

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED WORKSESSION MEETING
Monday, November 11, 1996
7:30PM**

The regularly scheduled worksession meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:30PM and opened with the Pledge of Allegiance.

Also present: Kenneth B. Bennington, Vice-Chairman
Jack C. Fox, Supervisor
Bruce G. Horrocks, Township Manager
George C. Egly, Chief of Police
Thomas A. Buzby, Director of Public Works
James C. Groff, Operations Manager, HTWSA

In honor of Veteran's Day, Chairman Bennett called for a moment of silence.

A. APPROVAL OF CURRENT BILLING: Chairman Bennett presented the Bills List, dated November 12, 1996 with General Fund payments in the amount of \$90,890.88, Fire Fund payments in the amount of \$1,183.58, Debt Service Fund payments in the amount of \$706.53, State Highway Aid payments in the amount of \$1,187.83, and Escrow Fund payments in the amount of \$26.68; for a grand total of all payments in the amount of \$93,995.50.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated November 12, 1996, subject to audit.

B. TREASURER'S REPORT - Mr. Bruce G. Horrocks, Township Manager - Mr. Horrocks presented the Treasurer's Report with the following balances as of October 31, 1996:

General Fund Checking Account	\$ 159,989.16
Fire Fund Checking Account	\$ 41,943.71
Debt Service Fund Checking Account	\$ 128,530.77
State Highway Aid Checking Account	\$ 97,749.61
Escrow Fund Checking Account	\$ 138,291.01
Payroll Fund Checking Account	\$ 430.40

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Treasurer's Report dated October 31, 1996, subject to audit.

C. WATER AND SEWER AUTHORITY REPORT - Mr. James Groff, Operations Manager - Mr. Groff read the Authority Report for the month of October, 1996 which is on file at the Township Office.

D. PUBLIC WORKS REPORT - Mr. Thomas A Buzby, Director of Public Works - Mr. Buzby read the Public Works Report for the period of

September 29th through October 26th, 1996, which is on file at the Township Office.

Mr. Buzby advised leaf pick-up began today, and will continue on a weekly basis as weather permits.

Chairman Bennett complimented Mr. Buzby on the paving work done on Cherry Road, and asked if that street will be line striped. Mr. Buzby replied there are no plans to line stripe Cherry Road, since it is not in the budget. Mr. Buzby explained the cost to line stripe only eight or nine miles cost approximately \$5,500.00.

Chairman Bennett commented many Township residents do not realize it is their own responsibility to keep their driveway pipes free and of debris. Mr. Buzby stated the Public Works Department will open driveway pipes if they happen to see clogs, however it is the homeowner's responsibility to maintain their own driveway pipes. When driveway pipes are clogged, water run-off is diverted which causes a great deal of roadside erosion. Discussion took place concerning recent rain storms.

E. POLICE CHIEF'S REPORT - Chief George C. Egly - Chief Egly read the Police Report for the month of October, 1996 which is on file at the Township office.

Supervisor Bennington asked how many serious incidents have occurred at Rt. 113 and Diamond Street since the traffic signal was installed. Chief Egly replied there have been no serious accidents at that intersection since the traffic light was installed. Chairman Bennett asked how to distinguish between a reportable and a non-reportable accident. Chief Egly explained that criteria is established by the State and deals with the need to tow a vehicle and/or injury involvement.

F. PARK AND RECREATION REPORT - No one was present at this time.

G. HILLTOWN FIRE CHIEF'S REPORT - Mr. Jeff James read the Hilltown Fire Company Report for the month of October, 1996 which is on file at the Township office.

H. EMERGENCY MANAGEMENT COORDINATOR'S REPORT - Mr. Devlin was not present at this time.

I. SILVERDALE FIRE CHIEF'S REPORT - Mr. John Gillespie read the Silverdale Fire Company Report for the month of October, 1996, which is on file at the Township office.

J. PUBLIC HEARING - Chairman Bennett adjourned the regularly scheduled Worksession meeting at 8:00PM in order to enter into the advertised Public Hearing. This hearing is being held to entertain

public comment and to consider the adoption of an Ordinance providing that no public streets of the Township be opened or cut, nor any driveway or utility installed by any person, firm, corporation, or utility without first securing a permit in accordance with Township regulations, and providing penalties for the violation thereof.

