

**HILLTOWN TOWNSHIP
SUPERVISORS' MEETING
November 14, 1988**

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Robert H. Grunmeier at 7:30 P.M. Chairman Grunmeier requested a moment of silence for the men and women who gave their lives while serving in the U.S. Armed Forces (in honor of Veteran's Day).

A. APPROVAL OF MINUTES: Mr. Bennett noted a correction on Page 1, Item C, third line should read Mr. Bennett; also Page 3, Item F-5, cost of vehicles should read \$14,623.00 each. There being no further corrections, a motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve the minutes of the 11/14/88 Supervisors' meeting as corrected.

B. ACCOUNTS PAYABLE: General Fund billing in the amount of \$26,345.35, with a Street Light amount of \$100.62 and State Funds amount of \$7,232.20 were approved by the Board. Motion was made by Mr. Bennett, seconded by Mrs. Kelly to pay bills when due. Motion carried unanimously.

C. TREASURER'S REPORT: Mr. Singley read the report which is on file at the Township Building. Motion was made by Mr. Bennett, seconded by Mrs. Kelly to accept the report as given, subject to audit. Motion carried unanimously.

D. CONFIRMED APPOINTMENTS: None.

E. MANAGER'S REPORT:

1. Municipal Building - Project meeting minutes of last three meetings were submitted (10/26; 11/2 and 11/9). Mr. Singley reported that the roof truss installation is 60% complete and truss setting to be completed by 11/17/88. All block masonry is complete with exception of one meeting room wall.

2. Narothyn Road Survey - Report received from Sgt. Miller indicating that 85th percentile speed is 36 mph (50 vehicles were clocked in the survey). Sgt. Miller made the following recommendations: (1) Installation of sidewalks; (2) Installation of "Children at Play" signs; and (3) Installation of a "Sharp Curve" sign at bend of roadway. He also recommended that the children coming home from bus stops be cautioned on the danger of walking down the middle of the roadway. Motion was made by Mr. Bennett to adopt the recommendations made by Sgt. Miller and lower the speed limit to 35 mph; motion seconded by Mrs. Kelly and carried unanimously. Mr. Singley will send a letter to all residents who requested this survey at the 10/10/88 meeting. Motion was made by Mr. Bennett, seconded by Mrs. Kelly to allow the Township Solicitor to advertise this ordinance for adoption at the 12/12/88 meeting. Motion carried unanimously.

3. Moving Permit - Mr. Grabowski has reviewed and approved the Hilltown Township Moving Permit made up by Chief Egly. Motion was made by Mr. Bennett, seconded by Mrs. Kelly to approve the change in the Moving Permit form; motion carried unanimously. Township Solicitor will look into implementing a fine fee.

4. C. D. Application and Allocations - Mr. Singley reported that \$11,000 of C.D. Grant monies previously allocated to the Historical Society have not been repaid; he suggested taking \$5,000 out of the Zoning revisions allotment and apply it to the Historical Society in addition to the \$6,000 approved at the last meeting. Mr. Grabowski advised that the previous motion must be rescinded. Mr. Bennett stated that he would like to see two motions; one for the traffic light at Rt. 113 & Diamond and one motion for the remaining items including the amended Historical Society allotment. Motion was made by Mrs. Kelly to rescind the action taken at the 10/24/88 meeting concerning C.D. funding; motion seconded by Mr. Bennett and carried unanimously. Motion was made by Mr. Bennett that the C.D. funding be allotted in two parts: Part A and Part B -- Part A regarding the traffic light at Rt. 113 & Diamond for approximately \$60,000; and Part B regarding the other items (2 through 6) including the Historical Society allocation. There being no second to this motion, a motion was made by Mr. Grunmeier to approve the following Community Development allocation (as recommended by the Township Manager), the Historical Society shall receive \$11,000 (instead of \$6,000) and that the Zoning Ordinance revisions be omitted from the list; motion seconded by Mrs. Kelly. Mr. Bennett abstained from voting. Motion carried 2:0.

5. Police Arbitration - Mr. Singley stated he was advised (informally) that a decision has been made; however, to date no formal decision has been received. Supervisors will be notified upon receipt of a decision.

6. Budget Session - Mr. Singley requested that meetings be held on November 29th at 7:00 P.M. and December 1st at 7:00 P.M. The Supervisors indicated these dates are acceptable. Chairman Grunmeier requested that Auditors be notified.

