

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, October 28, 1996  
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:40PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman  
Jack C. Fox, Supervisor  
Bruce G. Horrocks, Township Manager  
Francis X. Grabowski, Township Solicitor  
C. Robert Wynn, Township Engineer  
George C. Egly, Chief of Police  
Lynda Seimes, Township Secretary

Chairman Bennett announced the Board and the Township Solicitor met in Executive Session prior to this meeting to discuss legal matters.

A. APPROVAL OF MINUTES: Action on the minutes of the October 14, 1996 Board of Supervisors Worksession Meeting - Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the October 14, 1996 Board of Supervisors meeting, as written

B. APPROVAL OF CURRENT BILLING: Chairman Bennett presented the Bills List dated October 29, 1996, with General Fund payments in the amount of \$76,915.35, and State Highway Aid payments in the amount of \$1,096.81; for a grand total of all funds in the amount of \$78,012.16.

Supervisor Fox questioned the bill on page 3 for repair of video equipment. Chief Egly explained the bill was for repair of docucams.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated October 29, 1996, subject to audit.

C. TREASURER'S REPORT - Mr. Bruce G. Horrocks, Township Manager - Mr. Horrocks presented the Treasurer's Report with the following balances as of October 28, 1996:

General Fund Checking Account	\$ 180,031.11
Payroll Checking Account	\$ 430.40
Fire Fund Checking Account	\$ 41,943.71
Debt Service Checking Account	\$ 128,530.77
State Highway Aid Checking Account	\$ 98,846.42
Escrow Fund Checking Account	\$ 113,193.18

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Treasurer's Report dated October 28, 1996, subject to audit.

D. RESIDENT'S COMMENTS ON CONFIRMED APPOINTMENTS ONLY: None.

E. CONFIRMED APPOINTMENTS:

1. Mr. Dick Feindler - Wellhead Protection Program: Mr. Feindler was in attendance to present information concerning the Wellhead Protection Program. Telford Borough Authority is seeking review and endorsement of this documentation by the Hilltown Township Planning Commission and the Hilltown Township Board of Supervisors.

Supervisor Fox asked when well #6 was installed. Mr. Feindler replied well #6 was owned, drilled, and used as a monitoring well by the County for a number of years in the 1960's or 1970's, with Telford Borough Authority taking ownership in 1978.

Supervisor Fox commented the area Mr. Feindler is speaking of is the only Heavy Industrial Zoning District in Hilltown Township. Mr. Feindler explained this proposal does not prohibit industrial use, rather it insures that the industrial use allowed is a type that will not pollute. The plan also allows Hilltown Township to monitor industries through the provisions of the proposed Ordinance.

A presentation was made to the North Penn Water Authority, who seemed extremely interested in the concept. It is possible, therefore, that all the public water suppliers within Hilltown Township may wish to be included in the overlay Ordinance.

**PUBLIC HEARING:** Chairman Bennett adjourned the regularly scheduled meeting of the Hilltown Township Board of Supervisors at 8:05PM in order to enter into a Public Hearing to consider the adoption of an Ordinance (repealing Ordinance #87-4) regulating the installation and operation of individual residential spray irrigation systems (IRSIS) only and does not impact non-residential or community spray systems.

Mr. Wynn explained the purpose of this Ordinance is to provide procedures and standards for the installation and maintenance of individual residential spray irrigation systems. The Department of Environmental Protection regulations were revised this past summer and these types of systems are now permitted by the Bucks County Health Department. The D.E.P. also established standards for the construction, maintenance, and use of these systems. Mr. Wynn noted the proposed Ordinance will replace an Ordinance that was in effect since 1987, regulating spray irrigation systems

before D.E.P. standards were adopted. The proposed Ordinance adopts the standards of D.E.P. and also includes additional standards regarding isolation distances, hours for spray field operation, spray nozzles, and buffer plantings. Further, it provides for a procedure to obtain an individual spray irrigation system permit from the Township which requires that a maintenance agreement be executed with the Township. The maintenance agreement requirements are established by D.E.P. under the new regulations. In the event public sewer ever becomes available to a site, the regulations require disconnection of the spray irrigation system and connection to public sewer. The balance of the proposed Ordinance provides for violation and severability of any causes found to be illegal or unconstitutional.

Public Comment:

1. Mr. Kerry Kramer of Callowhill Road asked if the proposed Ordinance requirements reduce or increase sideyard clearances as opposed to the existing Ordinance. Mr. Wynn replied the proposed Ordinance requires that a spray field can not be located in a required front, side, or rear yard. In some cases, this will increase the requirements above what is required by D.E.P.. In other cases, the side yard may be 25 ft., which is the minimum required by D.E.P.. Any proposed spray irrigation system would have to meet all setbacks. Mr. Kramer asked if the setbacks are the same as those in the existing 1987 Ordinance. Mr. Wynn replied the setbacks have been reduced from the 1987 Ordinance to bring the new Ordinance into conformance with State requirements.

