

**HILLTOWN TOWNSHIP
SUPERVISORS' MEETING
February 22, 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 announced that Titus (Bud) Moyer, retired Tax Collector, has been hospitalized in serious condition and asked that everyone remember him in their thoughts and prayers.

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

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

A. APPROVAL OF MINUTES: Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to approve the minutes of the 2/8/88 Supervisors' meeting as written.

B. ACCOUNTS PAYABLE: Motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to pay bills when due, with the exception of a bill from BIU (Building Inspection Underwriters) in the amount of \$3,381.21, until it is reviewed by the Supervisors.

C. TREASURER'S REPORT: The report dated February 1988 was read by Mr. Singley; same is on file at the Township office. Mr. Bennett suggested that another form of savings be investigated, in lieu of investment checking accounts, in order to gain more interest. Mr. Singley indicated he would look into this. 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:

Mr. Eric Tobin was present on behalf of Quiet Acres (trailer park) to ask the Board consider revision of Act 537 Plan, to allow revisions to the existing sewer system for Quiet Acres. Mr. Johann Szautner, engineer for Cowan Associates, stated that, at the request of Mr. Wynn, his firm has prepared a plan outlining the development proposal. Plan

presented to the Board indicates concept of proposed mobile home park expansion. He indicated that a submission has been made to DER and a sketch plan presented to the HTPC. Mr. Szautner stated there are 60 existing units and approximately 48 to 54 additional units proposed. (Sketch plan presented to PC was shown to Supervisors). Mr. Wynn stated that site capacity calculations were based on only a portion of the tract and there did not appear to be sufficient site area remaining to develop the site. Planning modules submitted indicate 60 existing units and 60 proposed units. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to deny the Act 537 revision for Quiet Acres Mobile Home Park due to insufficient site area for further development and insufficient plans and documentation to determine compliance with subdivision and zoning regulations.

E. MANAGER'S REPORT:

New Business:

1. Upper Bucks Consortium meeting will be held on Monday, February 29th, 7:30 P.M. at Meyers' Restaurant. Chairman Grunmeier and Mrs. Kelly indicated they would both attend.

2. Emergency Management Coordinator - Mr. Richard McCoach has advised that he will be unable to continue in his position of PEMA Coordinator, due to extensive travel requirements of his business. Chairman Grunmeier suggested availability of this position be noted in the next Township Newsletter, in addition to local newspapers.

F. ZONING REPORT: Mr. Singley read the zoning report which is on file at the Township office.

G. ENGINEERING/PLANNING:

1. Bux-Mont Plan - Mr. Wynn indicated that the plan has been revised to indicate proposed road improvements on Reliance Road (changes were recommended by Township Engineer and Bux-Mont Traffic Engineer). Revisions include in radius; extension of box culvert on north side of intersection and widening of Reliance Road. Mr. Wynn stated that a traffic signal should be considered at this location. There have been no proposed road improvements to Bethlehem Pike. Site is proposed to connect to Telford Borough Water & Sewer (final verification not yet received). Improvements shown on western side of site only; eastern side not proposed for development. Bux-Mont has requested relief from sidewalks. No information has been received from applicant regarding intent of Industrial

Development District. Copies of DER's review dated 1/28/88 were given to the Board. Motion was made by Mr. Bennett to deny the Bux-Mont Preliminary Plan, based on comments outlined by Township Engineer; motion seconded by Mrs. Kelly and carried unanimously.

2. Alderfer - (2) Spray Irrigation Systems Applications, Welcome House Road, Pinewood and Longview Road. Plan has been reviewed for conformance with Township Ordinance #87-4. Mr. James Strothers was present to request amendment to Act 537 Plan to allow spray irrigation systems at this site. Mr. Strothers questioned following requirements: 1) fencing of area - the Board indicated this is necessary because of children playing in the area. 2) minimum setbacks from property lines and dwelling units. Mr. Bennington, Chairman of the P.C., was also present and stated that the Spray Irrigation Ordinance should be enforced. 3) Storage volume requirement of 30 days. Chairman Grunmeier stated this requirement was necessary due to placing storage tanks in the buffer zone; Mr. Bennington answered that this requirement was made to keep away from main buildings. 4) Audible alarm on chlorinator. Mr. Strothers indicated applicant is proposing a dry chlorination method which uses tablets. He stated it is a non-mechanical unit and, therefore, cannot be provided with an alarm system. Chairman Grunmeier suggested that this plan be taken back to the PC for their input. Mr. Wynn indicated that there are additional outstanding items which also need to be addressed. Mr. Strothers agreed to present plan to PC at their scheduled meeting on 2/29/88.

8:30 P.M. - Regular meeting recessed. Chairman Grunmeier announced that two special hearings were advertised for this time. He stated that these hearings have been cancelled and a special meeting will be held to inform the public why the subject hearings have been cancelled.

