

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
MONDAY, SEPTEMBER 28, 2020**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John McIlhinney at 7:04 PM and opened with the Pledge of Allegiance. Also, in attendance were Vice-Chairman James Groff, Supervisor Caleb Torrice, Township Manager Lorraine Leslie, Chief of Police Christopher Engelhart, Township Engineer C. Robert Wynn, Township Solicitor Steve Harris, and Finance Director Marianne Egan.

1. ANNOUNCEMENTS: None.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the August 24, 2020 Board of Supervisors Meeting
 - b) Bills List – September 15, 2020
 - c) Bills List – September 29, 2020
 - d) Financial Report - August 31, 2020
 - e) MMO 2021 Non-Uniform & Uniform Pension Plans

Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to accept and approve items 3(a) thru 3(e) on the Consent Agenda as written. There was no public comment.

4. CONFIRMED APPOINTMENT: None.
5. LEGAL:
 - a) Mill Ridge:

1. Financial Security Agreement: Solicitor Harris requested a motion to authorize the execution of the Financial Security Agreement for the Hallmark Homes Mill Ridge Subdivision. The agreement has been signed by the developer and the bank. All of the required funds have been received.

Motion was made by Supervisor Torrice, seconded by Vice-Chairman Groff and carried unanimously to accept, approve, and execute the Financial Security Agreement for Hallmark Homes Mill Ridge Subdivision. There was no public comment.

2. Intergovernmental Cooperation Agreement – Hilltown Township & New Britain: Mill Ridge Development: Solicitor Harris stated the Mill Ridge Development will be served by Chalfont/New Britain Township Joint Sewer Authority. Solicitor Harris requested a motion to accept, approve, and execute the Intergovernmental Cooperation Agreement between Hilltown Township and New Britain Township.

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Motion as made by Vice-Chairman Groff, seconded by Vice-Chairman Torrice and carried unanimously to accept, approve, and execute the Intergovernmental Cooperation Agreement between Hilltown Township and New Britain Township. There was no public comment.

b) Britton Industries Agreements:

1. Development Agreement
2. Holding Tank Agreement
3. Stormwater Facilities Maintenance & Monitoring Agreement

Solicitor Harris stated the Development Agreement, Holding Tank Agreement, and the Stormwater Facilities Maintenance & Monitoring Agreement have been received along with the Letter of Credit posted by Britton Industries and requests a motion to approve and execute the Development Agreement, Holding Tank Agreement, and the Stormwater Facilities Maintenance & Monitoring Agreement.

Motion was made by Supervisor Torrice, seconded by Vice-Chairman Groff and carried unanimously to accept, approve, and execute the Development Agreement, Holding Tank Agreement, and the Stormwater Facilities Maintenance & Monitoring Agreement for Britton Industries. There was no public comment.

c) ZHB Scheduled for October 8, 2020 at 7pm, Appeal #2020-007 – Rosenberger:

Solicitor Harris stated the Rosenberger application is a request for a variance in order to install a roof top residential solar electric system on a dwelling in the VC Zoning District at 1000 Miriam Drive. Mr. Wynn stated the requirements for solar installation has been in the ordinance for many years. He continued to state things have changed a lot as they are not standing up, and have become quite common. The Board of Supervisors stated they do not wish Solicitor Harris to attend the hearing for Rosenberger at 1000 Miriam Drive.

d) ZHB Scheduled for October 8, 2020 at 7:30 pm, Appeal #2020-008 – Leone:

Solicitor Harris stated the Leone application is a request for a variance from the impervious requirement to construct a shed which will result in a total impervious surface area of 22.3% rather than the permitted 20%. Chairman McIlhinney questioned the “prior pool project” in the application and if there was ever a permit obtained for the pool. Solicitor Harris stated he does not know if the pool was permitted. Chairman McIlhinney stated he wants to know who the pool builder is and if they got a permit to put in the pool. It was the consensus of the Board of Supervisors to not have Solicitor Harris attend the hearing and Ms. Leslie will find out from Dave Taylor who built the pool and if a permit was obtained. If there are fees owned, amongst other things, then Dave Taylor will attend the Zoning Hearing and discuss it with the Zoning Hearing Board. Mr. Wynn stated, if there was no building permit issued for the pool, there should still be an electrical inspection with the new permit. The Board of Supervisors agreed.

6. PLANNING: None.

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7. ENGINEERING:

a) Wawa (HRES) – 18 Month Maintenance Period Phase I: Mr. Wynn stated Hunt Real Estate has requested to commence the 18-month maintenance period for Wawa on their portion of street improvements along Route 113/Route 313. The improvements have been accepted by PennDOT, the Hilltown Township Water and Sewer Authority, and a monument certification has been received indicating the monuments on the outside of the property have been installed. There are, however, items regarding landscaping that hasn't been completed and would be disturbed that basically exists between the sidewalk to the end of the right-of-way. That area of the property is likely to be disturbed during the construction of Wawa which is by a different entity with a different Development Agreement. Mr. Wynn recommends acceptance of the commencement of the 18-month maintenance period for the Phase I street improvements subject to retaining Financial Security in the amount of \$76,407.00 to guarantee completion of the remaining items that have not been installed at the site. This is in addition to a maintenance escrow in the amount of \$85,869.38 which would be retained for eighteen months. The second part of the site, which is being done by Wawa, is under construction which is the building and the gas tanks.

Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice and carried unanimously to commence the 18-month maintenance period for the portion of the off-site improvements for Wawa that has been completed in accordance to Mr. Wynn's letter dated September 22, 2020 and the appropriate escrow funds will be held during that period. There was no public comment.

b) Act 537 Plan of Study: Mr. Wynn stated, with respect to the Sewage Facility Act 537 plan revision, one of the requirements at DEP has for the Township is to contact and survey residents regarding their existing septic systems in six areas of the Township; five areas that were determined to have potential problem with their septic systems back in 1999, and a portion of Callowhill Road where there have been a few repair systems. Mr. Wynn continued to state he has provided a proposed Survey Letter that would be sent to approximately 165 residents requesting information regarding their sewage disposal systems. In addition, Mr. Wynn contacted the Health Department who provided permits and inspections on systems within all of the areas. So, they do have background information on many of the sites in regard to what type systems they are, where they are placed on the property, and if there has been repairs. He has also provided a cover letter so the residents can contact him if they have questions. Mr. Wynn continued to state the ordinance regarding maintenance and management of the sewage systems will be revised for next month's meeting for authorization for advertisement. Vice-Chairman Groff asked if Mr. Wynn's office did the survey or did DEP provide the questions that needed to be included in the survey. Mr. Wynn stated his office prepared the survey.

Motion was made by Supervisor Torrice, seconded by Vice-Chairman Groff, and carried unanimously to authorize Mr. Wynn to send the cover letter and survey to the 165 residents in the

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five areas that were determined to have potential problem with their septic systems back in 1999, and a portion of Callowhill Road. There was no public comment.

c) Riparian Buffer Maintenance: Mr. Wynn stated the riparian buffer installed in April of 2019 is doing well but requires maintenance, specifically repair of some of the protection tubes and spot use of herbicide to maintain control of multiflora rose. Archewild gave a proposal in the amount of \$1,442.00 to perform the maintenance.

Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice and carried unanimously to except the proposal by Archewild in the amount of \$1,442.00 to repair some of the protection tubes and spot use of herbicide to maintain control of multiflora rose in the riparian buffer. There was no public comment.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) Designation of Agent Resolution #2020-018: Ms. Leslie stated Resolution #2020-018 grants approval from the Board of Supervisors for her to be named the Applicant Agent for the FEMA Grant Application for COVID-19. Ms. Egan gave an overview of the FEMA Grant Application that was submitted to recover costs incurred by the Township in regard to COVID-19.

Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice and carried unanimously to approve Resolution #2020-018 naming Lorraine Leslie the Applicant Agent for the FEMA Grant Application for COVID-19. There was no public comment.

b) Fencing Equestrian Court Basin: Mark Rawlings, 136 Equestrian Court, requested part of the fence be removed from part of the basin and repair the remaining fence. Solicitor Harris stated a Hold Harmless Agreement will be needed along with a letter from the property owners who will be impacted from the fence removal as shown on the submitted plan.

Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice and carried unanimously to approve the partial fence removal around the basin of Equestrian Court subject to the execution of the Hold Harmless Agreement and letters from the property owners who will be impacted from the fence removal as shown on the submitted plan. There was no public comment.

c) Salt Bids for the 2020-2021 Season: Ms. Leslie stated every year Hilltown Township joins in with the Consortium to bid salt. The low bid, again, this year was Morton Salt, Inc. at \$47.75 per ton delivered.

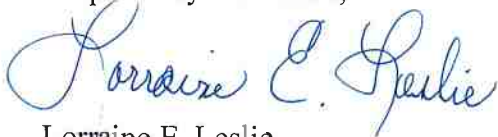
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Motion was made by Supervisor Torrice, seconded by Vice-Chairman Groff and carried unanimously to award the 2020-2021 season Salt Bid to Morton Salt, Inc. at \$47.75 per ton delivered. There was no public comment.

d) Scott Drumbore – H&K – Requesting for extension of hours for October for the Concrete and Asphalt Plant at the Skunkhollow Quarry: Ms. Leslie stated H&K has requested to operate the concrete batch plant, asphalt batch plant, and the crushing plant between the hours of 6:30 pm to 6:30 am, Monday through Saturday, between October 1, 2020 and October 31, 2020, excluding holidays, for the PennDOT projects per their letter dated September 23, 2020. Ms. Leslie stated H&K provided the daily reports off of the equipment that runs in excess hours. Supervisor Torrice questioned if H&K can predict when they are going to run and it was noted that they do not know ahead of time when they are going to run due to weather, etc. Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice and carried unanimously to grant the extension of hours between October 1, 2020 and October 31, 2020 for the Concrete and Asphalt Plant at the Skunkhollow Quarry per their letter dated September 23, 2020 with the exception of striking the part in the letter in regard to "and/or private customers." There was no public comment

10. SUPERVISOR'S COMMENTS: None.
11. PUBLIC COMMENT: None.
12. PRESS CONFERENCE: None.
13. ADJOURNMENT: Upon motion by Vice-Chairman Groff, seconded by Supervisor Torrice and carried unanimously, the September 28, 2020 Hilltown Township Board of Supervisors meeting was adjourned at 7:35 PM.

Respectfully submitted,



Lorraine E. Leslie
Township Manager

(*NOTE: These minutes were transcribed from notes and recordings and should not be considered official until approved by the Board of Supervisors at a public meeting).

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