2. When discussion took place at the Planning Commission meeting concerning spray irrigation, requirements were based on tentative plans for adoption by D.E.P.. Mr. John Kachline, a member of the Planning Commission, asked if the plans have actually been adopted by D.E.P.. Mr. Wynn advised these requirements have been adopted by D.E.P. and are effective immediately.

3. Mr. Paul Dietz, design engineer for Mr. Charles Grasse, is not clear as to when his client should apply for a permit from the Bucks County Health Department. It is Mr. Wynn's understanding that Mr. Dietz will not be able to obtain a permit from the Bucks County Health Department until a maintenance agreement has been executed with the Township. Mr. Wynn explained that a permit should first be secured from the Township, which will be issued conditioned upon the applicant obtaining a permit from the Bucks County Department of Health.

Solicitor Grabowski stated there has been a minor change to Section 8 which was not within the newspaper advertisement. Solicitor Grabowski has revised Section 8 to provide for a fine not to exceed \$1,000.00 and has removed the provision by which there would be

criminal prosecution under the Ordinance. Solicitor Grabowski removed that particular provision because it is no longer permitted in the Commonwealth of Pennsylvania according to Act 69 of 1996. The proposed Ordinance will provide for civil enforcement and fines not to exceed \$1,000.00. Solicitor Grabowski has given an opinion to the Township Manager that the revision to Section 8 is not a material change which would require this Ordinance to be re-advertised.

Chairman Bennett noted the Hilltown Township Planning Commission has recommended adoption of this proposed Ordinance.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve the revision to Section 8 of the proposed Spray Irrigation Ordinance as specified by the Township Solicitor, and to **adopt Ordinance #96-4 amending the Spray Irrigation Ordinance of 1987.**

Chairman Bennett adjourned the Public Hearing at 8:16PM, and reconvened the regularly scheduled Board of Supervisors meeting.

2. Mr. and Mrs. Ed Christiansen - Stormwater Situation - Mr. and Mrs. Christiansen of 306 Rt. 152 were in attendance to request the Board's assistance with regard to the water problem they have been experiencing at their home. Mr. Christiansen explained his home was again flooded with 8 inches of water from the storm last weekend. Mr. Christiansen does not feel the swale in the Hilltown Hunt Subdivision is designed to carry that volume of water. The Christiansen's have gone to a great expense to change the pipe under their driveway to a larger diameter pipe, have cleaned the swale, and removed four trees so that there will be a better flow. Mr. Christiansen presented photographs taken during the height of the last storm for the Board's review. When Mr. and Mrs. Christiansen were before the Board in March of this year, they were told the berm would be raised and that an orifice plate would be placed over the opening to slow the flow of water. This work was to be completed by the developer of Hilltown Hunt. Mr. Christiansen does not believe, however, that any of these measures have been taken. The photographs presented show that as you face south into the detention basin, the right hand side of the basin becomes very level. This is the area the water flowed aggressively during the last storm. At the major part of the berm, Mr. Christiansen noted there was approximately 36 more inches before the water would top that berm and suggested the berm be raised in an attempt to correct the problem. By 4:00PM during the last storm, Mr. Christiansen stated the water had disappeared from the detention basin.

There are 14 to 16 more homes to be constructed in the Hilltown Hunt Subdivision, and Mr. Christiansen is very concerned that the



water runoff situation will only get worse. Mr. Christiansen asked why the Township Building has not yet installed a detention basin. Since construction of seasonal storage buildings here at the municipal building, which increased blacktop, Mr. Christiansen believes he is receiving that excess water runoff as well. Mr. and Mrs. Christiansen have lived in their home for 22 years, yet only experienced a severe flooding problem one other time prior to construction of the Hilltown Hunt Subdivision.

Mr. Wynn stated it is the developer's intention to raise the berm. Mr. Christiansen commented they were told in March of 1996 that the berm would be raised at that time. It was never Mr. Wynn's understanding that the developer would be correcting the problem at that time, because quite frankly, it is not the developer's obligation. Mrs. Christiansen spoke with Mr. Wynn in April, who advised the developer would raise the berm 18 inches once the area dried out. Mrs. Christiansen commented she and her family are literally being flooded out of their home.

Mr. Christiansen asked if this is an overflow on the detention basin. Mr. Wynn replied it is an emergency spillway. In this particular case, the outlets for the two type M inlets are required to have filters to prevent sedimentation from leaving the basin. Those filters became blocked during the storm, thereby reducing the amount of flow from the basin.