F. ZONING REPORT: Mr. Singley read the report for the month of October, 1988 which is on file at the Township building. Chairman Grunmeier requested status of Adventure Park amusement tax; Mr. Singley reported that a notice has been sent via certified mail; no response to date. In response to Mr. Grunmeier's question, Mr. Singley indicated a meeting will be set up to discuss the proposed new maintenance shed.

G. POLICE REPORT: Chief Egly read the October report which is on file at the Township building. Burglar alarms were discussed; the Chief advised that most false alarms are due to "people malfunction" or motion alarms which will sound at slightest movement. Fines were also discussed (currently \$50 after 4th false alarm).

H. ROAD REPORT: Mr. Buzby read the report dated 10/9/88 to 11/5/88 which is on file at the Township office. Mr. Buzby noted that paving has been completed on S. Perkasio Road and Telegraph Road (from S. Perkasio to Rt. 113) and that part of Broad Street. Line striping was completed today.

8:00 P.M. - Advertised hearing for two amended ordinances.

Mr. Grabowski explained that the first ordinance is to amend Section 1102 of the Hilltown Township Zoning Ordinance of 1983, to increase amount of fines and penalties to be assessed for violation as follows: (1) Fine of \$1,000.00 for violation which involves building, housing, property maintenance, health, fire, public safety, or water, air and noise pollution provisions or standards. (2) Violations of other sections of this ordinance - \$600.00. Mr. Grabowski stated that PC and BCPC have reviewed these ordinances and recommended approval. There being no public comment, a motion was made by Mrs. Kelly, seconded by Mr. Bennett to adopt Ordinance #88-6, Amending Section 1102 of the H.T. Zoning Ordinance; motion carried unanimously.

The second advertised ordinance amends Sections 303.6, 304.6, and Article VI of the H.T. Subdivision & Land Development Ordinance. The changes in this ordinance involve timing and notification of decisions (not later than 15 days following the decision); and penalties - a fine of \$1,000.00 for violation which involves a building, housing, property maintenance, health, fire, public safety, or water, air and noise pollution. Mr. Bennett questioned who would make this determination; Mr. Grabowski replied that the Zoning Officer would be responsible. Chairman Grunmeier asked for public comment. There being no public comment, a motion was made by Mrs. Kelly to adopt Ordinance #88-7; motion seconded by Mr. Bennett and carried unanimously.

8:05 P.M. - Hearing adjourned; regular meeting called to order.

I. ENGINEERING/PLANNING:

1. Rex Subdivision - Mr. Wynn reported that paving of the private roadway was not done in conformance with the plan. Mr. Wynn advised that the roadway paving seam is ragged and unsatisfactory and Mr. Rex has advised he will not comply. Mr. Wynn suggested that Mr. Rex be found in default. Motion was made by Mr. Bennett, seconded by Mrs. Kelly to find Mr. Rex in default and to use escrow monies to repave the roadway. Motion carried unanimously.

2. Schultz Subdivision - Mr. Wynn will attempt to resolve problems of two residents who complained of bushes (or lack of bushes) being planted. He also requested itemization of bills for work completed by Township forces to present to the contractor for release of escrow funds. Mr. Wynn reported that silt fencing has blown down and needs to be re-installed. Another outstanding item is certification from Brian Nixon, Surveyor, that property corners have been installed. Since Mr. Nixon has not complied with this request, the contractor has advised he will turn this matter over to his attorney. Motion was made by Mr. Bennett, seconded by Mrs. Kelly to forward bills to Mr. Wynn for swales and regrading so that money may be released from escrow fund to Township. Motion carried unanimously.

3. H & L Development - 5 lot subdivision located on Schwenk Mill Road - tabled from last meeting due to Chairman's concern over wetlands crossing (Mr. Grunmeier had an opportunity to inspect the site since the last meeting). PC recommended approval of plan subject to resolution of wetlands crossing in a manner satisfactory to the Township. Mr. Wynn gave a brief explanation of the wetlands area to the Board. Chairman Grunmeier suggested that a deed restriction be placed on the plan regarding Lots #4 and #5, stating that these lots cannot be further subdivided. Motion was made by Mr. Bennett, seconded by Mrs. Kelly to grant preliminary plan approval with the stipulation that a deed restriction be placed on Lots #4 and #5, stating they cannot be further subdivided, and with the recommendations of the PC at their meeting of 10/17/88. Motion carried unanimously.