Mr. Horrocks noted this proposed Ordinance specifically repeals an existing Ordinance. It was written by the Township Engineer, and was reviewed by the Township Solicitor. An accompanying Resolution states "A resolution of the Board of Supervisors of Hilltown Township, Bucks County, establishing regulations for the construction of driveways, the installation of driveway pipes and utilities, and openings in and/or along Township roads." The proposed Ordinance adopts rules, regulations, violations and penalties, and the Resolution is what enacts the Ordinance. There was no Public Comment.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Ordinance #96-5 providing that no public streets of the Township of Hilltown be opened or cut, nor any driveway or utility installed by any person, firm, corporation, or utility without first securing a permit in accordance with Township regulations, and providing penalties for the violation thereof; and to adopt Resolution #96-33 to enact the above Ordinance.**

Chairman Bennett reconvened the regularly scheduled Board of Supervisors Worksession meeting at 8:05PM.

K. CONFIRMED APPOINTMENTS:

1. Mr. Ed James - Open Space Referendum - Mr. Ed James of 972 Bypass Road was in attendance to discuss the open space referendum question. Mr. James voted in favor of the referendum question and was very surprised at the results. In Mr. James opinion, Hilltown Township residents are not that different from other neighboring municipality residents who supported similar referendums. Mr. James was amazed by the strong negative vote, and wondered if possibly the referendum question wording was confusing. Further, Mr. James feels the strong negative campaigning at the polls, which he personally witnessed, was another influence that may have impacted voters. Mr. James believes the open space referendum is a tool the Board of Supervisors need to deal with development and open space preservation in the Township. Since the election results were so close, Mr. James is asking the Board of Supervisors to request a re-count of the vote.

With regard to Mr. James' remarks concerning the wording of the

referendum question, Chairman Bennett stated the Township provided suggested wording of the question, however the County actually approves official wording of all referendum questions. Chairman Bennett agreed the vote was very close, and understands the Board of Elections intended to recertify the vote last Friday. Further, Chairman Bennett believes any individual can request a re-count of a vote, and does not feel it is a matter for the Board of Supervisors to consider, since public funds would have to be used. Chairman Bennett understands that a re-count could cost anywhere from \$200.00 to \$300.00.

Supervisor Fox offered to personally pay for a re-count of the vote. Supervisor Bennington agreed and offered to split the cost of a re-count with Supervisor Fox.

Chairman Bennett, who was out of town for four days during the election process, had assumed the referendum question would pass. If the vote is overturned, Chairman Bennett wondered if that would be a mandate to pass the referendum question, since the number of opposing votes was equally as high. Supervisor Fox finds it amazing that if an election is lost by one vote, the election is considered lost, however if an election is won by one vote, a mandate is needed in order to "win."

2. Mr. Robert Blue - Kratz Subdivision Sketch Plan - Mr. Blue was in attendance representing Mr. Michael Organski of Cedar Valley Homes, who is the equitable owner of a property located in Hilltown Township. Mr. Blue presented a sketch plan showing the Kratz property as it existed as an active and licensed auto junkyard. To the bottom of the plan is the Green Meadows Subdivision and to the upper right hand side of the plan is the Bridle Run Subdivision. The property is bordered by Summit Avenue and Oak Street. The applicant was before the Planning Commission this past summer to propose 15 single-family dwellings, ranging in lot size from 9,000 sq. feet to approximately 15,000 sq. feet. At that time, the applicant also proposed the installation of a small tot lot located adjacent to Summit Avenue. The Planning Commission, to Mr. Blue's recollection, provided a warm reception to this plan and the applicant was directed to appear before the Park and Recreation Board. The applicant attended a Park and Recreation Board meeting, at which time discussion took place concerning the tot lot. To the rear of the proposed development is an open space area, with other bands of open space proposed. Mr. Blue advised the minimum tract area requirements for this type of development is 20 acres. The property was recently re-zoned to CR-I (Country Residential I). The tract consists of 8.8 acres, which is an existing lot of non-conforming size. Mr. Blue believes the only way to feasibly design this plan is to propose 9,000 to 15,000 sq. ft. lots. Directly adjacent to the upper side of the tract is the Rural Residential Zoning District which allows 50,000

sq. feet. A landscape buffer adjacent to the RR Zoning District is shown on the plan. A walking trail, running from Hickory Street to the proposed subdivision, has also been proposed.

