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**HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS MEETING
September 10, 1990**

The meeting was called to order by Chairman William H. Bennett, Jr. at 7:38PM and opened with the Pledge of Allegiance.

Also present were: Kenneth Bennington, Vice-Chairman
Betty Kelly, Supervisor

Lee Buchanan-Gregory, Acting Township Manager
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Police Chief George Egly
Thomas Buzby, Public Works Director

Due to the large crowd this evening, Chairman Bennett introduced the people seated at the dais.

A. APPROVAL OF MINUTES: Supervisor Bennington advised page 9 of the minutes of August 27, 1990, regarding the Quiet Acres issue, should reflect that he sympathizes with the residents of Quiet Acres, not with the applicant of the proposal, as stated in those minutes. Supervisor Bennington also noted under Supervisor's Comments of the August 27, 1990 minutes, regarding the vote taken for the filing of a counter claim against Barney's Auto Parts, it states Supervisor Kelly abstained from the vote. Supervisor Bennington advised originally, Supervisor Kelly seconded the motion and motion passed at 3:0. After the motion had been passed, Supervisor Kelly abstained. Supervisor Bennington stated unless a second motion is made, the abstention would not be valid. Since no second motion was made, the vote would remain 3:0, in favor of the motion.

Motion was made by Supervisor Kelly, and carried unanimously to approve the minutes of the August 27, 1990 Supervisors' meeting as corrected.

B. APPROVAL OF CURRENT BILLS: Chairman Bennett stated total payables for the month are \$20,944.00. Supervisor Bennington questioned the Kopp Equipment Sales bill for the portable radio and charger for the traffic safety study on Rt. 309. Ms. Buchanan-Gregory advised it was a reimbursable item from the state grant for the Route 309 Traffic Study. Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to pay all bills when due.

C. TREASURER'S REPORT: Ms. Buchanan Gregory stated the Board members have received a month-end consolidation of the cash escrow accounts. There are seven cash escrow accounts totalling \$29,147.50 for the month of August. The Board has also received the trial balance through September 7, 1990. This is a new

format that was developed and implemented through our programmer and will be coming before the Board on a monthly basis. The Board of Supervisor's has received a statement of revenues and expenditures for the month of August, along with a Supervisor's report for fund activity.

D. RESIDENT'S COMMENTS ON AGENDA ITEMS ONLY: Chairman Bennett advised that since there was only one agenda item - Quiet Acres - Mr. Tobin could speak on this subject, and the Board of Supervisors would entertain public comment after that time.

E. CONFIRMED APPOINTMENTS:

1. Quiet Acres Mobile Home Park - Mr. Eric Tobin was present on behalf of Quiet Acres Mobile Home Park. Pending is a request for approval of Act 537 Planning Modules for a package plant stream discharge for Quiet Acres. The existing sewage system at Quiet Acres has failed and must be replaced. Through the Planning Modules, alternative analysis has been given of the various means to treat the sewage. There are only two viable alternatives - one being public sewer and one being a package plant. With regard to the public sewer, two problems exist. One being installing the line to Quiet Acres, due to lack of granted easements from surrounding property owners. The second problem being economics.

Mr. Tobin stated the expense of public sewer is approximately twice of that of the package plant. Quiet Acres, most likely, cannot borrow money to finance the public sewers. The rents do not support this, and there is not capacity for expansion to raise new funding. Once that happens and public sewer can be brought to the site, that possibility may become more viable. At the current time, economically, it cannot be done. The cost of public sewer is in excess of \$400,000.00. Mr. Tobin noted Mr. Wynn, Township Engineer, had indicated at the Planning Commission meeting, that connection fees must be ignored. Mr. Tobin advised, in his opinion, this statement was absurd. This is money out of pocket, and the connection fees are approximately \$200,000.00 for a business which, up until this time, had just been breaking even. The owner of Quiet Acres has opened his books to the residents of the mobile home park for their review and inspection. Mr. Tobin advised, for the immediate time, the alternative to solve the existing sewage problem is the installation of the package plant. The package plant would be designed to meet and operate under DER standards. With regard to the package plant, Mr. Tobin feels it would be operated in a safe manner, and the applicant would welcome the Township's participation to be sure everything would be done correctly. The Planning Commission had consistently indicated at their last meeting, they felt a package plant would fail. Mr. Tobin assured the Board of Supervisor's there is no evidence this would happen. Mr. Tobin disputed the minutes of August 27, 1990, where it is stated that Supervisor Bennington felt Mr.

