

689

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED PUBLIC MEETING
Monday, October 8, 1990
7:30PM

The meeting was called to order by Chairman William H. Bennett, Jr. at 7:40PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman
Betty J. Kelly, Supervisor
Lee Buchanan-Gregory, Acting Township Manager
Francis X. Grabowski, Township Solicitor
Thomas Buzby, Director of Public Works

A. APPROVAL OF MINUTES: Supervisor Bennington advised page 12 of the Supervisor's minutes for September 24, 1990 was missing. (Attached to these minutes is a copy of page 12 of the September 24, 1990 Supervisor's minutes, which was omitted due to copying error). Supervisor Bennington stated he wished to ensure that on page 13, third paragraph, it was to be understood Mr. Derstine would be financially responsible for those improvements at a later date. Supervisor Bennington followed up on the request from the Planning Commission Board for a suggested site location of the living memorial tree to be planted in Mr. Vincent Pischl's honor. The Board of Supervisor's inspected the Municipal Building grounds this evening and have suggested the open area bordering Route 152.

Chairman Bennett asked Mr. John Snyder if he had reviewed the matter of liability insurance, discussed on page 3 of the September 24, 1990 minutes. Mr. Snyder replied he had sent correspondence to Ms. Buchanan-Gregory advising liability is included in the current policy the Township has under Political Subdivisions. There would be no additional charge for liability, even for a swimming pool. Mr. Snyder did caution the Supervisor's about adding Green Meadows as an additional insured, because this would open up the possibility of liabilities in the entire Green Meadows development.

Supervisor Bennington questioned what happens when liability insurance is not held. Mr. Snyder explained Green Meadows is a Planned Unit Development with common owned ground, which has a homeowner's association. Mr. Snyder stated the Homeowners Association could possibly assess each individual unit owner for a portion of the liability. Chairman Bennett advised he would pass this information along to Mr. Robert Wendig, Chairman of the Parks and Recreation Board.

Chairman Bennett questioned if Ms. Grace Sum, the executive director of the Pearl S. Buck Foundation, had submitted an application for Community Development Block Grant Funds. Ms. Buchanan-Gregory advised Ms. Sum had not submitted an application, however, she may have contacted the Bucks County Community

Development Block Grant Fund Committee. Supervisor Bennington questioned the final date for receipt of applications for Community Development Block Grant Funds. Ms. Buchanan-Gregory stated it is November 20, 1990. Supervisor Bennington suggested contacting Ms. Sum to ensure application is made by the deadline date.

Chairman Bennett asked if any correspondence had been received from the U.S. Census Bureau regarding the Township's protest of census figures. Ms. Buchanan-Gregory replied no information has been received as of this date.

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the September 24, 1990 Supervisors' meeting, as corrected.

B. APPROVAL OF CURRENT BILLS: Chairman Bennett advised current billing totalled \$89,366.00, an unusually high total. However, there is a major item listed - the John Deere Backhoe - for \$59,000.00, with this money coming out of the Bond Fund. Supervisor Bennington asked for follow-up on the spouse dental coverage bill which was questioned at a previous meeting. Ms. Buchanan-Gregory advised the employee's spouse was not covered by dental insurance at his place of employment, and therefore was covered by the Township's dental plan.

Supervisor Bennington questioned the bill from Grim, Biehn, Thatcher and Helf on Glanzmann Automotive, for a Zoning Hearing Board meeting. Supervisor Bennington thought the Zoning Hearing Board granted Mr. Glanzmann an extension that evening, and there would be no hearing. Ms. Buchanan-Gregory was asked to research this further.

Motion was made by Supervisor Bennington, and seconded by Chairman Bennett to pay all bills when due. Supervisor Kelly abstained and stated she did not approve of the bill for \$1,195.80 for Mr. Kenneth Woodruff to complete the recycling grant application. Supervisor Kelly felt the application could have been completed in-house. Motion passed: 2:0:1.

