

HILLTOWN TOWNSHIP  
SUPERVISORS' MEETING  
March 28, 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 H. Bennett, Supervisor

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

A. APPROVAL OF MINUTES: Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve the minutes of the March 14, 1988 Supervisors' meeting as written. Copies are available to all residents at their request.

B. ACCOUNTS PAYABLE: Current billing in the amount of \$14,893.99 was approved by the Board. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to pay bills when due. Mr. Bennett stated that the new format is an improvement and much easier to read.

C. TREASURER'S REPORT: The report was read by Mr. Singley. A copy of this report is on file at the Township Building. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve the report as given, subject to audit.

D. CONFIRMED APPOINTMENTS: None.

E. MANAGER'S REPORT:

Old Business:

1) Consortium: Meeting was held on 3/23/88 in Quakertown. There were 16 Upper Bucks municipalities represented. Next meeting will be held on 4/27/88 at East Rockhill Township. Mr. Singley stated that there was a good turnout and interest in forming a consortium.

2) Proposed Rules & Regulations for Police Department: This resolution will supercede a resolution passed in 1977. Chairman Grunmeier asked if abandoned vehicles would be covered; Chief Egly answered that abandoned vehicles left on someone else's property would be included. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to adopt Resolution #88-14, Rules and Regulations for the Hilltown Township Police Department.

3) Complaints regarding litter: Mr. Singley stated that the road crew has been cleaning up litter as their schedule permits. Township land at Rt. 113 and Callowhill, and Swartley Road complaints have been taken care of.

4) Cable T.V.: Meeting with the cable company is scheduled for 3/31/88 at West Rockhill Township. Complaints which have been submitted to Hilltown will be presented to the company at that time. In answer to Mr. Bennett's question, Mr. Grabowski stated that the Township is permitted to receive a maximum of 3% of cable monies.

5) Building Inspections/Occupancy Permits: Continuing work regarding feasibility to enact inspections for existing housing.

6) Teamsters: On March 25, 1988, a decertification vote was handled by the Pennsylvania Labor Relations Board. Employees voted 5:0 to decertify from Teamsters'. There is a waiting period of five working days before the Labor Board will make their decertification decision.

7) Chairman Grunmeier questioned Mr. Singley on RFP's for zoning update; Mr. Singley indicated that they have been sent and opening is proposed for May 12, 1988. In answer to another question, Mr. Singley indicated he has received BIU's outstanding permits list.

#### New Business:

1) Update of Building Codes: Mr. Singley requested the Board's permission to coordinate with Mr. Grabowski a new ordinance for update of the Township building codes. Mr. Grabowski suggested that the proposed amendment regarding on-lot grading and erosion and sedimentation also be incorporated in this same ordinance. On recommendation of Chairman Grunmeier, the Board agreed to direct that copies of the proposed BOCA Amendment be sent to the Hilltown Township Planning Commission for their review. The Board also instructed the Building Inspector to review the 1987 amendments to the BOCA Code. Three copies of the proposed ordinance will be kept at the Township building for public review.

2) Quarry: In response to resident's complaints regarding severity of blasts on 3/15 and 3/16, Mr. Singley and Mr. Myers (Zoning Officer) visited the Quarry on 3/17 to observe blasts. Mr. Singley read a letter which was subsequently sent to complainants, explaining the degree of blasts. The blast on that date registered 1.35 air blast (H & K admitted this is higher than they would like it to be; however DER limit is 2.0).

3) Police Department Secretary Appointment: After conducting interviews with several applicants, Mr. Singley and Chief Egly recommended Ms. Tracey Ruth for the position. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to hire Ms. Tracey Ruth as full-time Police Department Clerk/Secretary, with one year probationary period, at a rate of \$7.00/hr. Ms. Ruth will begin employment on April 11, 1988.

4) For the record, Chairman Grunmeier stated that a personnel meeting was held this date, beginning 6:45 P.M and ending 7:29 P.M.