4. Brick's Way and Hickory Hamlet - Mr. Wynn reported that street trees installed some time ago were 2" caliper instead of the required 2½" caliper. Trees were allowed to remain by the Board of Supervisors since they had been planted; however, a total of \$2340 (difference in cost of trees) was retained in the escrow funds for future donation to the Township. Mr. Wynn requested that authorization to prepare escrow releases to Hilltown Township for those funds to be used toward landscaping at the new township building. Motion was made by Mr. Bennett to allow transfer of \$2340 from the Brick's Way and Hickory Hamlet escrow funds to be used for landscaping at the new township building.

5. Turner and Phinney Extensions:

Phinney - extension requested until 12/15/88 (for final paving of Tice Lane). Turner - extension requested until 12/30/88 (for road widening and landscaping). Motion was made by Mrs. Kelly, seconded by Mr. Bennett to accept the written extensions offered for the Phinney and Turner Subdivisions. (Both letters dated 11/10/88). Motion carried unanimously.

6. Municipal Building - Soil brought in from an Amoco Station in Montgomery Township has been tested by CUI Laboratories and found to be contaminated with petrohydro carbons. The soil has been removed from the site and returned to the station for disposal. Mr. Wynn stated for clarification that the entire site is not contaminated; only two loads of fill that was delivered (approximately 18 tons). Mr. Wynn also noted that there is a drainage problem and stated that installation of underdrains will be necessary; and suggested that approximately 215 feet of 15" concrete pipe and inlet be installed along Creamery Road. Mr. Wynn also suggested that the Township secure another contractor for the road work (not the road department) to do this work, since Mr. Buzby indicated he did not have time. Motion was made by Mrs. Kelly, seconded by Mr. Bennett to recommend to the HTWSA that they install drainage piping to drain the area of the driveway at the Township Building site. Motion carried unanimously.

J. SOLICITOR'S REPORT:

1. Hellwarth Subdivision - Escrow funds for installation of driveway, grading, etc. has been guaranteed in the amount of \$10,625.00. Motion was made by Mrs. Kelly, seconded by Mr. Bennett to accept this escrow for the Hellwarth Subdivision. Motion carried unanimously.

2. Hilltown Village (Crecian) - Agreement received from Mr. Crecian regarding guarantee that maximum number of parking spaces be supplied within one year of issuance of occupancy permit. Supervisors will sign this agreement after tonight's meeting. (Number of parking spaces = 56, to be increased to 66 if necessary).

3. Eater Condemnation, Fairhill School Road - Mr. Grabowski reported that this was discussed in executive session two months ago. Settlement agreement has been signed by the Eaters and the Board will sign a payment check in the amount of \$1800 after tonight's meeting.

4. Bux-Mont Refuse Services - Mr. Grabowski reported on status of three law suits: The first was an appeal by Bux-Mont Refuse of denial of their site development plan to the Bucks County Court of Common Pleas - no action taken. The second was an appeal filed by the Township to the Environmental Hearing Board from a decision by DER to file a solid waste management permit. In response to an appeal filed by Bux-Mont to have the Township's appeal thrown out, the Environmental Hearing Board held that the appeal should not be thrown out and that the Township has a right to a hearing. Mr. Grabowski reported that this hearing may not be held until May or June of 1989. The third law suit is a Civil Right's action filed by Bux-Mont against the Township, the Supervisors in office at that time, the Township Engineer, and the Township Manager. Depositions have been held; Mr. Grabowski reported that this will extend after the Christmas holidays. Mr. Grabowski requested an executive session for discussion of this litigation.

5. Browning-Jurin Zoning Hearing Board Appeal - Mr. Grabowski reported that the ZHB found in favor of the Township to dismiss the appeal without testimony being taken, since the appeal was filed too late and this building permit issue should not have been brought before the ZHB -- but to the Board of Supervisors.

K. RESIDENT'S COMMENTS:

1. John Snyder questioned parking at "Cheap Skates". Chairman Grunmeier reported that this issue has been turned over to the Zoning Officer. Mr. Snyder stated that an unconscious woman had to be lifted by stretcher over cars that were parked up to the building.

2. Mr. Snyder also questioned markings on road near Line Lexington Village, Hilltown Pike. Mr. Singley will discuss this with New Britain Township.

6.

L. CORRESPONDENCE:

1. Thank you letters received from Bucks County Housing Group, Inc. and Bucks County Association for Retarded Citizens for C.D. funding.