Chairman Bennett advised the Board of Supervisors will not vote or make any recommendations on plans that have not received a recommendation from the Planning Commission. The Supervisors directed the applicant to present their plan to the Planning Commission for review.

L. MANAGER'S REPORT - Mr. Bruce G. Horrocks -

1. The Board of Supervisors and Mr. Horrocks met in Executive Session on Saturday, November 9, 1996 in order to discuss labor negotiation issues. Further, Mr. Horrocks announced the Board of Supervisors and the Township Solicitor met in Executive Session prior to this meeting in order to discuss a personnel matter.

2. Mr. Horrocks presented a series of six escrow releases for the Board's consideration:

Bricks Villa Phase II	Voucher #05	\$	2,946.89
Country Roads Phases III & IV	Voucher #06	\$	500.00
Country Roads Phases III & IV	Voucher #07	\$	2,501.86
Hilltown Crossings	Voucher #25	\$	1,182.02
Hilltown Crossings	Voucher #26	\$	254,706.85
Waste Management of Indian Valley	Voucher #01	\$	450.89

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve release of the six escrows as listed above.

3. Mr. Horrocks presented the first draft of the 1997 General Fund Budget for the Board's review. At present, there is a deficit of \$14,997.00.

M. CORRESPONDENCE - None.

N. LINENS FOR SIGNATURE:

1. Orchard Glen

O. RESIDENT'S COMMENTS:

1. Mr. John Gillespie of 310 Moyer Road announced he has been elected chief of the Silverdale Fire Company for the 1997 year. Mr.

2. Mrs. Jean Bolger presented a petition to be presented to the Governor from residents of the State of Pennsylvania for an

initiative of referendum on school budgets.

Mrs. Bolger is a committeewoman in the Township and oversees the polls here at the Township building, consisting of a split voting district of Blooming Glen I and Blooming Glen II. Mrs. Bolger is upset that the referendum question was not approved and believes Mr. Anthony Galardi had a great deal to do with the loss in the Blooming Glen I and II voting district. Mrs. Bolger understands that Mr. Galardi and others were organized by Mr. Robert Grunmeier to persuade voters to vote against the referendum question. Mrs. Bolger is bothered by the fact that Mr. Galardi is not a resident of Hilltown Township. It has come to Mrs. Bolger's attention that Mr. Galardi was telling residents that if they voted for this referendum, it would raise their taxes considerably. In this particular polling place, Mrs. Bolger noted Mr. Galardi made a concerted effort to convince residents to vote against the referendum question. Mrs. Bolger stated Mr. Galardi is from the Republican headquarters in Doylestown. On Election Day, Mrs. Bolger asked if Mr. Galardi lived in Hilltown Township, and he stated he did not, however he did have financial interests in the Township. Mrs. Bolger did not feel it was fair for Mr. Galardi to guide the residents of this Township as to how the referendum vote should go. Mrs. Bolger was a member of the Open Space Referendum Committee and was taken aback that their only job was to draft the referendum question. Mrs. Bolger believes the Open Space Referendum Committee should have prepared a plan presenting more information to the taxpayers as to how the money would be spent and which properties would be acquired. Mrs. Bolger feels that if a plan had been in place, it would have been easier for taxpayers to comprehend.

3. Mr. Robert Grunmeier stated Mr. Galardi is not from Republican headquarters in Doylestown. Mr. Galardi's father is a resident of Hilltown Township who lives on Fairhill Road and who was very concerned about raising taxes. Mr. Anthony Galardi then volunteered to express both sides of the question by assisting at the polls. Mr. Grunmeier stated no one pressured any Township resident to vote negatively to the referendum question. Mr. Grunmeier advised he and others merely described both sides of the referendum question, and the voters themselves decided how to vote. Mr. Grunmeier believes the Board of Supervisors had the opportunity to formulate a cog with the Pennridge School District and the municipalities serviced by the school district, to determine a viable open space/agricultural plan. Mr. Grunmeier does not believe school taxes can be kept down with just one municipality purchasing easements and open space, when there are eight municipalities in the Pennridge School District. Mr. Grunmeier urged the Board of Supervisors to forge ahead to establish dialogue with the school district and neighboring municipalities to come up with a concrete plan.