F. ZONING REPORT: Mr. Singley read the Zoning Officer's Report dated 3/24/88 which is on file at the Township building. Mr. Bennett questioned violation of recreational vehicle; Mr. Singley indicated he would check with the Zoning Officer and advise. Chairman Grunmeier questioned amount which can be levied for violations; he indicated limit has been upgraded to \$1,000. Chairman Grunmeier asked Mr. Grabowski to investigate revising the Ordinance to increase fines. Mr. Grabowski suggested he formulate an ordinance which could be advertised for adoption; the Board concurred.

G. ENGINEERING/PLANNING:

1) Nob Hill, Phase III: Subdivision located on Main Street in Perkasio Borough, with the rear of the parcel located in Hilltown Township (all of Lots 8 and 9). Portions of Lots 6 and 7 and entire cul-de-sac street turnaround are also located in the Township. Site to be serviced by public water and sewer from Perkasio Borough. PC recommended approval subject to: 1) Final approval in writing from Perkasio Borough Authority. 2) Execution of agreement between Perkasio Borough and Hilltown Township to require Borough to maintain cul-de-sac portion of street (in consideration of relief of street standards). Mr. Singley has sent a letter to the Borough Manager to arrange discussion; no response to date. Plans have been revised to increase street width to 34' (at Perkasio Borough's request). Mr. Wynn indicated that if Borough maintains street and cul-de-sac, roadway could be built to their specifications. Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to grant final plan approval to the Nob Hill, Phase III Subdivision subject to stipulations stated by the Township Engineer.

2) Hellwarth Subdivision: Plan proposes two new building lots (#2 and #3) on Rt. 113 and Forest Road; Lot #1 contains existing barn and outbuildings and approximately 10 acres of ground. (1) PC unanimously recommended relief from requirement for public or community water connection (per amendment to Subdivision Ordinance, Section 513A, 1987), and recommended that two private wells be permitted on Lots #2 and #3. (2) (Applicant proposed sewer extension of 400', from Rt. 113 toward properties which would require Act 537 revision for extension to public sewer). PC unanimously recommended that public sewer extension not be permitted because it does not conform to the Comprehensive Plan which restricts sanitary sewer extension to RR District. Mr. James Strothers presented a sketch of the property and indicated that soils are not suitable for on-site systems. HTWSA has indicated that this is within their service district. A neighbor, Mr. Fretz, has indicated he would allow line to go through his property if two laterals are provided. Mr. James Neill, attorney for the applicant, was also present and after further discussion, Chairman Grunmeier stated that he would like to see something in writing from the Water & Sewer Authority, indicating that it is within their service area and also their approval of extending the sewer line. Mr. Wynn indicated that all planning modules should be submitted to consider the request; Mr. Strothers stated he has all of this information in order. The Board indicated this would be a topic of discussion at the joint work session to be held on 4/4/88 with the P.C. and HTWSA; Mr. Strothers stated he would like to be present at that meeting.

3) PBA Subdivision: Minor subdivision of Perkasio Borough Authority; located within Perkasio Borough (at the site of the PBA well, Rt. 152 and South Perkasio Road), with the exception of the lot being subdivided which is partially in Hilltown Township. Plan proposes lot to be utilized for purpose of municipal well. PC recommended approval subject to: (1) Installation of buffer along H.T. boundary, similar to buffer proposed on Perkasio Borough boundary (evergreens and dogwoods); (2) Resolution of access to site, between Jurin property and PBA property (applicant has proposed they will provide for common use of driveway). (3) Ultimate right-of-way within H.T. is shown inaccurately on the plan and should be 40' from centerline. (4) PC did not recommend dedication of roadway right-of-way unless Perkasio Borough is accepting same. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to grant final approval to the PBA Subdivision, subject to stipulations stated in Township Engineer's letter of 3/15/88.