C. TREASURER'S REPORT - Ms. Lee Buchanan-Gregory, Acting Township Manager -

Ms. Buchanan-Gregory stated the Board of Supervisor's has received a statement of revenues and expenditures through September 27, 1990. In addition, the Board has received the Supervisors' Report for Fund Activity.

D. RESIDENT'S COMMENTS ON AGENDA ITEMS ONLY: None.

E. CONFIRMED APPOINTMENTS:

1. Mr. Jack C. Fox - Mr. Fox appeared before the Board representing the Planning Commission. Mr. Fox stated the Planning Commission is receiving conflicting information from the Board of Supervisors, as far as the adoption of Zoning, Comprehensive Plan, Wastewater Facilities, and Subdivision/Land Development Ordinances are concerned.

Mr. Fox explained in the 1985 Budget, the Board of Supervisors approved monies to begin updating Ordinances. Those monies, as well as a Planner to begin those proceedings, was not forthcoming. Mr. Fox quoted Section 1010 of Periodic Review, stating Ordinances should be brought up to date every five years.

Mr. Fox stated the Planning Commission began in June of 1988, without a Planner, and without funds, to review and update the Ordinances, until November of 1988, when the firm of Carter Van Dyke was approved by the Board of Supervisors. The amount of money to be expended for this project from November, 1988 through November, 1989 is \$25,000.00. At that time, it was revised that funds would not be expended until January 1, 1989 to January 1, 1990. In the meantime, the \$25,000.00 dwindled to \$12,000.00 on an \$85,000.00 bid approval. The \$12,000.00 was spent in 1989. In 1990, because of lack of funding, the Planner was not engaged for service for five months. At that time, the Board of Supervisor's, with a proposal from the Planner, decided they would pay approximately \$18,000.00 to complete what the Planning Commission had not completed. The total bill will be approximately \$30,000.00. Mr. Fox advised over the last four years, the Planning Commission has completed approximately \$54,000.00 of the work the Planner should have done. Many evenings each month were spent by the Planning Commission Board, revising these four Ordinances, without guidance from a Planner, and without a secretary to institute this work. The contract stated the bills would be divided into four payments, at approximately \$5,000.00 per payment. Mr. Fox has been informed by Carter Van Dyke that one invoice has been sent to the Township for the Comprehensive Plan, and another invoice for the Zoning Ordinance will be sent shortly. Mr. Fox stated the Township is approximately three years behind in adopting these Ordinances.

Supervisor Bennington stated he spent many nights in 1988, as a member of the Planning Commission Board, reviewing the Comprehensive Plan. Supervisor Bennington advised the Bucks County Planning Commission review was received October 3, 1990, and he had intended to make a motion during the "Manager's Report" section of this agenda, to advertise as quickly as possible, to facilitate a public meeting. Mr. Fox stated the Township could have saved two weeks, had the Ordinances been advertised two meetings ago.

Chairman Bennett stated there is no delay by the Board of Supervisors in advertising the hearing, the revised Ordinance has only recently been sent to the Bucks County Planning Commission for review, and the Board would like to see their recommendations.

Mr. Fox advised the Bucks County Planning Commission takes forty five (45) days for review. Had the Board advertised for a hearing, advertisements must be placed twice during a 30 day period, by the time the review from the Bucks County Planning Commission had been returned, Mr. Fox feels the hearing for adoption could have taken place within a matter of weeks.

Solicitor Grabowski stated the Board of Supervisors received a copy of the proposed Comprehensive Plan, with the map following a few days later. The proposed revised Comprehensive Plan was sent immediately by the Board, to the adjacent municipalities, the school district and to the Bucks County Planning Commission for their review. Solicitor Grabowski advised Mr. Fox that it was the intent of the Board to allow resident's of Hilltown Township to review not only the proposed Comprehensive Plan, but also the recommendations and comments submitted by the Bucks County Planning Commission, the school district and adjacent municipalities, which had not yet been received, as of the last Board of Supervisor's meeting.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to advertise the Comprehensive Plan, as quickly as possible, to facilitate the public meeting no later than November 12, 1990.