2. Two letters received from Town Watch regarding attendance at the Second Annual PA Commission on Crime and Delinquency Conference.

3. Letter received from Frank N. Cooper, Cable Television regarding construction of a local system. Mr. Singley will follow up on this.

4. BCPC - Legal Assistance Fund Grant Program for Solid Waste Management (extended to May 31, 1989) -- Mr. Singley signed and returned agreement.

5. Local tax reform, House Bill 14 - letters sent to Representatives.

6. Letter received from York K. Fischer, Concord, MA. Mr. Fischer stated that he owns property on Skunk Hollow Road and has been hearing rumors that the asphalt/batch plant may move from Blooming Glen Road to Skunk Hollow Road. Mr. Fischer stated he would like to be put on record that he protests and would like to be kept abreast of the status. Mr. Singley stated he would reply, advising that a meeting was held with H & K and that they indicated they have no plans for moving the plant -- the Board agreed.

7. Letter received from Alan Kindig, thanking the Supervisors for his appointment to the Zoning Hearing Board.

8. Letter received from Paul & Joan Gourley, expressing appreciation for the way they were treated while discussing water line installation on S. Perkasio Road.

9. South East Association of Township Officials has asked support on Senate Bill 535, Revisions to Act 247.

10. Borough of Perkasio - received thank you certificate for help in the Great Fire of '88.

11. State Police have advised of a new officer in charge -- Lt. Fred W. Street, Jr.

12. Fire company reports received from Hilltown, Dublin, Telford, Sellersville and Perkasio.

13. Letter from Hilltown Historical Society - next meeting will be held 11/17/88 at 8:00 P.M.

M. SUPERVISOR'S COMMENTS:

1. Mrs. Kelly reported that she attended a meeting regarding Cable T.V. at the West Rockhill Municipal Building. Mrs. Kelly stated that they are working on an ordinance for the local municipalities. The committee consists of Roger Arnold, E. Rockhill; John Mann, W. Rockhill; and Mrs. Kelly.

2. Mr. Bennett commented on a letter received from E. Rockhill regarding the police department and regionalization. Chief Egly stated he would have to research this further before discussing same.

3. Mr. Bennett discussed the possibility of disposing of Township owned land. Mr. Singley stated that he is compiling a list for the Park & Recreation Board's review and will discuss same with them at a meeting tomorrow night. Mr. Bennett suggested that whatever land the Park & Recreation Board does not want could, perhaps, be put up for sale.

4. Mr. Bennett also questioned status of "in-law" apartments; the Water & Sewer Authority will be making recommendations.

5. Mr. Bennett asked if proposed new maintenance building would be constructed on the new township building site. Chairman Grunmeier clarified his recommendation that what is needed is a storage building, and that the Water & Sewer Authority and Mr. Buzby will discuss size of area needed.

6. Chairman Grunmeier read a letter from Code Inspections, Inc., presenting a flag to Hilltown Township on behalf of Veteran's Day. Letter of appreciation will be sent to them.

7. The Board agreed to Chairman Grunmeier's suggestion that the cable t.v. station be contacted to run ads regarding dates of Township meetings.

8. Newsletter meeting - Mrs. Neiman will contact Mr. Metzger and advise.

9. Chairman Grunmeier stated that the Supervisors attended the Pierce Library Dedication on Sunday, November 13th.

10. Surplus Food Distribution will be held on Thursday, December 15th.

11. Chairman Grunmeier stated that the Supervisors will be working on the budget and requested quotes from the Township Engineer, Township Solicitor, and Building Inspector for the coming year. He also announced that appointments for positions on various boards will be made in January - Mr. Grunmeier suggested that advertisements be placed in the newspaper and any Township resident who is interested should apply -- the Board agreed. Appointments to be made: Planning Commission, Zoning Hearing Board, Park & Recreation Board and HTWSA.

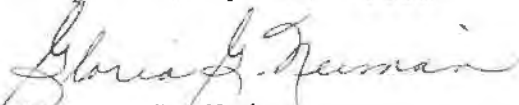
8.

12. Mr. Singley reported that a personnel meeting was held prior to this meeting which will continued after the meeting.

N. PRESS CONFERENCE - A conference was held to answer questions of those reporters present.

There being no further business, a motion of adjournment was made by Mr. Bennett at 8:55 P.M.

Respectfully submitted,



Gloria G. Neiman
Township Secretary