Mr. Grunmeier advised there was no pressure placed on the voters at the polls. Further, Mr. Grunmeier commended Supervisors Fox and Bennington for using their own funds to seek a re-count of votes. Once the re-count is complete, Mr. Grunmeier urged the Board to establish a plan to purchase easements and open space that would include input from the Pennridge School District and all participating municipalities.

4. Mr. Kerry Kramer of Callowhill Road asked if Chief Egly might have any suggestions for residential burglary protection. Chief Egly replied he can not recommend any one method or company.

Mr. Kramer congratulated Mr. Thomas Buzby, Director of Public Works, for his 25 years of service with Hilltown Township.

Mr. Kramer requested a copy of the draft 1997 budget. Chairman Bennett advised the budget will be made public 20 days prior to adoption by the Board of Supervisors.

At the last meeting, Mr. Kramer thought the Board had agreed to a worksession meeting with himself and the Planning Commission. Chairman Bennett explained the Planning Commission meets the third Monday of every month. Mr. Kramer asked at which forum the Board would like to have a conversation regarding street sweeping. He does not feel this public meeting is the proper place for a discussion. Supervisor Bennington advised such a conversation must take place at a public meeting and if Mr. Kramer wishes to discuss street sweeping with the Supervisors, he may request a confirmed appointment.

P. SUPERVISOR'S COMMENTS:

1. Supervisor Fox is in agreement with Mr. Grunmeier that a land use referendum should include all municipalities in the Pennridge School District. Unfortunately, each municipality must approve such a referendum individually. By voting down the referendum question, Supervisor Fox wondered what message Hilltown Township is conveying to the other municipalities who have shown some interest. Since Hilltown experiences more development than any of the Pennridge School District municipalities, Supervisor Fox believes Hilltown Township has set a very poor example for those interested in preserving open space by defeating the referendum question.

2. Once Supervisor Bennington got past the anger and the disappointment at the defeat of the open space referendum question, he began to consider what he can do now to keep the issue alive. Supervisor Bennington stated that residents opposed to the open space referendum question do not understand that there was no plan in place in any of the other municipalities who did approve this

referendum. Further, not one of those other municipalities had one Supervisor opposed to the referendum question on their Board. Supervisor Bennington feels he learned a hard political lesson from some very good political people during this election, which he does not intend to forget. The next time this issue comes up, Supervisor Bennington will not allow things to happen as they happened during this election.

Supervisor Bennington suggested a Land Use Committee again be organized for 1997. At that time, the Land Use Committee could gather as much information as they can from representatives of other municipalities who have approved this referendum question. A final plan for open space could then be presented to the residents of Hilltown Township, and the open space referendum question could once again be placed on the ballot by the year 1998.

In the past, Supervisor Bennington had also suggested sending correspondence to the other Pennridge School District municipalities, including Bedminster, East Rockhill, and West Rockhill, in order to have representatives attend a Land Use Referendum Committee meeting. Supervisor Bennington was very disappointed that only one representative from Bedminster Township attended that meeting. Supervisor Bennington again suggested inviting those municipalities to attend a discussion as to how they can unite to save open space together.

3. Chairman Bennett has stated from the start that he is in favor of preserving open space, however he was not in favor of raising taxes in view of all the other impending tax increases during the next 12 to 24 months. Chairman Bennett estimated a tax increase of as much as 40 to 50 mills, primarily from the school district. Chairman Bennett felt the Township should have had a concrete plan to present to the residents. An Open Space Committee was formed, though their primary function was to determine wording of the ballot question. The committee itself also had mixed emotions as to passive open space or active recreational open space. Chairman Bennett does not feel the voters of this Township should be expected to vote to borrow funds without a firm plan.

