

**HILLTOWN TOWNSHIP  
SUPERVISORS' MEETING  
MAY 23, 1988**

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Robert H. Grunmeier at 7:35 P.M.

Members present were: Robert H. Grunmeier, Chairman  
Betty J. Kelly, Vice Chairperson  
William J. Bennett, Supervisor

Others present were: James H. Singley, Township Manager  
Gloria G. Neiman, Township Secretary  
Chief George Egly, Police Chief  
C. Robert Wynn, Township Engineer  
Francis X. Grabowski, Twp. Solicitor

A. APPROVAL OF MINUTES: Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve the minutes of the May 9, 1988 Supervisors' meeting as written. Chairman Grunmeier announced that a work session was held on May 18th for discussion of recycling which will be mandated by Senate Bill 528. (Hilltown Township would be required to implement a recycling program within three years). Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve the minutes of the May 18, 1988 Work Session as written.

B. ACCOUNTS PAYABLE: General Fund billing in the amount of \$2,403.17; Street Light Account \$100.23; and Highway Aid \$765.60. Motion was made by Mr. Bennett to pay bills when due; seconded by Mrs. Kelly and carried unanimously.

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

D. CONFIRMED APPOINTMENTS:

1. Wally Rosenthal, Owner of Curtis Furniture, Route 309: Mr. Rosenthal was present with his architect, Mr. John Konick and Mr. Pat Burns, manager of the karate studio which will be occupying the second floor of the Curtis Furniture store. The Township Building Inspector has informed Mr. Rosenthal that the BOCA Code requires a sprinkler system which is necessary due to the change in use (the karate school). Mr. Konick questioned need for sprinkler systems, stating that the building has fire separation walls which are in compliance with the Code, and that the sprinkler systems could cause damage to the furniture. He asked that the first floor rear of the building (used for furniture storage) be permitted to exist as is, but agreed to sprinkler the front portion of the building. At this time, Chairman Grunmeier read a memo from the Building Inspector, Clarence Radcliffe of Code Inspections, Inc., which stated, "Use Group 'M' (merchandise) -- 'when mixed use is approved, sprinkler systems are required'

(BOCA Article 10, Section 1002.9)". There followed discussion regarding intent of building inspector -- whether sprinkler systems are required on second floor only, front portion of first and second floor, or the entire building. Mr. Konick and Mr. Rosenthal indicated that they would be willing to sprinkler the second floor if they are permitted to obtain a conditional occupancy permit. Chairman Grunmeier requested that the Deputy Chief of the Line Lexington Fire Company examine the building plans and give his opinion. The Deputy Chief questioned type of floor which separates the first and second floor and was told that it was ordinary construction. In answer to the Deputy Chief's question regarding existing "fire wall", Mr. Rosenthal stated that there are double wooden doors; the Deputy Chief advised that the doors would have to be replaced with 4-hour fire rated doors which would close automatically. After examination of the plans and discussion regarding the fire wall, the Deputy Chief also recommended the entire building be sprinklered due to existence of furniture as a potential fire hazard and that the fire wall should be upgraded to meet Code requirements. Mr. John Snyder, President of Line Lexington Fire Company, also expressed his concern with the type of material stored and the life hazard on the second floor (karate school). Mr. Snyder stated that there should be a fire wall (to the roof) and also, that the second floor should be equipped with a sprinkler system prior to occupancy. Mr. Konick stated that they would be willing to install sprinkler systems on the front portion of the first and second floors with a proper fire wall. Chairman Grunmeier stated that clarification is needed regarding whether the entire building should be sprinklered or just the front half of the first and second floors. The Board agreed that they would adhere to the decision of the Building Inspector regarding these matters. Regarding issuance of a temporary occupancy permit, the Board also agreed this would be at the discretion of the Building Inspector. Mr. Rosenthal asked if he would be able to obtain a temporary occupancy permit if a "hold harmless" agreement were signed. Mr. Grabowski did not seem to be in favor of this type of agreement, but indicated that the Building Inspector would make the final decision.