Chairman Grunmeier stated that in 1977, the Supervisors adopted Ordinance #77-11, Rules and Regulations of the Police Department. In that ordinance, it is stated that when officers receive a reprimand, they have 5 days to appeal same and the Supervisors must hold an advertised hearing (per Sunshine Law requirements) within ten (10) days. These hearings were requested by Officers Mahaffey and Dreyer on 2/12/88 and were duly advertised; the officers withdrew their appeal on 2/18/88.

Chairman Grunmeier made the following remarks regarding this issue:

"The hearings scheduled for Officer David Mahaffey at 2030 hours and Officer Matthew Dreyer at 2100 hours on 22, February, 1988 have been cancelled.

Instead, a special meeting will be held to inform the public why such hearings have been cancelled.

In 1977, the Hilltown Township Board of Supervisors adopted a resolution prescribing Rules and Regulations for the Hilltown Township Police Department, that resolution being Resolution #77-11.

Article IV, Sections 1-7, in condensed form states when an officer or officers receives a reprimand, said officer or officers have five (5) days to appeal such a reprimand to the Board of Supervisors in writing. The Supervisors must hold a hearing upon such a request within ten (10) days.

Under Sunshine requirements, such a hearing must be advertised in a paper of local circulation. In this particular case, these requirements have been met.

Officers Mahaffey and Dreyer requested such a hearing in letter form dated 12, February, 1988; on 18, February, 1988, Officers Mahaffey and Dreyer then withdrew their appeal to the Board of Supervisors. By this time, the procedure as defined in the Rules and Regulations (Resolution #77-11) had been implemented.

Due to the non-appearance of Officers Mahaffey and Dreyer and their request to cancel the hearings, it is the concensus of the Board of Supervisors that said officers are pleading nolo-contendere and will accept the reprimand of Chief Egly and the Board of Supervisors as stated in letter form dated 9, February, 1988.

Chief Egly presented his recommended reprimand for said officers (3 days suspension without pay to be given at his discretion). Since Officers Mahaffey and Dreyer are not present and are pleading nolo-contendere, the events leading up to the reprimand will be placed in letter form in their personnel files and become part of their permanent record."

REMARKS (by Mr. Grunmeier): "Being an optimist, I feel I should make a few remarks pertaining to this particular case.

Item 1 - Our Police Department was presented with a problem and has resolved the problem within the Department. I feel this made our Police Department and Chief Egly stronger in management abilities.

Item 2 - I feel all our Township Employees in the future will weigh all factors before reaching a decision that may be detrimental to their careers.

Item 3 - I strongly feel these officers owe an apology to the residents of this community, the Board of Supervisors, and their fellow police officers.

For two days I have been pondering how this could be accomplished, keeping in mind everyone is entitled to make one mistake and not infringing upon the officers constitutional rights. If the Board is in agreement, I would like to suggest Officers Mahaffey and Dreyer, in addition to the reprimand,

volunteer 24 hours of extra duty without compensation, to be given at the discretion of Chief Egly. Keep in mind, this recommendation is strictly on a volunteer basis and is not mandated by the Board of Supervisors."

Public comments regarding this matter:

Supervisor Bennett indicated he is in complete concurrence with the Chairman's decision on this matter.

There being no other public comment, the hearing was adjourned.
8:35 P.M. - Regular meeting resumed.

ENGINEERING/PLANNING (continued)

3. Perkasio Borough Authority - Subdivision for PBA well located on Walnut Street. Mr. Wynn stated that 2/10/88 correspondence from Manager of Perkasio Borough Authority (PBA) states that Lot #2 on plan shall be location of well site. Only improvements proposed in Hilltown Township will be access drive to well house. PBA has requested waiver of subdivision submission in lieu of an informal discussion with HTPC and Supervisors. PC has recommended that plan be submitted to Township. Motion was made by Mr. Bennett to require formal submission to Hilltown Township Planning Commission; but to waive any Township fees; motion seconded by Mrs. Kelly and carried unanimously.

4. Mr. Wynn stated that he met with Scott Tagg, Chairman of Park & Recreation Board, to view proposed open space of 209 Realty and Deerfield Subdivisions. Mr. Tagg appeared pleased with the open space and indicated it would be a usable area for recreation and picnic grove.

5. Hazlett Plan presented for consideration at last month's meeting. Plan was before the PC and questioned whether submission would be required to the Township; no proposed lot line changes in Hilltown Township. Property is located on South Main Street with proposed temporary driveway access to houses. Lots containing approximately 20,000 s.f. are located in Perkasio Borough. Lot #6, in Hilltown Township, contains existing house and barn. Mr. Bricker was before PC to request relief from formal submission. PC recommended he not be required to submit to Hilltown Township since there are no lot line changes in the Township. Review by Supervisors was tabled from last meeting. Motion was made by Mr. Bennett to not require Hazlett Subdivision to submit a plan to Hilltown Township on recommendation of the HTPC; motion seconded by Mrs. Kelly and carried unanimously.