4) North Penn Industrial Subdivision: Motion was made by Mrs. Kelly to accept 90 day extension (offered by letter from Mr. George Tracy); motion seconded by Mr. Bennett and carried unanimously.

5) Khindri Subdivision: Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to accept 60 day extension offered by applicant.

6) Mr. Wynn reported that he spoke with Mr. Link of the Federal Emergency Management Agency, who has reviewed the activity of flood plain management in H.T. In a letter, Mr. Link has advised of changes he would like to see incorporated in the Flood Plain Ordinance. He has requested copies of Sections 221 and 222 of the Township Zoning Ordinance and a draft copy of the proposed amendment to the Flood Plain Ordinance, within 60 days of date of his letter (3/24/88). After his review, Township should adopt a new Flood Plain Management Ordinance. The Board directed Mr. Wynn to submit a draft copy, incorporating the changes.

7) Mr. Singley reported that an extension has also been received for the Brickajlik Subdivision. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to accept a 90 day extension for the Brickajlik Subdivision.

#### H. SOLICITOR'S REPORT:

1) Mr. Grabowski reported on the Bux-Mont Refuse Services appeal to Commonwealth Court, regarding the mandamus action on the Spur Road property. Written briefs were filed last week; oral arguments will be heard approximately September or October of this year.

2) On March 19th, the Environmental Quality Board proposed amendments to the Sewage Facilities Act, Chapter 71. The House and Senate Committees can make comments until 4/8/88; the Regulatory Review Commission has until 4/18/88 to make comments. If no comments are made by 4/18/88, amendments will take effect. Mr. Grabowski reported that all municipalities also have right to submit written public comment and requested the Board's permission to meet with Mr. Wynn for review of same and this could then be discussed at the 4/4/88 work session; the Board concurred.

3) Chairman Grunmeier announced that a resolution was presented to the Hilltown Township Fire Police at their Banquet on March 19th. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to adopt Resolution #88-13, recognizing the Fire Police.

I. RESIDENT'S COMMENT:

1) William Godek (206 Broad Street) questioned deteriorating road conditions of Broad Street. Mr. Singley replied that there is an underground spring at that location and the Roadmaster is working to correct the problem; H & K is working with the Township to restore the road. Mr. Godek questioned location nearer to his home, at Conlin Way. Mr. Singley stated that there could be a combination of factors which would cause deterioration of roads; he stated that weight of all Quarry trucks have been within acceptable guidelines.

Regarding hydrology study within the Quarry area, Mr. Godek questioned subsidence and asked that a study be performed. Chairman Grunmeier asked if he would still want this pursued, even though Hilltown Village study has indicated there is adequate water. Mr. Godek stated he would like a subsidence study performed; the Board directed Mr. Singley to investigate the cost of such a study.

2) Richard Edmonds (326 Schultz Road) thanked the Supervisors for having litter cleaned up along that road. The Board stated they would relay this to the Roadmaster (the Township road crew was responsible for clean up of litter on various roads).

3) Phillip Begley, 518 Upper Stump Road, questioned wastage of water by the Quarry and asked if this would affect the wells of residents in that vicinity. Chairman Grunmeier stated that, according to North Penn Water Authority statistics, all wells less than 100' in depth could go dry because of the low water table.

J. CORRESPONDENCE

1) Copy of letter received from Mr. Janos Liptak regarding his driveway installation to PennDOT; Mr. Liptak has indicated he is attempting to coordinate this with his neighbors, the McMillans.

2) Meeting will be held by the Central Bucks Water Supply Committee on Wednesday, 4/13/88 at 7:30 P.M. Mrs. Kelly will attend this meeting.

3) Letter received from Mr. John Snyder of Nationwide Insurance regarding Public Official's Liability Insurance - the Board will review.

K. SUPERVISOR'S COMMENTS:

1) Mrs. Kelly reminded everyone that Open House will be held on Saturday, April 16th; with a light lunch served. All are welcome.