2. Auditors - will wait until later in the meeting, when all auditors are present.

E. MANAGER'S REPORT:

1. Upper Bucks Consortium: Mr. Singley stated that, in his opinion, the Consortium will be very beneficial for all municipalities in the Upper Bucks area. Chairman Grunmeier stated, "We, as elected officials have an obligation to the people, and I feel very strongly that this is one way we can achieve that goal". Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to adopt Resolution #88-18, joining the Upper Bucks Consortium and adopting the Articles of Agreement.

2. Fuel Oil Bids: Mr. Singley made the following recommendations for award of bids:  
 Unleaded gas; diesel fuel; #2 heating fuel; premium unleaded -- to Brinkers of Doylestown.  
 Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to award the above bid to Brinkers, Doylestown, PA.

Propane -- to Agway (the current supplier). Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to award the bid for propane to Agway.

3. Municipal Building Update: Mr. Singley reported that bids will be going out (for construction) on May 31st, with bid opening scheduled for Tuesday, June 28, 1988 at 2:00 PM, Prevailing time. Mr. Wynn reported that the well has been staked on the site and will be drilled when weather permits (site currently too wet for equipment). Planning modules will be ready for signatures by HTWSA at their June 8th meeting, prior to next Supervisors' meeting of June 13th. Mr. Bennett asked the current estimated cost of the building; Mr. Singley answered that, as of May 15th, cost is estimated at \$1,672,000 (of which approximately \$1,450,000 is for actual construction). Total difference between original cost and present time is approximately \$400,000, which includes purchase of property through condemnation.

4. Youth Aid Panel: Mr. Singley read Resolution #88-17, presented to the Youth Aid Panel on May 16, 1988. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to adopt Resolution #88-17, commending the Youth Aid Panel on their volunteer efforts in helping the youth of the community.

5. EMA Coordinator: Prior to this evening's meeting, the Board conducted interviews of two applicants for the position of EMA Coordinator for Hilltown Township: Robert Tuttle and Robert H. Grunmeier, II.

8:22 P.M. - At this time, the Board recessed to review applications.

8:30 P.M. - Meeting resumed.

Chairman Grunmeier announced that he would abstain from voting and participation. Motion was made by Mrs. Kelly, seconded by Mr. Bennett to appoint Mr. Robert H. Grunmeier, II of Line Lexington, PA as Emergency Management Coordinator for Hilltown Township. Mr. Bennett stated that Mr. Grunmeier is extremely well qualified and a very dedicated individual, and that this position carries no monetary rewards. Motion carried 2:0. Mr. Singley will advise all necessary agencies of Mr. McCoach's replacement.

CONFIRMED APPOINTMENTS: (continued)

2. Auditors: At this time, Mr. Singley stated that the Auditors have presented a comprehensive report of their findings which will be submitted to the appropriate agencies. Chairman Grunmeier commended the Auditors, G. Jay Francis, Joan E. Ferry, and Patricia Garland, for a "job well done". Mr. Singley stated that he will review all recommendations and meet with them to discuss same.

F. ZONING REPORT: Mr. Singley read the report for the month of April which is on file at the Township building.

G. ENGINEERING/PLANNING:

1. Nob Hill, Phase II: Portion of this development (Lots #8, 9 and 10) in Hilltown Township, remainder in Perkasio Borough. Right-of-way in turn-around area does not conform to Township requirements; P.C. recommended denial for non-compliance with items of Township Engineer's review and since no response has been received from the developer. In answer to Mr. Grunmeier's question, Mr. Wynn stated that this plan cannot be legally recorded without Hilltown Township's signatures. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to deny the Nob Hill Phase II Subdivision Plan due to lack of response from the applicant (unless revised plan and additional 90 day review period is received by 6/19/88).

2. Khindri Subdivision, S. Main Street, Perkasio: Rear of Lots #5, 6 and 7 within Hilltown Township, remainder in Perkasio Borough; public water and sewer supplied by Perkasio Borough Authority; no proposed buildings in Hilltown Township. P.C. recommended approval subject to: (1) Verification of final approval from Bucks County Conservation District; and (2) Verification of public water & sewer from PBA. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to grant final plan approval to the Khindri Minor Subdivision.