2. Mr. Robert McGraw - Fire Panel - Mr. McGraw advised he is a member of a panel which was appointed in 1989 to study the seven fire companies in Hilltown Township. The thrust of the Fire Panel is to discuss ways to improve the relations between those companies, to study their financial posture, and to make recommended disbursements of the Foreign Fire Insurance Tax and Fire Tax, with that in mind. Mr. McGraw is before the Board this evening to present the Fire Panel's recommendation to the Board of Supervisor's for disbursement of State Funds to the various Fire Companies. The recommendations from the Fire Panel are as follows:

| | |
|--------------------------------|---------------|
| Hilltown Township Fire Company | - \$30,000.60 |
| Dublin Fire Company | - \$ 2,500.00 |
| Perkasie Fire Company | - \$ 2,500.00 |
| Sellersville Fire Company | - \$ 2,500.00 |
| Silverdale Fire Company | - \$ 8,493.00 |
| Souderton Fire Company | - \$ 2,500.00 |
| Telford Fire Company | - \$ 2,500.00 |

Supervisor Bennington questioned if this was for just the Foreign Fire Insurance Tax Distribution. Mr. McGraw stated that it was. Supervisor Bennington asked if the Fire Panel had met to discuss distribution of the Fire Tax Funds. Chairman Bennett advised the Fire Panel would be meeting within the next two weeks to discuss this issue. Supervisor Bennington asked if it was the feeling of the Fire Panel to maintain a reserve of that money, or to distribute the entire approximately \$94,000.00 out of the Fire Tax. Chairman Bennett replied this issue has not been specifically discussed this year, yet the feeling at previous meetings, was the reserve would be continued. Supervisor Bennington asked the logic behind keeping a reserve of funds. Mr. McGraw stated the Fire Panel felt the reserve was strictly a catastrophic reserve, such as loss of equipment, to replace on an emergency basis. Mr. John Snyder of the Hilltown Township Fire Company stated it is their feeling these monies should be disbursed, not held in reserve. Supervisor Bennington recommended a representative from each Fire Company be present at the next Fire Panel meeting to express their view of the distribution of the Fire Tax Funds.

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Chairman Bennett stated it was the intention of the Fire Panel to make these distributions more equitable among the Fire Companies. Supervisor Bennington reminded Chairman Bennett that this was the first year the Township has paid the \$15,000.00 for Hilltown Township Fire Company insurance and this should be taken into consideration, as far as the distribution goes. Chairman Bennett advised these disbursements would be made by October 24, 1990.

Solicitor Grabowski stated he is not sure if there is any 75%/25% state requirement for disbursements. Mr. Robert H. Grunmeier advised there is not a state requirement. The state law is that municipalities can give fire relief monies to other fire companies, if desired, who serve the municipality. At the time Mr. Grunmeier was on the Board of Supervisors, it was decided that 75% would go to the home base Fire Company, and 25% would be divided among the remaining Fire Companies who service Hilltown Township.

Supervisor Kelly suggested this issue be tabled until further discussion could take place between the Supervisors. Mr. McGraw stated this was a unanimous decision reached by the Fire Panel members after much research, and he felt if this decision was not honored, he wished to resign as a member of the Fire Panel.

Motion was made by Supervisor Bennington, seconded by Chairman Bennett, and carried unanimously to adopt Resolution 90-32 recommending the decision presented by the Fire Panel for disbursement of the Foreign Fire Insurance Tax, and request that a representative from each Fire Company be present at the next Fire Panel meeting.

F. MANAGER'S REPORT - Ms. Lee Buchanan-Gregory, Acting Township Manager

1. Ms. Buchanan-Gregory advised the next Upper Bucks Consortium meeting will be held on Thursday, October 18, 1990 at 8:30AM at the Hilltown Township Municipal Building.