As head of the Hilltown Civic Association, Chairman Bennett had convinced the membership of the Civic Association to donate the twelve acres on Rt. 152 to Hilltown Township to construct a park because the Civic Association did not have funds to develop that property into a first class park. It cost approximately \$156,000.00 to make that open land into the park that it has become today. Contrary to Supervisor Bennington's statements, Chairman Bennett commented he is very interested in preserving open space and developing park and recreation facilities.

Since members of the present Board of Supervisors will not be the

same in five or ten years from now, Chairman Bennett is very concerned with what future Supervisors might choose to do with this money, despite the fact that it might be designated for park and recreation facilities. Chairman Bennett recalls attending a meeting a year before he was elected Supervisor, when the estimate for construction of this Township Building was \$900,000.00. There was a question as to whether or not a basement should be constructed, and the architect stated it would cost another \$300,000.00 to add a basement. The final cost for construction of this building was approximately two million dollars, even though the residents were told it would cost \$900,000.00.

Chairman Bennett wished to make it clear that he had nothing to do with opposing the referendum question. He had made his feelings known during two public meetings, and during the open forum meeting held specifically for informational purposes. Chairman Bennett was out of town on Election Day and personally voted via absentee ballot. Therefore, Chairman Bennett does not know what happened at the polls and he does not wish to be construed as having been any part of the direct opposition to this vote.

Chairman Bennett explained Hilltown Township residents make up only 1/3 of the student population in the Penridge School District, which consists of four boroughs and four townships. Since no more open space remains in the four boroughs, Chairman Bennett feels there is no sense in seeking their assistance. He does agree, however, that discussions should take place with Bedminster, East Rockhill, and West Rockhill Townships. East and West Rockhill Townships together comprise approximately 31 square miles, Bedminster Township is comprised of approximately 33 square miles, and Hilltown Township is comprised of approximately 27 square miles. Chairman Bennett noted 78%-80% of the taxes in this community are school taxes. In addition to raising individual taxes, Chairman Bennett advised 8 mills of tax will cost the average taxpayer an additional \$48.00 to \$50.00 per year.

Chairman Bennett believes a firm spending plan must be in place prior to Township consideration of the open space referendum question. Bucks County has acquired two farms in Hilltown Township, with three more on the waiting list. Most people are not aware that Bucks County owns approximately 100 acres in Hilltown Township near Church Road and Rt. 309. Chairman Bennett commented the County had a firm plan in place before they purchased the Bishop farm and the Beer farm. Agricultural preservation was the highest priority on the County's plan, with stipulations of 50 acres minimum, soil evaluations, and assurance that a second generation of farmers would continue to work the farms. Chairman Bennett strongly believes in preserving open space, but only if a firm plan is in place.

Supervisor Fox confirmed that Chairman Bennett did not work the polls on Election Day, stating he was with him that day.

Chairman Bennett would certainly be agreeable to a joint meeting with the other three municipalities in the Pennridge School District to discuss preservation of open space.

Motion was made by Supervisor Bennington, seconded by Chairman Bennett, and carried unanimously to organize a Land Use Committee, to determine a firm plan of action, and to invite representatives of East Rockhill Township, West Rockhill Township, and Bedminster Township to attend a meeting to discuss open space preservation within the Pennridge School District.

If a new Land Use Committee is formed, Mrs. Alice Kachline, Tax Collector, asked the earliest date the open space referendum question could again be placed on the ballot. Mr. Horrocks noted a binding referendum, which is debt beyond legal borrowing power, can not return to the electorate until 155 days later. A non-binding referendum, which is debt the Supervisors can assume on their own power, can return to the electorate immediately. The referendum question as it appeared on the last ballot, is \$1 million dollars less than the total borrowing power of Hilltown Township. Therefore, Mr. Horrocks advised the open space referendum question could appear on the ballot as soon as the next primary election.

Q. PRESS CONFERENCE: A conference was held to answer questions of those reporters present.

R. ADJOURNMENT: Upon motion by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously, the November 11, 1996 Worksession Meeting of the Hilltown Township Board of Supervisors was adjourned at 9:00PM.

Respectfully submitted,

Lynda Seimes

Lynda Seimes
Township Secretary

(*These minutes were transcribed from notes and tape recordings taken by Mr. Bruce G. Horrocks, Township Manager).