

HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS

MINUTES OF MEETING

April 9, 1990

This meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:35 p.m. with the Pledge of Allegiance.

Board Members present were as follows:

William H. Bennett, Jr., Chairman
Kenneth Bennington, Vice-Chairman
Betty J. Kelly, Supervisor

Others present were as follows:

Lee Buchanan-Gregory, Assistant Township Manager
Francis X. Grabowsk, Township Supervisor
C. Robert Wynn, Township Engineer
George C. Egly, Chief of Police
Thomas Buzby, Roadmaster
Donna C. Jacobini, Township Recording Secretary

Chairman Bennett opened the meeting by welcoming Ms. Lee Buchanan-Gregory as the new Assistant Township Manager.

A. REVIEW OF N.D.P. AUDIT AND RECOMMENDED PLAN OF ACTION

Chairman Bennett presented an overhead review of the audit and its recommended plan of action which had been analyzed by the Board of Supervisors over the last three week period. He reviewed the following reports (Addendum A):

1. Financial/Audit Results
2. Township Building Cost
3. 1990 Revenue Budget
4. 1990 Major Categories of Expenditures Budget
This budget analyzed cost reductions, the estimated savings as a result of these reductions, and post-ponements planned to reduce expenses/costs.
5. Alternatives to Offsetting Deficit
These alternatives include increasing taxes by 6 mills at one shot, obtaining an unfunded loan, or cutting expenditures. The Board of Supervisors unanimously opted to cut expenditures.
6. Hilltown Township Real Estate Tax Review (4%)
7. Tax Anticipation Loan Status

Police Department expenditures were questioned. Chief Egly explained that court time is the culprit in overtime pay

Mr. Bennington made a motion that all bills be paid when due. Mrs. Kelly stated that she was opposed to paying the statement issued from Niessen, Dunlop, and Pritchard in the amount of \$17,275. due to the fact that she was not included in the discussions concerning the hiring of independent auditors. Chairman Bennett seconded the motion and the motion was passed by a 2-1 vote with Mrs. Kelly abstaining.

D. TREASURER'S REPORT

Mrs. Kelly reviewed the current Treasurer's Report. Mr. Bennington made a motion to accept the Treasurer's Report subject to the audit. The motion was seconded by Mrs. Kelly and unanimously carried by the Board.

E. RESIDENT'S COMMENTS ON AGENDA ITEMS

No report.

F. CONFIRMED APPOINTMENTS

1. Mr. Dan Kepich presented his application regarding his property at Route 313 and 113, Plumridge Nursery. He explained that the Planning Commission had granted Preliminary Plan approval at their 12/18/89 Meeting with the conditions as cited in the Township Engineer's review letter. He requested that he be allowed to make a contribution to the Township in lieu of sidewalk improvements due to the fact that no other sidewalks have been constructed in that area. He also requested that the water impact study be waived as he only has three employees and feels that an in-depth water impact study is not necessary.

Some discussion ensued concerning the existence of a retail operation on this property in violation of established zoning laws and without applicable permits. It became apparent that there was some confusion as to whether or not this greenhouse operation was in violation of zoning regulations.

Mr. Jack Fox stated that because this is the second site to be developed on that property, a water study is mandatory. He also stated that due to the fact that the operation utilizes water pipes, heat, and electricity it represents a permanent building and, therefore, requires a building permit.

After further discussion, Mr. Bennington proposed that the Township Engineer investigate the situation and report back to the Board of Supervisors accordingly. Mr. Wynn stated that the Bucks County Health Department reported no adverse comments on this property regarding the 537 Revision. He clarified that the previously conducted water study was a "blown" test and not

a 48-hour test. Mr. Bennington stated that he was inclined to delay action on this application explaining that if he were to render action, he would be obliged to mandate that the water study be done as the ordinance dictates. Mr. Kepich apologized and stated his intentions to make amends for the previous problems and explained that any violations were strictly unintentional. Chairman Bennett stated that the Board of Supervisors would render their decision at their next meeting on May 14th.

