

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
MONDAY, MAY 24, 2021**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John McIlhinney at 7:00 PM and opened with the Pledge of Allegiance. Also, in attendance were Vice-Chairman James Groff, Supervisor Caleb Torrice, Township Manager Lorraine Leslie, Township Solicitor Jack Wuerstle, Township Engineer Tim Fulmer, Chief of Police Christopher Engelhart, and Finance Director Marianne Egan.

1. ANNOUNCEMENTS:

a) Executive Session: Chairman McIlhinney stated there was an executive session to discuss personnel, legal, and land acquisition matters on April 26, 2021.

2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

3. CONSENT AGENDA:

- a) Minutes of the April 26, 2021, Board of Supervisors Meeting
- b) Bills List – May 11, 2021
- c) Bills List – May 25, 2021
- d) Financial Report – April 30, 2021

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

4. CONFIRMED APPOINTMENT: None.

5. LEGAL: Solicitor's Report:

a) Zoning Hearing Board – Arinsburg Assoc., Inc. d/b/a/ Bucks Co. Auto Care – Requesting Variance: Solicitor Wuerstle stated the Arinsburg Associates, Inc. Zoning Hearing is scheduled for June 3, 2021, for variances for off street parking and parking spaces, buffering, and asphalt paving located at 232 Dublin Pike. The Board of Supervisors stated they do not want Solicitor Wuerstle to attend the Arinsburg Associates, Inc. Zoning Hearing Board.

b) Zoning Hearing Board – Joseph & Salena Pulli – Requesting Variance: Solicitor Wuerstle stated the Joseph and & Salena Pulli Zoning Hearing is scheduled for June 3, 2021, for impervious surface to install a pool located at 448 Maregan Drive. The Board of Supervisors stated they do not want Solicitor Wuerstle to attend the Joseph & Salena Pulli Zoning Hearing. Chairman McIlhinney stated to Mr. Fulmer he wants to make sure they do not run into the problem where the pool designer, at a later date, decides to make it impossible for the adjoining neighbors to enjoy their back yards as happened in the past.

6. PLANNING:

a) North Single Family Detached Dwelling Street Improvements (Suh Subdivision Lot #2): Mr. Tim Fulmer stated, a few years ago, the Suh Subdivision created a two-lot subdivision with one being a new building lot. At that time, the Board did not require street improvements along the frontage of the site and did not except a fee-in-lieu but deferred that requirement until the time of building permit application on lot 2. Mr. North, the property owner, has retained Mr. Steve Yates, Lynn Builders, to construct the house. During the stormwater management review of the lot, Mr. Fulmer noted it had to be discussed with the Board as far as the requirement of the street improvements. Mr. Fulmer stated an estimate of cost in lieu of curbing, sidewalk, and widening of Green Street in the amount of \$15,450.00 was provided from Mr. Yates. Chairman McIlhinney stated, when the Board of Supervisors approved this subdivision three years ago, they ended up with a flag lot that was undersized which was a good consideration for Mr. Suh from the Township. They ended up with a 5-acre flag lot rather than the required 10-acre flag lot. Mr. Yates stated a variance was granted for this project prior to his appointment to the Zoning Hearing Board. Mr. Yates continued to state Mr. North purchased the lot from Mr. Suh and the plan clearly states there were waivers that were requested and granted at the time. The language of the waivers suggests, because there was no construction anticipated at that time, that the waiver was granted for the fee in lieu or the improvements themselves. Mr. Yates continued to state, he along with Mr. North, assumed that meant there would be no fee in lieu or that a waiver was not required at this point. Mr. North, who has already paid a significant amount of money for the property, was not the beneficiary of the subdivision himself and Mr. Suh was able to wrangle out of the improvements. Mr. Fulmer clarified Mr. Suh paid the Park and Recreation fee. Mr. Fulmer stated there is a note on the plan that defers the requirement for the street improvements until the time of building permit. There is also a declaration document that was recorded at the time the subdivision plan was recorded, which should have been picked up by the title search. Mr. Yates stated they did not budget for any street improvements or plan to pay any fee in lieu of street improvements. Chairman McIlhinney stated he does not think the Township should be the scape goat for what may have occurred in the past. They fully expect the improvements, or the fees, would be paid when the second lot was developed. The fact that Mr. Suh took advantage and ended up with a sweet deal of a 5-acre flag lot, should not fall back on the Township or the taxpayers of the Township. Chairman McIlhinney stated there should be some consideration given for Mr. North's plight, but maybe the Township will be a lot wiser in the future and not defer these payments again. Mr. Fulmer stated, in similar cases of recent 2-lot subdivisions with one building lot, the Board of Supervisors accepted a capital contribution of a slightly lower amount than the actual cost, which was \$5,000.00 for the street improvements. Chairman McIlhinney stated there was another project, Gordon Builders, where the fee in lieu of street improvements was \$20,000.00 and that amount was reduced to \$10,000.00. Chairman McIlhinney stated they should not be doing any more delayed payment of fees in the future. After discussion, it was determined the Township will accept the fee in lieu of street improvements from Mr. North, for lot #2 of the Suh Subdivision, in the amount of \$6,200.00.

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Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to accept the fee in lieu of street improvements from Mr. North, for lot #2 of the Suh Subdivision, in the amount of \$6,200.00. There was no public comment.

b) Resolution # 2021-015 – Plan Revision for Sewage Facilities Planning Module – Reserve at Highview (Chrzanowski) Subdivision: Mr. Fulmer requested Resolution 2021-015 be adopted for the Sewage Facilities Planning Module for the Reserve at Highview Subdivision (Chrzanowski) and be sent to PA DEP for review. Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to adopt Resolution 2021-015 for the Reserve at Highview Subdivision (Chrzanowski) Planning Module to be sent to PA DEP. There was no public comment.

7. ENGINEERING: None.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) Scott Drumbore – H&K – Requesting for extension of hours for June 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 June 1, 2021, and June 30, 2021, excluding holidays, for the PennDOT projects per their letter dated May 20, 2021. Ms. Leslie stated H & K provided the daily reports off of the equipment that runs in excess hours for April. Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to grant the extension of hours between June 1, 2021, and June 30, 2021, for the Concrete and Asphalt Plant at the Skunkhollow Quarry per their letter dated May 20, 2021, with the exception of striking the part in the letter in regard to "and/or private customers." There was no public comment.

b) Endslow Lane: Chief Engelhart stated a resident requested 25 MPH speed limit signs be posted along Endslow Lane. He continued to state the road already meets the qualifications to be a 25 MPH residential street. Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice, and carried unanimously, to post 25 MPH speed limit signs along Endslow Lane. There was no public comment.

10. SUPERVISOR'S COMMENTS: Supervisor Torrice stated the Primary Election Day was very busy. Chairman McIlhinney stated he is glad to see the meeting room back to normal.

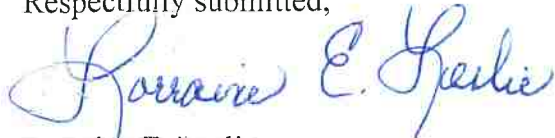
11. PUBLIC COMMENT: None.

12. PRESS CONFERENCE: None.

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13. ADJOURNMENT: Upon motion by Supervisor Torrice, seconded by Vice-Chairman Groff, and carried unanimously, the May 24, 2021, Hilltown Township Board of Supervisors meeting was adjourned at 7:22 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).