Tobin and Mr. Williams, the owner of Quiet Acres, had misrepresented the best interests of the Township. Mr. Tobin stated he has never misrepresented anything to the Township or to the Planning Commission, or to any other Board associated with the Township. Supervisor Bennington asked Mr. Tobin why he has not investigated the other alternatives to the package plant system, and if he had made a concerted effort to contact Mr. Sickinger regarding easements through his property for public sewer installation. Supervisor Bennington further questioned if Mr. Tobin had spoken to Mr. Liverman, former owner of A & T Chevrolet, to discuss splitting the cost of public sewer installation. Mr. Tobin replied he had attempted to contact Mr. Sickinger several times through registered letters, as well as through Mr. Sickinger's attorney. No written response has ever been received, only an oral negative response to this proposal. Mr. Tobin further stated Mr. Williams may have been in contact with Mr. Liverman, yet regardless, the only "splitting of costs" is the actual running of the sewer line. When you look at the overall cost, it will help, but the expense is still great, in excess of over \$400,000.00. The mere fact of having someone else participate, financially, in running the sewer line through to the properties, does not make it an economically feasible project.

Supervisor Bennington stated the Board of Supervisors authorized Mr. Wynn to do investigations on those points just mentioned, and advised that Mrs. Sickenger has agreed to meeting with the Board of Supervisors on September 22, 1990. Mr. Tobin stated he cannot speak with the Sickenger's personally once an attorney has become involved. Mr. Wynn explained he had contacted a representative from A & T Chevrolet, who are definitely interested in discussing sharing the costs of installation of public sewer.

Mr. Wynn advised the stream discharge is being proposed as a temporary solution to the problem. The cost of the stream discharge is \$190,000.00 with an annual operating cost of \$320.00 per unit. The public sewer, by the analysis in the Planning Modules, includes a \$72,000.00 off-site sewer cost, which is a cost that may be shared by more than Quiet Acres Mobile Home Park. There is a connection fee of approximately \$201,000.00. That connection fee, if not paid with connection of public sewer now, would need to be paid at the time of sewer connection. There is also a cost in reconstructing the on-site sewers of \$120,000.00, though Mr. Wynn is not sure how that figure was assessed, or the extent of the deterioration of the system. Obviously, if there is infiltration, or exfiltration of the system internally within Quiet Acres, that should be repaired regardless of whether it is connected to public sewer or to a treatment plant. The cost per unit for sewer connection is actually a savings in excess of \$7,000.00 a year in operation costs. The point that was discussed at the Planning Commission meeting, is that in the long-term, this is a much more expensive alternative than connection to public sewer now. The \$190,000.00

is a cost that is lost. The cost for repair of the internal system, and the connection fees, will only go up. The connection fees could go up substantially with the expansion of the treatment plant. The cost of operating is also higher for the stream discharge plant. If operated for a period of five years, it would be in excess of \$35,000.00, in extra costs, over the public sewer connection. There is also concern that the Township sewage facility plans provide this area is indeed to be serviced by public sewer. This is not the only site in need of public sewer in the area, and perhaps now is the time to pursue and construct public sewers, rather than adding these costs now for a stream discharge system, which will only need to be replaced in the future by public sewer. Chairman Bennett asked if the capacity is available now. Mr. Wynn advised that it is.

Mr. Tobin stated he did not totally disagree with what Mr. Wynn is saying, yet what is being ignored is that with public sewers, you have an immediate up front cost in excess of \$400,000.00. Given the fact that Quiet Acres is a business, operating at break-even, before you consider the sewer aspect, where does the money come from? The cost of the package plant, other than the actual construction itself, will be able to be spread out over time. The residents in Quiet Acres cannot afford to pick up a \$400,000.00 upfront fee. Mr. Tobin has been advised by the Bucks County Department of Health, that unless this problem is fully rectified by the end of the year, it will not renew the operating license at Quiet Acres. Mr. Williams can't operate a mobile home park without a license.