Mr. Christiansen feels the developer should be held accountable for the flooding problems. Chairman Bennett agreed, though he commented that last weekend's storm was a 50 year storm, and many people, including himself, had water in their basements. Mr. Christiansen is not concerned so much with the water in his basement, he is more concerned with being in jeopardy of losing his home. Supervisor Bennington visited the site during the height of the storm, and stated the amount of water assaulting the Christiansen home was a disgrace.

With regard to Mr. Christiansen's earlier question concerning the detention basin for the municipal building site, Mr. Horrocks advised a stormsewer piping system has been installed on the property. The installation of the basin itself has been postponed until the ground is drier. Mr. Christiansen feels the detention basin should have been installed prior to blacktopping.

After viewing the photographs, it appears to Mr. Wynn that the berm is substantially higher in the center than 18 inches. If he shoots the elevation across the berm, Mr. Wynn stated it may provide immediate relief in the emergency spillway. Mr. Christiansen believes the basin emptied too quickly. Mr. Wynn advised the basin should not have filled and overflowed. When the developer finishes construction in Hilltown Hunt, Mrs. Christiansen asked who will be

responsible for maintenance of the basin. Mr. Wynn replied the basin will then become the responsibility of the Township.

Supervisor Bennington demanded that the developer of Hilltown Hunt meet with Mr. and Mrs. Christiansen and Mr. Wynn on the site tomorrow or the next day in order to resolve the stormwater issue immediately. Chairman Bennett and Supervisor Fox agreed. Mr. Wynn will contact the developer of Hilltown Hunt to schedule a meeting.

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

1. Mr. Horrocks presented four escrow releases for Board authorization:

Bricks Villa Phase I	Voucher #23	\$ 11,545.20
Bricks Villa Phase II	Voucher #04	\$ 68,474.70
Country Roads Phase II	Voucher #29	\$ 3,903.21
Country Roads Phase III & IV	Voucher #05	\$ 17,796.69

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

2. At a previous meeting, the Emergency Management Coordinator mentioned that a Resolution would be required to adopt the new Emergency Operations Plan, which is nothing more than a two year update of the plan.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #96-31 adopting the Emergency Operations Plan for Hilltown Township for a two year period.**

3. For the Board's information, a Public Hearing will be held at the Worksession meeting of November 11, 1996 to consider the adoption of an Ordinance concerning road occupancy.

4. Mr. Horrocks presented a Fire Protection Agreement executed by the Hilltown Fire Company for the Board's signature following this meeting.

5. The Township has received \$64,763.53 from the 1996 Foreign Fire Insurance fund. This total is approximately \$830.00 less than previous year's disbursements.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to authorize distribution of \$64,763.53 of Foreign Fire Insurance monies to the participating fire companies in the same amount as the prior year, and to authorize the deficit of \$830.00 to be paid from the Fire Fund.

G. CORRESPONDENCE - Mr. Bruce G. Horrocks, Township Manager -

1. Correspondence was received concerning the Bell Atlantic modular tower to be placed on a property on Minsi Trail. With regard to the condition of a light being installed on top of that tower, Mr. Horrocks explained the F.A.A. has requested a formal petition from the Township, together with a brief explanation, before they will address the issue with Bell Atlantic. Supervisor Fox commented there is still no light on the tower behind the Township building. Mr. Horrocks will forward correspondence requesting the light on the tower on Minsi Trail.

2. The Bucks County Commissioners will hold their monthly public meeting at the Hilltown Township Municipal Building on Wednesday, November 6, 1996 beginning at 7:30PM.

3. Mr. Horrocks presented correspondence specifying three options with regard to the Bucks County radio issue. Discussion took place.

4. The Township received PennDot permits for the two billboards as proposed by Adams Outdoor Advertising.

H. SOLICITOR'S REPORT - Mr. Francis X. Grabowski -

1. Solicitor Grabowski explained the project for Waste Management of Indian Valley is an expansion of the building facilities and required guarantee of improvements in the amount of \$858,150.00. Waste Management is using Fireman's Fund Insurance Company to issue a Performance Bond. Solicitor Grabowski noted the Township has not dealt with Performance Bonds in the past, however Waste Management did agree to place the soft cost portion of the costs in the amount of \$25,000.00 in cash escrow with the Township.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to accept the Land Development Agreement, the Financial Security Agreement, and a Stormwater Agreement by Waste Management of Indian Valley; and to **adopt Resolution #96-32 providing for the acceptance of the declaration of easement of road frontage for the Waste Management project.**

I. PLANNING - Mr. C. Robert Wynn, Township Engineer -

1. Keystone Estates Subdivision (Final) - This plan was previously reviewed and approved by the Board of Supervisor as a preliminary plan in March of 1996. The site is located on Keystone Drive, and proposes five new building lots and a cul-de-sac street.