6. Municipal Building Update - Foundation borings scheduled for Thursday, 2/25/88.

7. Pictures of septic tank (actually an old well) on Pleasant Meadows' property have been taken and shown to Supervisors. (This complaint was received at a previous meeting). Tank has been filled to the top with stone and a metal plate placed on top, and will not present a hazardous condition.

H. SOLICITOR'S REPORT:

Deed of Dedication for Gratias Subdivision - Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to adopt Resolution #88-9, Acceptance of Deed of Dedication and Resolution #88-10, Declaration of Public Purpose.

I. PUBLIC COMMENT:

1. Kenneth Bennington, Chairman of the PC, commented on an issue presented at the last PC meeting. Mr. Jimmy Kemmerer made a proposal to remove grass clippings from his Perkasio Borough subdivision and bring them into Hilltown Township. Since this would be composting facility, Use G-5, it would not be permitted under the Township Zoning Ordinance. Mr. Grabowski stated he would advise Mr. Kemmerer of this.

2. Toni MacMillan, Bethlehem Pike, Telford Mrs. MacMillan requested an update on the Liptak situation. Mr. Grabowski advised that the Township is awaiting a hearing date in Doylestown Court. He advised here to submit any available information to the Township Zoning Officer. Mrs. MacMillan also questioned Mr. Singley regarding the police budget. Mr. Singley explained the breakdown of costs; Mrs. MacMillan requested a line item copy of the '87 and '88 budgets with expenditures; a copy of any accounts where reserves are set aside; and a copy of '86 auditor's report which was sent to the State. Mr. Singley indicated he would mail this information to her.

3. Mr. John Snyder commended the road crew on their fine job of clearing the roads during the snow emergency last Thursday evening (2/11/88). He stated that they did an excellent job and also aided the fire police that night.

J. CORRESPONDENCE:

1. Monthly Fire Reports received from Telford Fire Company; Perkasio Fire Company; and Line Lexington Fire Company.

2. Letter of thanks received from Ted Covington for assistance received for overturned tanker on Hilltown Pike.

3. Dr. Abrams is appealing a Zoning Hearing Board decision rendered in December '87. Application has been sent to ZHB Solicitor.

4. James Fitzgerald vs. Police Department - Township Police Dept. will be represented by a law firm in Virginia Beach, VA.

5. Local Government Week - April 10 to April 16 Chairman Grunmeier and Mr. Singley will visit local elementary schools during that week to lecture on local government. Open house will be scheduled at a future meeting.

6. Mr. Wynn presented two previously approved plans for re-signing and dating - plans were approved in '87 but applicants failed to record in sufficient time. Gratiis and Lewis plans will be signed by Supervisors after meeting and redated by Township Secretary.

K. SUPERVISOR'S COMMENTS:

1. Mr. Bennett proposed that all future site development plans be presented to the PC prior to review by the Supervisors. He stated that the PC has the expertise to review these plans. Chairman Grunmeier and Mrs. Kelly agreed.

2. Mr. Bennett asked if further work has been accomplished on the Pleasant Meadows' box culvert. Mr. Wynn indicated that no work has been done and that he is attempting to contact Mr. Cordrey of Del-Val Soil Consultants.

3. Mrs. Kelly reported on Central Bucks Water Supply Commission meeting held on Wednesday, 2/10/88. She stated that Secretary Denko indicated his concern over the water situation in Pennsylvania and that the Central Bucks Water Committee is considering a national study of groundwater resources. The Committee has asked a representative from the U.S. Geological Survey Department to attend their next meeting on Wednesday, March 9, 1988.

4. Chairman Grunmeier announced that there is a vacancy on the PC Board due to the demise of Mr. Robert Burrage. The PC suggested three names (without formal submission by applicant): William Reisner; Martin Renshaw; and Nicholas Lupinacci. Formal written submission has been received from Mr. Vincent Pischl, Reliance Road, Telford, PA. Mrs. Kelly stated she feels Mr. Pischl, who was Supervisor for 12 years,

is well versed in PC procedures - Mrs. Kelly made a motion to appoint Vincent Pischl to the Planning Commission Board. Mr. Bennett stated that he understood tradition has been for the PC to make recommendations; he stated that, although he has no personal preference, he would like to abide by the PC's recommendation. Mrs. Kelly's motion was seconded by Chairman Grunmeier. Mr. Bennett abstained from voting; motion passed 2:0 to appoint Mr. Vincent Pischl to the Planning Commission Board.

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

There being no further business, a motion of adjournment was made by Mrs. Kelly at 9:15 P.M.

Respectfully submitted,

(Mrs.) Gloria G. Neiman