2. Mr. Bob Tuttle presented the proposed new Hilltown Township Emergency Management Plan on behalf of himself and the Plan's Coordinator, Mr. Robert Grunmier. He stated that this Plan would fall into line with Federal and State guidelines, but needed the approval of the Board of Supervisors prior to its presentation to the County and the State. He suggested that the Board of Supervisors advertize to fill open positions and inquired as to the status of the ordinance suggested for adoption in the Fall of 1989 which allows the Township and the emergency providers to collect fees in the event of a hazardous materials incident. He suggested that a fee schedule be adopted as a resolution if it is not already part of the ordinance. Mr. Grabowski suggested that the Board review and study this proposed Plan and make its recommendation at the next meeting.

3. Mr. Ken Bennington made a motion that Hilltown Township declare April as Earth Month and that the Cub Scouts be authorized to clean up the area of Callowhill Street and Route 113 on April 21 in celebration of Earth Day. The motion was seconded by Mrs. Kelly and unanimously approved by the Board.

G. MANAGER'S REPORT

It was reported that Bunny's Animal Shelter is now housing 189 dogs. We will receive an updated report on a quarterly basis.

H. POLICE CHIEF'S REPORT

Chief Egly addressed the Board with his monthly report for March. (Addendum B) He explained that there were 68 court cases in the month of March, alone, which accounted for the overtime listed in the report.

I. HIGHWAY DEPARTMENT REPORT

Mr. Buzby addressed the Board with his report. Mr. Bennington questioned him concerning the number of complaints received by the Highway Department to which Mr. Buzby responded that the calls were varied in nature. In response to the need for another snow removal truck, Mr. Buzby stated that the Township was definitely in need of such a truck.

J. ENGINEERING REPORT

1. Richter Drafting Land Development - Mr. Wynn explained that the Preliminary Plan had received approval pending DER approval of the planning modules. He reported that a letter had been received from the Bucks County Department of Health dated March 13 which stated that they had no adverse comments and that the project is considered a Revision to the Township's Act 537 Plan. The Bucks County Planning Commission, in a letter dated March 21, 1990, stated that the subject proposal appears to be consistent with the Township's 537 Plan. Based on the above information, Mr. Wynn recommended that the Board act upon the application. On motion of Mr. Bennington, seconded by Mrs. Kelly, the Board unanimously adopted this proposal as Resolution #90-14.

K. SOLICITOR'S REPORT

1. Emergency Management Report - Mr. Grabowski addressed the Board concerning this report. On motion of Mr. Bennington, seconded by Mrs. Kelly, the Board unanimously agreed to advertise a public meeting for ordinance adoption of this Emergency Management Report at the Board of Supervisors' next meeting scheduled for May 14, 1990.

L. RESIDENT'S COMMENTS

Mr. Jack Walsh addressed the Board in order to ascertain the difference between a permanent and a temporary structure. The Board responded that a temporary structure doesn't have drainage, permanent fixtures, running water, electricity, or heat. He asked for clarification concerning mandatory water studies and was told that Ordinances #86-6 and 86-7 mandate that a water study is required when more than one building is constructed on a piece of property. Mr. Walsh questioned the asphalt plant agreement and asked if it was an open-ended agreement with an infinity timetable. Mr. Grabowski responded that certain portions of the Agreement do encompass an infinity timetable; he explained that he did not know why the Agreement had been written in this manner due to the fact that he was not the Township Solicitor at the time this Agreement was established. It was confirmed that the quarry is considered a temporary facility which does not require a building permit. In response to a question concerning Township funds, etc., Chairman Bennett stated that it was his hope that a regular Profit and Loss Statement would be issued on a monthly basis beginning in May.