3. Hellwarth Subdivision: Extension of sanitary sewer on Rt. 113 proposed to service two new building lots at Rt. 113 intersection of Forest Road; a third lot contains 10 acres of ground; proposed lots to be serviced by private water and public sewer. Mr. Wynn reported that a PennDOT permit must be secured by HTWSA for road restoration and that the developer is paying for the sewer extension. P.C. recommended approval subject to conditions listed in Township Engineer's review letter of 5/9/88, including drainage improvements to be made along the right-of-way of Lots #2 and #3 and relocation of swale. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to approve the Hellwarth Subdivision Preliminary Plan with stipulations stated at the 5/9/88 P.C. meeting.

Act 537 Plan Revision: Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to adopt Resolution #88-19, Act 537 Plan Revision for 400 ft. sewer extension to service Lots 2 and 3 of the Hellwarth Subdivision. Objections (made during the P.C. meeting) by Mr. Bennington and Mr. Fox regarding the extension were noted.

4. Hackett/Finkelstein Subdivision, Narothyn Road: 5 lot cul-de-sac subdivision. At their 5/9/88 meeting, the Supervisors accepted developer's request to waive curb and sidewalk in lieu of \$17,500 contribution for site improvements to Orchard Road and Walnut Street. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to grant final plan approval to the Hackett/Finkelstein Subdivision subject to recommendations of the P.C. at their 5/16/88 meeting.

5/23/88

5. Creative Design Site Development Plan (former West Dairy property): Applicant proposes to utilize existing masonry house as an office building and to construct a 5,000 S.F. building to be used as a retail store. P.C. recommended denial based on their belief that this plan constitutes a shopping center and has insufficient site area (10 acres required; site contains 2.8 acres). Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to deny the Creative Design Site Development based on P.C. recommendation and all other items listed in Township Engineer's review letter.

6. Peter Schloss Subdivision, Rt. 152 and Hilltown Pike: Subdivision previously approved in 1979; plan never recorded by applicant. Mr. Fitzgerald, Bucks County Dept. of Health has advised that since the property passed percolation tests in 1979 and minor construction was begun within two years, the permit is valid. P.C. recommended conditional approval subject to the plan being revised to current standards. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to approve the Peter Schloss Subdivision Preliminary Plan subject to stipulations stated by the P.C.

7. Mr. Wynn reported that the Planning Commission has decided to hold monthly work sessions on the first Monday of each month at 7:30 P.M., beginning June 6, 1988, in order to discuss revisions to the comprehensive plan and zoning ordinance. P.C. has requested that these work sessions not be open to the public, and that Mr. Wynn be allowed to attend when needed. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to allow the Hilltown Township Planning Commission to meet the first Monday of each month for a work session on the comprehensive plan and zoning update; Mr. Wynn to be on call on a "as needed" basis. Township Secretary to advertise the meetings.

8. Mr. Wynn reported that people moving into developments are not aware of the responsibilities of the developer; i.e., paving of driveway entrances, etc. The Board agreed to Mr. Wynn's suggestion that he draft a letter to be issued (with occupancy and/or building permit) to new residents of developments, informing them of pertinent facts regarding Township roads, required improvements, time constraints of work to be performed, etc.

#### H. SOLICITOR'S REPORT:

1. BOCA '87 Edition: Mr. Grabowski reported that he, along with the Township Building Inspector, is reviewing the '87 BOCA Basic Building Code and will submit their recommendations to the Supervisors.

2. Flood Plain Amendment Ordinance: Mr. Grabowski reported that his office has reviewed an ordinance prepared by Mr. Wynn, amending the Hilltown Township Flood Plain Ordinance in order to bring Hilltown Township into compliance with requirements of the Flood Management Agency. The Board agreed to allow Mr. Grabowski's office to advertise this ordinance.

I. RESIDENT'S COMMENTS:

1. William Godek, 206 Broad Street: Mr. Godek questioned minutes of last Supervisors' meeting (5/9/88), Manager's Report, Item 3(f), in which it was stated that Mr. Godek was the only resident who requested a subsidence or hydrologist investigation. Mr. Godek stated that he was not the only resident requesting a hydrologist investigation and that the Board had indicated (last year) they would look into a study separate from that performed for Hilltown Village. Mr. Singley answered that, to his knowledge, no one on the Board said they would proceed with the hydrologist study; however, he stated that it would be stricken from the record that Mr. Godek was the only resident who requested the hydrologist study. Mr. Bennett reminded Mr. Godek that H & K volunteered to conduct two seismograph tests at locations of his choice. Mrs. Kelly asked Mr. Godek if he was aware of the Quarry when he moved in to his house; Mr. Godek replied that he became aware of it the day he moved in. Mr. Singley stated that Mr. Mayall of H & K offered to dig up the Godek's basement floor at H & K's expense to determine if it is resting on bedrock; Mr. Godek indicated he is considering this offer.