Mr. Tobin stated that if it is the goal of the Board of Supervisor's to close down Quiet Acres, they should just deny the request for a stream discharge package plant. Chairman Bennett assured the residents of Quiet Acres that this was not the goal or the intent of the Board.

Chairman Bennett stated that Quiet Acres has known about this problem, and obviously ignored it for some time now. Supervisor Bennington referred to the Wastewater Facilities Component of the Hilltown Township Comprehensive Plan, dated 1980 - ten years ago - where it discussed Quiet Acres Mobile Home Park. It states "The community on-site sewage disposal system serving the Quiet Acres Mobile Home Park is the only non-municipal sewage treatment facility in the Township. It consists of a large conventional septic tank/drain field system, which is experiencing operating difficulties, according to the Department of Health." Supervisor Bennington questioned how long it would take to get a new package plant installed. Mr. Richard Hinkle, consulting engineer for Mr. Williams, replied that it would take a year at most, for the new package plant to be installed, given the time it would take to design, to obtain a permit from DER, and to make arrangements for construction. Discussion followed between Supervisor Bennington and Mr. Tobin as to responsibility towards

the residents of Quiet Acres Mobile Home Park. Supervisor Bennington suggested Mr. Williams and Mr. Tobin meet with the Acting Township Manager and with the Township Solicitor to explore the situation further.

Chairman Bennett questioned the upfront comparable fees for both public sewer and the package plant. Mr. Tobin stated public sewer is approximately double what a package plant would cost, a difference of about \$200,000.00. Chairman Bennett stated he feels the overall problem seems to be not a question of easements, but a question of clear economics.

The resident's of Quiet Acres commented that threats of closing Quiet Acres Mobile Home Park, and in turn, the loss of their homes, if a stream discharge package plant was not installed, was made by both Mr. Williams and Mr. Tobin at a meeting held for the residents of that mobile home park. Mr. Tobin stated he was present at that meeting, which was a question and answer period, and he advised no threats were made in regards to the resident's losing their homes. The resident's disagreed with Mr. Tobin about what transpired at that meeting.

Mr. Tobin agreed to scheduling a meeting later this week, with Ms. Buchanan-Gregory, Acting Township Manager, Mr. Wynn, Township Engineer, and Mr. Grabowski, Township Solicitor, to discuss this matter further.

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

1. Ms. Buchanan-Gregory advised there are seven escrow releases on the agenda this evening - all letters of credit. They have met the requirements for release, as indicated by the Township Engineer.

Escrow Releases:

H & L Development (L/C)	Voucher #10	\$217.36
H & L Development (L/C)	Voucher #11	\$2,980.70
Hawk Ridge (L/C)	Voucher #30	\$961.51
Hawk Ridge (L/C)	Voucher #31	\$15,338.92
Orchard Station (L/C)	Voucher #09	\$1,247.92
Deerfield Subdivision(L/C)	Voucher #16	\$14,722.92
Deerfield Subdivision(L/C)	Voucher #17	\$710.31

Mr. Wynn advised the one escrow release for H & L Development, Voucher #11, if approved, will reduce escrows in retainage only within their 18 month lien. There are three driveways to be topped in that particular development, which as of Friday, September 7, 1990, has not yet been completed. If that voucher is approved, the release should be held until that work is accomplished.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to release the seven escrows listed above, but to administratively hold Voucher #10, which is conditional for approval of Voucher #11.

2. Ms. Buchanan-Gregory attended the Lower Bucks Consortium meeting on Thursday, September 6, 1990. The discussion at the Consortium meeting was on tire drives and having municipalities cooperate with each other for tire pickup and turn over to a vendor. Another topic of discussion was joint purchase of road materials for 1991. In addition, the Lower Bucks Consortium is coordinating a Household Hazardous Waste Day in August of 1991.