2. There are seven escrow releases, all letters of credit, before the Board requiring authorization for release of funds. These escrow releases are listed below:

| | | |
|------------------------|-------------|------------|
| Hawk Ridge (L/C) | Voucher #32 | \$3,388.50 |
| Hawk Ridge (L/C) | Voucher #33 | \$3,375.00 |
| Hawk Ridge (L/C) | Voucher #34 | \$ 362.66 |
| Summit Court (L/C) | Voucher #21 | \$3,729.37 |
| Summit Court (L/C) | Voucher #22 | \$ 699.11 |
| Lotier Land Dev. (L/C) | Voucher #03 | \$ 461.44 |
| Bridle Run Sub. (L/C) | Voucher #05 | \$2,095.14 |

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to release the seven escrow authorization vouchers.

3. Ms. Buchanan-Gregory is in receipt of the Building Inspector/Zoning Officer's Report for the month of September:

- 13 Building Permits Issued
- Building - 2 New Homes
 - 6 Additions
 - 2 Decks
 - 6 Garages/Sheds

- 4 Plumbing Permits
- 6 Electrical Permits
- 11 Mechanical Permits
- 0 Pools
- 8 Use and Occupancy Permits

4. Philadelphia Electric Company has provided a 90-day extension, (dated September 27, 1990 and received in Hilltown Township October 7, 1990) for both the two lot subdivision, and the five lot subdivision.

5. The John Coleman Land Development was approved and plans were signed on March 26, 1990. The Planning Commission signed the plans on April 16, 1990. The plans have not been recorded, and need to be re-dated and re-signed by the Board of Supervisors following this meeting.

6. The Board of Supervisors has received an agreement between Dublin Borough and Hilltown Township for Hilltown to provide snow removal services on West Rickert Road for the 1990-1991 season. The annual payment is \$250.00. Supervisor Bennington suggested Ms. Buchanan-Gregory verify the snow removal only pertains to Rickert Road.

7. Ms. Buchanan-Gregory advised the Recycling Buckets are anticipated for delivery on Wednesday, October 11, 1990, and Thursday, October 12, 1990, in two staggered shipments.

Arrangements have been made with Mr. Tom Buzby, the Public Works Director, along with Mr. Jack Fox, Chairman of the Recycling Committee, and Ms. Buchanan-Gregory, to be on hand for delivery.

Mr. Tom Buzby, Director of Public Works suggested clearing a bay at the Maintenance Building on Rt. 113 for storage of the buckets. The original plan was to store the Recycling Buckets at the former Scout Cabin, however, to facilitate rapid unloading, the Maintenance Building may be more feasible.

8. Motion was made by Supervisor Bennington, seconded by Supervisor Kelly, and carried unanimously to appoint Mr. Robert Wynn to Assistant Zoning Officer, effective immediately. Mr. Wynn's term will expire on December 31, 1990.

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G. PUBLIC WORKS REPORT - Mr. Tom Buzby, Public Works Director

Mr. Buzby read the Public Works Report for the period of August 26, 1990 through October 6, 1990. The Public Works Report is on file at the Township office.

Mr. Buzby advised the trailer purchased on bid was delivered, however, it had to be returned due to being the wrong model trailer.

Chairman Bennett commended Mr. Buzby and the entire Public Works Department on the excellent job done placing stop bars at intersections.

H. POLICE CHIEF'S REPORT - Chief George Egly was not present at this meeting due to illness. Ms. Buchanan-Gregory read the Police Chief's Report. This report is on file at the Township Building.

Supervisor Bennington questioned the procedure on the monthly reporting of police overtime. Ms. Buchanan-Gregory explained the procedure.

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

- Mr. Grabowski presented a Resolution for the Board of Supervisors to consider for adoption. Mr. Grabowski explained with subdivisions within the Township, the internal roads are such that upon completion, they are then accepted by the Township for completion. At that time, the roads go into an 18 month maintenance period, during which time the developer of that particular subdivision must maintain the roads. Once these internal streets are officially accepted by the Township, the Township is in the position to have those streets declared as eligible for reimbursement of Liquid Fuels Funds from PennDot. With that in mind, Mr. Grabowski, Ms. Buchanan-Gregory and Mr. Wynn have reviewed the recent developer's files and have completed a list of roads which should be declared as official streets of the Township, for purposes of reimbursement of the Liquid Fuels Funds. The deadline for Liquid Fuels eligibility is the end of October.