2) Mr. Bennett stated (to Mr. Godek) that the semi-annual road inspection will be held April 23rd.

3) Mr. Bennett questioned Zoning Officer's report on the centralized post office. He stated that, since post offices are privately owned and leased to the government, a post office could be built privately. Mr. Singley indicated that the centralized post office will still be pursued.

4) Mr. Bennett asked if the current building inspection company has an Errors and Omissions insurance policy. Mr. Singley stated that they do not.

5) Chairman Grunmeier asked to reserve his comments until after the press conference.\*

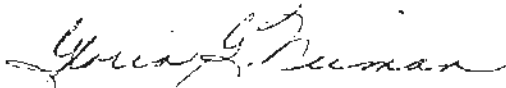
PRESS CONFERENCE: A conference was held at this time to answer concerns and questions of those reporters present.

\* At this time, Chairman Grunmeier stated that he was very upset about an article which appeared in the News Herald last week. Chairman Grunmeier stated that he instructed the Township Secretary to review the tapes of that meeting. At this time, Mrs. Neiman read an excerpt taken from the "Confirmed Appointments" segment of the 3/14/88 Supervisors' Meeting. A written account of the actual quotes (taken verbatim from taped recordings of the 3/14/88 meeting) was typed and signed by the Township Secretary and is attached to these minutes.

Chairman Grunmeier asked that Mr. John Gerner (Editor of the News Herald, who was present at this meeting) place a retraction in the newspaper. Mr. Gerner stated he would do so.

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

Respectfully submitted,



(Mrs.) Gloria G. Neiman  
Township Secretary

3/28/88

The following is an excerpt from the Confirmed Appointments segment of the March 14, 1988 Supervisors' meeting. Mr. Chris Schubert was the fourth confirmed appointment; he was present to discuss the Caroline Bergen Subdivision. After Mr. Schubert's remarks, Chairman Grunmeier called for public comment. Mr. John Bolger spoke first, followed by Mr. Timothy Browning, followed by Mr. Jack Fox and Mr. Ivan Jurin (the concensus of their remarks is included in the 3/14/88 minutes).

After Mr. Jurin's comments, the following exchange was made between Chairman Grunmeier and Mr. Timothy Browning.

(Mr. Edward Browning raised his hand to be recognized).

Chairman Grunmeier: "Mr. Browning, I am not recognizing you tonight; you are not a resident of this Township; please sit down. Sit down, sir."

Ed Browning: "I am a property owner."

Chairman Grunmeier: "Please sit down, sir. You are not residing in this Township."

Timothy Browning: "He's a property owner."

(Mr. Timothy Browning raised his hand to be recognized).

Chairman Grunmeier: "Now, Mr. Timothy Browning, I will recognize you."

Timothy Browning: "On behalf of my father, who is a property owner and pays taxes, and, in my opinion, has....."

Chairman Grunmeier: "We all do."

Timothy Browning: "Excuse me."

Chairman Grunmeier: "We all do."

Timothy Browning: "Good . . . in my opinion has a right to speak; but, I would like to direct a question to the Solicitor, who I believe is aware of Section 303.7, through a letter from my attorney. I would like to hear what you have to say about this, since it could be a legal problem."

Mr. Grabowski: "Well, Number 1, Mr. Browning, this is their meeting not my meeting. So, unless they want me to answer your question, I really . . . it wouldn't be appropriate for me to do that. Secondly, it is pending litigation, so, from that standpoint, whether or not legal conclusions are going to agree or not, it's not for us to debate that."

End of discussion. A vote was taken on Mrs. Kelly's motion to treat this as a revised final plan; Chairman Grunmeier seconded; motion carried 2:1 with Mr. Bennett opposed (stating he thinks the plan should go back to the P.C.)

All quotes taken verbatim from taped recordings of the 3/14/88 meeting.

  
Gloria G. Neiman  
Township Secretary