3. The monthly Department Head staff meeting was held on Tuesday, September 4, 1990.

4. On Tuesday, September 11, 1990, Ms. Buchanan-Gregory will be attending the Pennsylvania Municipal Retirement System seminar from 9:30AM to 12:00NOON with Officer Frank Dilworth.

5. The Building Inspector/Zoning Officer report for the month of August includes:

- 16 Zoning Permits
- 17 Building Permits
 - 8 New Homes
 - 9 Plumbing Permits
- 18 Electrical Permits
- 10 Mechanical Permits
- 0 Pool Permits
- 9 Use and Occupancy Permits

6. Notice has been received from District Judge Hunsicker regarding the zoning violation filed against Daryl and Julie Derstine. The judgement was entered for Hilltown Township in the amount of \$609.00 on September 7, 1990. The judgement must be satisfied by October 7, 1990, or an order of execution may be issued. The defendant must pay the plaintiff directly.

7. Recently, Ms. Buchanan-Gregory made application for Hilltown Township to participate in the purchase of federal surplus equipment Hilltown Township will be obtaining a listing of available equipment from Harrisburg, within the next few weeks.

8. Ms. Buchanan-Gregory has received notice of a speed check conducted by Hilltown Township Police Department on August 17, 1990 on Orchard Road. Four citations were issued, and the amount of fines was \$113.00. Total cost for labor was \$194.36. The second speed check was conducted on Rt. 152, south of Hilltown Pike. Twelve citations were issued, and the amount of fines was \$326.00. Total cost for labor was \$194.00. Two violations were missed due to traffic flow.

9. Hilltown Township has received notification of award of Recycling Grant by DER. The Township has received a grant totaling \$33,746.00, which is composed of \$896.00 for ordinance development, \$1,500.00 for market agreement, \$24,000.00 for curbside containers (which equates to 10,666 buckets) and \$6,850.00 for public education. Ms. Buchanan-Gregory is working with the Recycling Committee to send a letter to all Township residents, which should be mailed the week of September 17, 1990.

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

Mr. Tom Buzby, Director of Public Works, read the Road Report for July 29, 1990 through August 25, 1990.

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

Chief George Egly presented his report for August, 1990 to the Board of Supervisor's.

Chief Egly advised that on the overtime sheet of his report, the reimbursable time will now be shown for the Supervisor's reference.

A proclamation has been received from the County Commissioners for those municipalities involved with the D.A.R.E. program, and this proclamation will be on display in the trophy case of the municipal building lobby.

A request has been received from Dublin Borough Police Department for police coverage at the parade on Saturday, September 15, 1990 from 12:00 noon to 3:00PM. Supervisor Kelly questioned the time the officer's would be needed, since the parade does not begin until 1:00PM. The Chief of Police of Dublin Borough advised Chief Egly he would like the officer's there at 12:00 noon for a briefing. Supervisor Bennington asked how many officer's Hilltown provided for the last parade. Chief Egly replied that Hilltown Township provided six officers, including the Chief, however, this year, Chief Egly will not be available. Motion was made by Supervisor Bennington, seconded by Chairman Bennett and carried unanimously to provide two officers for three hours of police coverage for the parade.

Chairman Bennett requested Chief Egly prepare a comparison report in September for the first nine months of 1990, as compared to the first nine months of 1989.

Supervisor Bennington questioned Officer Engelhart's status and when he will be returning to active duty. Chief Egly stated the estimated time for Officer Engelhart to be back on active duty will be sometime in November. Chairman Bennett also asked the status of when Scott Lear, from the Public Works Department, will be returning to work. Mr. Lear was present at the meeting and advised he has an appointment with the doctor this Friday, though it appears he will be back to work on Monday, September 17, 1990, if all goes well. Mr. Buzby, Public Works Director, also advised Joe Bollman, member of the Public Works Department, will be scheduled for some further surgery on his finger in the near future.

I. ENGINEERING/PLANNING - Mr. C. R. Wynn, Township Engineer

1. Schade Tract - Act 537 - Mr. Wynn advised the Board of Supervisors that new Planning Module forms are being used - not as a revision, but as an exception by the Bucks County Health Department. These new forms must be reviewed by the municipal planning commission, as well as the zoning officer of the municipality in question, and also by the Board of Supervisors.