2. Ron McHose, 38 Narothyn Road (Lot #13): Mr. McHose stated that he has been experiencing problems with water in back of his property; that the developer has done nothing to alleviate the problems; and he is asking that the Township intervene on his behalf. Mr. Wynn reported that he spoke with the developer, Trim Development has held back monies from the contractor, Sell Excavation and that the necessary heavy equipment cannot be brought in due to heavy rains. Mr. McHose stated that a fence should be erected around the basin to prevent children from entering. Mr. Wynn indicated that he has sent a letter to the developer with a punch list of items to be completed by the end of May; and to date, the developer has done nothing. Mr. Wynn recommended, if items are not completed by the next Supervisors' meeting, that the Township find the developer in default and advise that the Township will make all repairs necessary with reimbursement through escrow fund monies. Mr. Wynn advised Mr. McHose that the Township does not have an agreement for seeding or grading of his property (only the easement area) and that he should advise the developer of his concerns. Mr. Grabowski advised that responsibility of Mr. McHose's lawn and grading is between the property owner and the developer. Mr. Wynn stated he would notify the developer, Charles McMullan of Trim Construction, that punch list items must be completed by June 13th.

2. Irene McConnell, 37 Narothyn Road: Mrs. McConnell, a neighbor of Mr. McHose, complained of water runoff from farmland behind her property, but also stated that she had no problem with water until the developer graded the property. There was discussion regarding the possibility of contacting the Bucks County Soil Conservation District regarding direction of water runoff from the farmland. Mr. Wynn advised that improvements to correct grading on private property are not part of the developer's contract with the Township, and that there were no proposed lot grading plans for that development. Chairman Grunmeier stated that the Township

is in the process of updating the BOCA Code and Soil and Erosion Control Plan which developers will be required to follow in the future. However, at present, he advised the residents to contact the developer with their concerns. Mr. Grabowski also advised that the Township has limited authority in final grading plans. The Board also suggested that the Township Manager contact Mr. Fred Crist, the individual who farms the land behind Mrs. McConnell's property.

J. CORRESPONDENCE

1. By letter of May 6, 1988, Mr. Vincent Pileggi has advised that he has informed his attorney to withdraw his suit against Hilltown Township regarding the Hilly Hills Village Stores. Mr. Pileggi advised that he has sold the land to a group who intends to construct three homes on the site.

2. In response to a request from Souderton Borough Police, the Superintendent of Souderton Area School District has requested a meeting regarding an alternate way of access to the student parking lot at County Line Road. Mr. Singley and Chief Egly will meet with Souderton Borough Police regarding this matter.

3. Correspondence received from Stella Gaynor, Bucks County Director of Public Works, regarding Schwenk Mill Road Bridge (Structure ID #09 T362 ZZ00 0042). Ms. Gaynor has advised that the weight limit and advance warning signs are in place and latest inspection report indicates the structure is in fair condition and requires the 5 Ton weight limit be maintained.

K. SUPERVISOR'S COMMENTS:

1. Regarding Narothyn Road properties, Mr. Bennett stated that the developer should be required to complete all necessary items and that escrow monies could be used for this purpose.

2. Mr. Wynn reported that three property owners of Narothyn Road development have been notified by Trim Development that their driveway entrances (installed incorrectly) are the owner's responsibility.

3. Newsletter meeting: The Board agreed to meet on Thursday, June 2nd at 3:00 P.M. to discuss the upcoming newsletter with Mr. Metzger.

L. PRESS CONFERENCE: A conference was held to answer any questions or concerns of those reporters present.

There being no further business, a motion of adjournment was made by Mr. Bennett at 10:15 P.M.

Respectfully submitted,



Gloria G. Neiman  
Township Secretary