Mr. Grabowski has prepared a resolution for consideration declaring the following roads be official Township roads for purposes of eligibility under Liquid Fuels Funding and that the Resolution be recorded with the Clerk of Courts in Doylestown, and to submit the Resolution to PennDot:

1. Pleasant Spring Lane (Pleasant Meadows Subdivision)
2. Thistle Lane (Pleasant Meadows Subdivision)
3. Steeplebush Drive (Pleasant Meadows Subdivision)
4. Goldenrod Court (Pleasant Meadows Subdivision)
5. Yarrow Court (Pleasant Meadows Subdivision)
6. Brookside Drive (Pleasant Meadows Subdivision)
7. Tice Lane (Phinney Subdivision)
8. Bricks Way (Bricks Way Subdivision)
9. Narothyn Road (Schultz and Hackett Subdivisions)
10. Sheffield Drive (H & L Subdivision)
11. Harvest Lane (Replogle Subdivision)
12. Quarry Road (Broderick Road)

Chairman Bennett asked if mileage of these roadways is taken into consideration, or just how the figure for Liquid Fuels Funds is determined. Ms. Buchanan-Gregory explained the PennDot representative receives a copy of the Deed of Dedication, along with notification from the Clerk of the Courts, then visits the Township to do an actual measuring of the roadways. The Township Engineer is generally on hand when this occurs.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to adopt Resolution #90-33 specifying the roads listed above.

J. CORRESPONDENCE:

All correspondence has been placed on file at the Township Building.

Reports have been received from Dublin Volunteer Fire Department, Souderton Fire Department, and Telford Borough Fire Department.

In addition, the Board of Supervisor's have received a copy of correspondence from Mr. Jack Fox, President of the Historical Society of Hilltown Township. Hilltown Township Historical Society is requesting to be included in the next three year allocation of Community Development Funds beginning June 1, 1991. Ms. Buchanan-Gregory read the letter received stating the Historical Society's project is the Hartzell-Strassberger Home located on Keystone Road, at Old Bethlehem Pike. This historical home built between 1770 and 1772 is in dire need of brick work and roof repair. Most urgent is the pointing and water-proofing of the brick to prevent further decay. This homestead was started by Henry Hartzell, who purchased the land in 1744. The Hilltown Historical Society received the deeds in December of 1986.

K. RESIDENT'S COMMENTS -

1. Mr. Gill questioned the advertising for the hearing for review of the Comprehensive Plan and asked if notification could be sent in the quarterly Township-sponsored Newsletter to inform resident's of this issue. Chairman Bennett explained the next publication of the Newsletter is scheduled for the first week of December, which would be too late for review of the Comprehensive Plan.

Mr. John Gerner from the News Herald advised a small front page ad could be published in the News Herald to notify the public of this information. Mr. Bob Grunmeier stated many senior citizens do not receive a newspaper and therefore would not receive notification of this hearing. Mr. Grunmeier suggested a bulk mailing of this notification to property owners in the Township. Supervisor Bennington suggested passing out a flyer to residents when the recycling buckets are distributed.

2. Mr. Bill Godek asked if the Board of Supervisors had found the reason for the hardship granted to Mr. Miley for the Habitations Subdivision and the approval of this issue by the Board of Supervisors.

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Chairman Bennett stated the real issue in this instance was the recommendation of Hilltown Township Water and Sewer Authority, which is why the Board of Supervisor's went along with the recommendation of the individual wells, plus the INTEX pump test study.

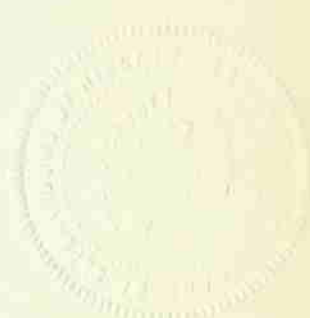
Solicitor Grabowski advised the developer had a hydrogeologist perform an in-depth report, which was submitted to the Township. The Township reviewed this report and asked for the advice of the Water and Sewer Authority, as to whether or not they would want to take over a community water system in the development. The Water and Sewer Authority stated they would not, as it was too far isolated from the existing water lines. It was then within the province of the Board of Supervisors to review the facts before them, which was the hydrogeologist report. Mr. Walker indicated a one well community system would probably be more harmful than individual wells. Based on that report, the Township Board of Supervisors made their decision.