2. Hilltown Village Subdivision - Linens for signature. The escrow agreement for this subdivision had been executed in July of 1990.

3. Showalter Subdivision - Two lot subdivision located on Dublin Road, which was approved, and linens have been signed. The outstanding items of dedication of the roadway and installation of pins and monuments, were accomplished, but the linens were never picked up and recorded by the applicant. Recently, new linens have been submitted for signatures. They are available this evening for the Board's signatures, and will then be presented to the Planning Commission for their signatures, as well.

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

1. Solicitor Grabowski advised the lawsuit filed by Barney's Auto Parts against the Township has been postponed until September 25, 1990. It was originally scheduled for September 5, 1990. Judge Hunsicker continued the hearing due to one of the witnesses being unavailable for the original hearing.

K. CORRESPONDENCE

1. Ms. Buchanan-Gregory stated the Township has received correspondence for the monthly Fire Company reports from Telford Volunteer Fire Company, Perkasio Fire Company, Silverdale Fire Company, the Bucks County Fire Marshall, and Souderton Fire Company for the month of August. All other correspondence has been placed on file at the Township office.

2. Chief Egly advised a truck safety check was performed today, Monday, September 10, 1990, on Route 313 using the rear parking area of the Dublin Fire Company as a base, from 7:00AM to 2:00PM. Fifteen trucks were cited.

L. RESIDENT'S COMMENTS -

1. Mrs. Jean Bolger stated she saw Chief Egly's photograph in the newspaper for winning an award for Pedestrian Safety in Hilltown Township. Mrs. Bolger was curious as to how Hilltown Township received an award for pedestrian safety when there are few sidewalks in Hilltown Township. Chief Egly advised the award was for lack of pedestrian accidents, such as no fatalities, etc., in Hilltown Township.

2. Mr. William Godek questioned the decision to erase transcribing tapes after each Board of Supervisor's meeting. Chairman Bennett advised once the minutes are committed to paper, and approved, they are final. Solicitor Grabowski stated the minutes, in writing, are "as good as gospel", once they have been approved by the Board of Supervisors.

Mr. Godek asked why, at this particular point in time, was it decided to erase transcribing tapes after each set of written minutes was approved. Chairman Bennett explained there had been no real policy on the issue before this time, and the tapes kept accumulating, with storage being a part of the problem. Chairman Bennett has spoken to two other Township's, and they have advised they use this newly proposed system, as well. Chairman Bennett also cited municipalities, such as Doylestown, which do not record their meetings at all. Ms. Buchanan-Gregory advised that the municipalities she has worked in, tape record the meetings for minute transcription only, and once the written minutes have been accepted by the governing body, that becomes a legal document of the meeting. The tapes are then destroyed or used again.

Mr. Godek also cited the August 27, 1990 Board of Supervisor's meeting minutes where Supervisor Bennington states his personal opinion that a waiver of community water system should not be granted for Philadelphia Electric Co. Subdivision. Mr. Godek questioned why the Philadelphia Electric Co. Subdivision, in regards to community water system, differs from the community development requirement on the Miley Subdivision, located behind Mr. Godek's home. Chairman Bennett advised the Planning Commission had recommended against the community water system for Philadelphia Electric Co. Subdivision. The Planning Commission has seven members, and more time to devote to studying some of the issues that appear before the Board of Supervisors.

Mr. Godek asked if in Mr. Miley's case, the Planning Commission had suggested the community water system also be waived. Mr. Jack Fox, Chairman of the Planning Commission, responded the Planning Commission recommended the Miley Subdivision follow the ordinance, that the community water system should not be waived, which is standard procedure for the Planning Commission Board. Solicitor Grabowski advised that the one distinction on the Miley Subdivision is that a hydrogeologist's report was submitted to the Township by Mr. Miley, to indicate the lack of a need for a community system. Philadelphia Electric Co. Subdivision came in with absolutely no documentation, other than the applicant and their civil engineer, requesting a waiver. Mr. Godek stated he does not know the reason Mr. Miley was given this exemption, because of a "hardship", and no one has ever publicly advised what that "hardship" was, or why Miley Subdivision was exempted from the community water supply. Mr. Godek would like to know what the reason for the waiver granted to the Miley Subdivision was.

