believes too many crucial items may be waived for this land development, such as the paving of driveways and parking areas. Mr. Smith lives directly across the street from this proposed project, and feels if the driveways and parking areas are not paved, it will create a great amount of dust. Mr. Smith does not approve of this development, and expressed displeasure that the applicant did not contact him or other immediate neighbors before this proposal was made. Mr. Smith and his neighbors would like to be sure that the same thing does not happen with this project as happened with the quarry. Mr. Smith was never against the quarry, which was constructed legally. He is present this evening to insure that Gro-N-Sell does not become a retail sales operation.

Mr. Smith asked why the pump test conducted by Intex was allowed to be conducted in February, when water is at it's highest level, instead of during July or August, when the area is very dry. Mr. Smith does not believe accurate results will be obtained under these circumstances. Mr. Smith has very low gallonage in his well, even though his well is quite deep, however he has never been affected by draughts experienced in the past.

Concerning paving throughout this project, Supervisor Fox explained for commercial and industrial uses, it is contained in the Zoning Ordinance, under Section 521, that any commercial or industrial building which has more than four employees, must pave with a substance similar to asphalt.

Supervisor Fox commented when the developer originally appeared before the Planning Commission, they stated they would be using 800 gallons of water per day. Since that time, they have revised their estimate to 2,200 to 2,400 gallons of water per day, and Supervisor Fox believes they will utilize even more than that.

With regards to the pumping tests being conducted at this time of year, Supervisor Fox explained it is supposed to be figured in, as far as the water tables are concerned. They will check where the water tables are before they pump, and after they pump, they will periodically check where the static level is. Supervisor Fox believes nine neighboring wells were to be monitored in this study.

Supervisor Bennington asked if there would be reason to reject the Gro-N-Sell plan if one of the monitored wells is driven below the static level. Supervisor Fox replied if that happened, the Gro-N-Sell plan would not be approved until they find a well or wells that will not affect the neighboring wells. If that were the case, Gro-N-Sell would have to re-drill their well.

Chairman Bennett assured Mr. Smith that the Board will follow this project closely, insisting that conditions of plan approval are

Page 7
Board of Supervisor's Worksession
February 8, 1993

met.

Supervisor Bennington asked when the final plan will come before the Planning Commission. Supervisor Fox replied it might possibly come before the Planning Commission in either February or March, and noted the Planning Commission will not recommend approval of the plan unless the pump test is received and reviewed. Supervisor Bennington suggested Mr. Smith contact the Township Manager later this week to learn if Gro-N-Sell will be on the agenda for the February Planning Commission meeting.

2. Mr. Bill Godek asked for the status of the quarry and what is happening at Blooming Glen and Skunk Hollow. Chairman Bennett explained the Township Solicitor could not be present this evening, and the Board is waiting for his opinion. Mr. Godek asked if the Board has had the opportunity to review the original agreement with the quarry. Chairman Bennett has reviewed the document, and feels the language, as he reads it, is a bit vague.

If the quarry is in violation of the agreement, Mr. Godek asked what the Board intends to do about it. Supervisor Fox would have to give the matter much more thought and consult with the Township Solicitor before giving an opinion. After his initial review of the agreement however, Supervisor Fox stated he would like to see a better agreement, since the present one is a terrible one for the residents in the Broad Street area.

Supervisor Bennington is willing to amend the agreement if it is to the benefit of the Township, not just one individual. Mr. Godek asked what he considered as being "the benefit of the Township". Supervisor Bennington replied if it would affect the health, safety and welfare of all Township residents.

At a prior Supervisor's meeting, before they decided to move that asphalt plant, Mr. Godek stated someone mentioned that DER or EPA would be enforcing more stringent regulations for someone attempting to open an asphalt plant, and therefore, if someone did not move that asphalt plant before the end of the year, they would then fall under these more stringent regulations. Mr. Godek would consider that from the EPA to be more to the health, welfare, and benefit of more than one individual. Supervisor Bennington stated that was strictly Mr. Godek's opinion.

Chairman Bennett somewhat agreed with Supervisor Bennington, stating it is Mr. Godek's personal opinion as to whether or not H & K Quarry is in violation of the agreement. If the Township Solicitor tells him that H & K is in violation of the agreement, it leaves the Board only two clear choices. Those choices are to either enforce the agreement as interpreted by the Solicitor, or possibly amend it. Conditions are somewhat different today than

1465
Page 8
Board of Supervisor's Worksession
February 8, 1993

they were in 1981, and none of the present Board was on the Board of Supervisors at that time. As elected officials, Mr. Godek stated the Board of Supervisors are to uphold the legal obligations of the Township. Mr. Godek gets the feeling there is a lot of "stonewalling" going on. Chairman Bennett replied there is no "stonewalling" going on.

Mr. Godek quoted from Sections 8 and 20 of the agreement with H & K Quarries. Based upon this agreement, Mr. Godek believes H & K shall operate two plants at one site, and the agreement was signed by the Township, H & K Quarries, and Mr. Horn. Mr. Godek has heard promises from the Supervisors before, and he is tired of hearing the promises with no results. If the Board is interested in the health, welfare and benefit of the entire Township, Mr. Godek feels the Supervisors should follow the signed agreement to the letter.

Supervisor Bennington stated there are three Supervisors on the dias this evening who have been elected for a six year term. If Mr. Godek does not like what individual Supervisors are doing, he has the right to get a petition and run for Supervisor himself. Supervisor Bennington advised he will vote the way he wants to vote based upon the best interest of all the Township residents. Supervisor Bennington gave his opinion earlier, and stated he would not get into it any further this evening. Mr. Godek commented his right, as a citizen, is to inform the Board of Supervisors when he sees something illegal going on. Mr. Godek would like the Board to do something about this issue, and asked to be placed on the agenda for the next Township meeting.

J. PRESS CONFERENCE - A conference was held to answer questions from those reporters present.

K. ADJOURNMENT - Upon motion by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously, the February 8, 1993 Worksession meeting of the Board of Supervisors was adjourned at 8:45PM.

Respectfully submitted,

Lynda Seimes

Lynda Seimes
Township Secretary