Mr. Godek requested the Board of Supervisors and/or the Township Solicitor research if the word "hardship" is in the Subdivision/Land Development Ordinance. If not, Mr. Godek will request this issue be put on the agenda for further review.

L. PRESS CONFERENCE - A conference was held at this time to answer questions and concerns of those reporters present.

M. ADJOURNMENT: The meeting of the Hilltown Township Board of Supervisors was adjourned upon motion by Supervisor Kelly, seconded by Supervisor Bennington, and carried unanimously at 9:24PM.

Respectfully submitted,
Lynda Seimes
Lynda Seimes
Assistant Township Secretary



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Memo To: Lee Buchanan-Gregory, Acting Township Manager
 Hilltown Township
 From: C. Robert Wynn
 Subject: October 8, 1990 Supervisors Meeting
 Escrow Release Summary

1. Hawk Ridge - Voucher #32 dated 9/28/90 in the amount of \$3,388.50 for monumentation.
2. Hawk Ridge - Voucher #33 dated 10/3/90 in the amount of \$3,375.00 for miscellaneous "clean-up".
3. Hawk Ridge - Voucher #34 dated 10/3/90 in the amount of \$362.66 for const. obs./esc. admin. for period from 9/1/90 thru 9/30/90.
4. Summit Court - Voucher #21 dated 10/3/90 in the amount of \$3,729.37 for ID-2 wearing and tack coat.
5. Summit Court - Voucher #22 dated 10/3/90 in the amount of \$699.11 for const. obs./esc. admin. for period from 7/1/90 thru 9/30/90.
6. Lotier Land Development - Voucher #3 dated 10/3/90 in the amount of \$461.44 for const. obs./esc. admin. for period from 6/1/90 thru 9/30/90.
7. Bridle Run Subdivision - Voucher #5 dated 10/4/90 in the amount of \$2,095.14 for const. obs./esc. admin. for period from 9/1/90 thru 9/30/90.



HILLTOWN TOWNSHIP

13 West Creamery Road

P.O. Box 260

Hilltown, PA 18927

(215) 453-6000

ACCOLADE

WHEREAS, it is recognized in the position of being a Law Enforcement Officer that one often faces situations and circumstances which test one's morality, ethics and judgement on a daily basis;

WHEREAS, Law Enforcement Agencies struggle to co-exist as an enforcer of laws and meeting the demands often placed upon it by the public and the governing body, as the Law Enforcement Agency serve their constituents;

WHEREAS, a circumstance occurred this past week which rocked the moral fiber of the Hilltown Township Community.

NOW, THEREFORE, do we, the Hilltown Township Board of Supervisors, William H. Bennett, Jr., Chairman; Kenneth B. Bennington, Vice-Chairman, and Betty J. Kelly, Supervisor, want to recognize the inter-agency cooperation and communication between State, County and Local Law Enforcement Agencies, which was strengthened in a united effort to resolve a highly visible incident. More importantly, each Law Enforcement Officer's contribution through their personal diligence, self-sacrifice, and untiring devotion in all aspects of this case is to be publicly applauded. In every action by the Officers and individual Law Enforcement Agencies, the safety and well-being of the community was never disregarded.

WE, THE BOARD OF SUPERVISORS, ALONG WITH ALL HILLTOWN TOWNSHIP RESIDENTS, THANK YOU.

William H. Bennett Jr.

William H. Bennett, Jr. Chairman

Kenneth B. Bennington

Kenneth B. Bennington - Vice-Chairman

Betty J. Kelly

Betty J. Kelly - Supervisor

Lee Buchanan-Gregory

Lee Buchanan-Gregory
Acting Township Manager