Mr. Godek presented documentation from Bucks County entitled "Planning Progress" from Spring, 1990, which states "Since 1984, mobile home parks, apartment complex's, and homeowner's associations, also have been considered public water systems. As a result, there are now 64 public water supply systems operating in Bucks County. According to the passage of the amendments of the SEWA in 1986, as a result, they are required to monitor more than a hundred parameters."

3. Mr. Jacob Skelford questioned when the Fire Department contracts could be expected. Chairman Bennett advised the Board is waiting for the Fire Panel to meet, hopefully next Monday, to make that decision.

M. SUPERVISOR'S COMMENTS

1. Supervisor Kelly stated she attended the American Town and Township Convention in Washington, D.C., the week of September 3, 1990. This is the national convention for Township Supervisors. On Wednesday, September 5, 1990, Mr. Ken Grider, opened the session with a joint Armed Force Color Guard. On Thursday, September 6, 1990, Supervisor Kelly attended a Solid Waste Disposal seminar, and also the "Renewing Community Leadership" seminar. That afternoon, Vice President Quayle was guest speaker. On Friday, September 7, 1990, Supervisor Kelly attended a seminar on Affordable Wastewater Treatment, a seminar on Underground Storage Tanks, and also a seminar on Federal Funding for Local Roads.

2. Motion was made by Supervisor Bennington, seconded by Supervisor Kelly, and carried unanimously to adopt Resolution #90-30, which institutes a fee for Building Code appeals.

3. Supervisor Bennington stated when he first came into office, he spoke with Public Works Director, Mr. Tom Buzby, and said when any equipment comes up for bid, specifications for that particular piece of equipment must be met, personalities aside, so the Township purchases the best possible piece of equipment. Supervisor Bennington has had it inferred, several weeks ago, that one or more Supervisors from this Board, are offending certain individuals by not allowing them to bid on pieces of equipment. Supervisor Bennington stated this attacks his integrity and his character, and he takes great offense at this. Supervisor Bennington advised if it ever happens again, he will sue the individual responsible, for slander. Mr. Buzby stated all bids have been properly advertised for highway equipment, and all bids are accepted within the allotted time period.

N. PRESS CONFERENCE - The Board of Supervisor's answered those questions posed by members of the press.

O. ADJOURNMENT - The meeting of the Hilltown Township Board of Supervisors adjourned at 9:15PM.

Respectfully submitted,

Lynda Seimes
Lynda Seimes
Assistant Township Secretary

(*These minutes were transcribed from tape recordings and notes taken by Acting Township Manager, Ms. Lee Buchanan-Gregory).

Memo To: Lee Buchanan-Gregory, Acting Township Manager
Hilltown Township
From: C. Robert Wynn
Subject: September 10, 1990 Supervisors Meeting
Escrow Release Summary

1. H & L Subdivision - Voucher #10 dated 9/7/90 in the amount of \$217.36 for const. obs./esc. adm. for period from 8/21/90 thru 9/7/90.
2. H & L Subdivision - Voucher #11 dated 9/7/90 in the amount of \$2,980.70 for release of balance of funds less "maintenance".
3. Hawk Ridge Subdivision - Voucher #30 dated 9/4/90 in the amount of \$961.51 for const. obs./esc. adm. for period from 8/1/90 thru 8/31/90.
4. Hawk Ridge Subdivision - Voucher #31 dated 9/4/90 in the amount of \$15,338.92 for completion of various "punchlist" items.
5. Orchard Station Subdivision - Voucher #9 dated 9/5/90 in the amount of \$1,247.92 for reimbursement for insp. costs.
6. Deerfield Subdivision - Voucher #16 dated 9/6/90 in the amount of \$14,722.92 for sidewalk, aprons, lamp posts, topsoil placement.
7. Deerfield Subdivision - Voucher #17 dated 9/6/90 in the amount of \$710.31 for const. obs./esc. adm. for period from 8/1/90 thru 8/31/90.