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Mr. Bill Godek questioned why Mr. Bennington interjected when, at the H&K Public Meeting, Mr. Godek asked Mr. Kibblehouse if the fact that stricter environmental governmental regulations had an impact on your decisions to move now?" It was dully noted that interjection at any time is permissible. Mr. Godek then questioned Chief Egly as to why he counseled Mr. Kibblehouse concerning the liability of a speed bump at the entrance to the quarry. Chief Egly apologized. Mr. Godek then recommended that Mr. Kibblehouse install speed bumps as a very effective method of slowing the speed of traffic. His thought was that if the Township recommended the installation of the speed bumps, it might clear Mr. Kibblehouse and the Township of any legal liability. Mr. Grabowski stated that he would investigate this matter. Chairman Bennett stated that it was his understanding that the illegality of speed bumps was a PennDot regulation.

Mr. Jack Fox addressed the Board and questioned the classification between petty theft and grand theft. He asked what happened to four police cars with wheels (including tires) and suggested that the Board investigate this matter and get the monies back. He then asked if, perhaps, the Board members would consider not going to the Convention in April in an effort to cut expenditures. Chairman Bennett replied that the fund for this had been reduced from \$6,000 to \$4,000.

Mr. Robert Grunmier addressed the Board and stated that major roadwork had been done on a rotation basis up until last year. He explained that he didn't know what happened to the wheels, but that he did not want it insinuated that he stole the wheels. He stated that if the Township wanted wheels, he would supply them. He further stated that over the past years, Barney's had done a great deal of work for the Township at no charge and that he has been assisting the Township.

Mr. Fox stated that he didn't say that Mr. Grunmier took the wheels, though the cars were supposed to be auctioned off two different times and the auction was always cancelled. He stated that the auction finally took place only when Mr. Grunmier no longer had a vote in this regard and that the Township had to find out where the cars were before the auction could be held.

Chairman Bennett stated that whenever he questioned when the auction was to be held, he was always put off. When it was in his hands, he followed through and considers the issue closed.

Mr. Geoffrey Keely asked Mrs. Kelly why she would vote against paying the auditors' bill. Mrs. Kelly responded that she knew nothing about this audit and was not contacted about it. She stated that the audit is in violation of the Sunshine Law,

because it's implementation was not announced at a public meeting.

Mrs. Barbara Walsh questioned if an addendum had been attached to the quarry application. Chairman Bennett responded that he had not seen such an addendum. She asked if Haines & Kibblehouse had procured a building permit. Chairman Bennett explained that DER specs have not yet been received.

In view of the Township's current financial strain, Mr. Joel Ward stated that he and his wife have decided to provide free boarding at Holly Farms for all stray animals until such time as the Township finances are in better shape. His gesture was applauded by those in attendance.

Ms. Lee Buchanan-Gregory stated that her attendance at tonight's meeting had proved to be a learning experience for her. She encouraged the residents to call her with their questions, etc., explaining that, although it might take her some time to provide answers, she would definitely do so.

M. CORRESPONDENCE

No report.

N. SUPERVISOR'S COMMENTS

Mr. Bennington announced that a citation will be issued to Mr. Ferguson. He also stated that, upon investigation, Blue School Auto Body is continuing its non-conformance activities specifically related to non-working gas pumps and the selling of cars. He requested that the owner of Blue School Auto Body be cited immediately.

On motion of Mr. Bennington, seconded by Mrs. Kelly, Ms. Lee Buchanan-Gregory was recommended for appointment as Township Treasurer to be bonded for \$500,000 at a cost to the Township of \$600 per year. The motion was unanimously approved by the Board and Ms. Lee Buchanan-Gregory was installed as the new Township Treasurer.

Mr. Bennington asked about the status of the District Attorney's involvement in the findings of the outside audit. Mr. Grabowski stated that the District Attorney's investigation is beginning. He suggested that the Board of Supervisors wait until the DA's office makes its recommendation.

Chairman Bennett stated that the Board of Supervisors Meeting scheduled for April 23 was cancelled due to the Township Convention in Hershey, Pennsylvania.

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0. ADJOURNMENT

There being no further business to come before the Board, Mrs. Kelly made a motion, seconded by Mr. Bennington and unanimously approved by the Board to adjourn this meeting of the Hilltown Township Board of Supervisors at 9:30 p.m.

Respectfully submitted,

Donna C. Jacobini
Hilltown Township Recording Secretary