The Planning Commission unanimously recommended this plan for final approval subject to the following conditions:

- Wetland certification included on the Record Plan must be executed by Mr. Jimmy D. Kemmerer.
- Planning Modules must be submitted to and approval received from D.E.P..
- Basin easements, stormwater management easements, and snow storage easements must be granted to the Township as shown on the plan.
- Rights-of-way of Gina Circle and Keystone Drive must be dedicated to the Township.
- Verification of approval of design and availability of capacity for public water facilities must be received in writing from the North Penn Water Authority; and a plan must be submitted to the fire department for comment on site accessibility and fire fighting facilities.
- Property pins and monuments around the site outboundary must be installed and certified in writing by the responsible surveyor prior to plan recordation. Balance of pins and monuments must be included within the Financial Security and Development Agreements.
- Financial Security and Development Agreements must be executed between the applicant and the Township to guarantee installation of public improvements.

Mr. Ron Peluzzi of Key Drive has been a neighbor of this property for 25 years, and noted there is a spring fed pond on the site, which has never been totally full due to muskrats. Mr. Peluzzi commented there is only one area designated as wetlands on the plan, yet there is always water flowing from the pond. He wondered why the entire area is not designated as wetlands. Mr. Wynn explained the wetland areas on the site were designated and certified by a soil scientist. When Mr. Wynn visited the site, there was no water in the pond area. Mr. Peluzzi advised there is also an unofficial stream flowing from the pond to the lower portion of the field toward the creek. Discussion took place. Mr. Peluzzi expressed interest in the property a number of years ago, but was told by more than one person that the property could not be developed. It seems to Mr. Peluzzi that this proposal has gone through the subdivision process very quickly for a property that had been considered "undevelopable." Mr. Wynn does not know why Mr. Peluzzi was informed that this site was undevelopable. Further, the plan was originally submitted in August of 1995 and



has been under review by the Township for over a year. Mr. Peluzzi's wife spoke with the owner of the subdivision, who informed her that the Township had forced him to perk the entire property. Supposedly, the result of that perk was the developer could only build in one spot, which is where he constructed his own home. Mr. Wynn explained the Township has no authority with regard to the perk process, which is handled by the Bucks County Department of Health.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve the final plan of Keystone Estates with the conditions as specified above.

2. Bearings and Drives Phase III (Final) - This final plan was unanimously recommended for approval by the Planning Commission, subject to the following conditions:

- Verification of approval of proposed sanitary sewer connection and capacity for Phase III must be received in writing from Hilltown Township Water and Sewer Authority.
- Verification of application and payment of all North Penn Water Authority charges relating to water service must be received in writing prior to issuance of a building permit.
- Land Development/Financial Security Agreements must be executed between the applicant and Township to guarantee installation of required improvements.
- Minor engineering/drafting details included in the engineering review dated October 1, 1996 must be included on the plan.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to approve the final plan of Bearings and Drives, with the conditions as specified above.

J. ENGINEERING - Mr. C. Robert Wynn, Township Engineer -

1. Act 537 Sewage Facilities Plan Update - The Department of Environmental Protection has approved the plan of study to update the Township Act 537 Sewage Facilities Plan, which is a joint venture between the Township and the Authority.

2. Hilltown Hunt Subdivision - During the heavy rains of October 19th, the retention basin in Hilltown Hunt Subdivision overflowed the emergency spillway. An inspection of the inlets within the basin indicates both inlets were blocked with silt and debris from the site. This matter was discussed earlier.

3. Hilltown Crossings - There are still a number of punchlist items remaining to be completed by the developer. Correspondence was received from Mr. Wolfson indicating the final amount of the contribution will be \$80,000.00. Mr. Steve Wolfson, developer of the Hilltown Crossings Shopping Center, presented a check in the amount of \$80,000.00 representing the contribution. Mr. Wolfson is very pleased with the project, stating the shopping center is 100% leased at this time.

Mr. Wynn explained the Development Agreement for Hilltown Crossings requires a retainage of 15% of the full construction fund for 18 months. The Escrow Construction Fund included many items that were not considered public improvements, such as parking lot paving. The total construction fund was \$1,895,900.00. In addition to site improvements, this fund also included contingency, construction observation, and administration. Fifteen percent of that total amount is \$284,385.00. Hilltown Crossings has requested that the improvement be 15% of the cost of actual public improvements, including street improvements and retention basins. Therefore, 15% of the cost of the public improvements is \$88,337.82. The developer is requesting reduction of the required maintenance amount to \$88,337.82.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to reduce the required maintenance amount of \$284,385.00 to \$88,337.82 for the Hilltown Crossings Shopping Center.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to reduce the escrow for Hilltown Crossings Shopping Center by \$150,000.00.

Mr. Wynn has been contacted by a resident of Hilltown Township who believes that the timing of the traffic signal at the shopping center is no longer in sequence in the southerly direction, beginning at Orvilla Road. Mr. Wolfson will look into the matter.

Mr. Wolfson stated his firm enjoys being a part of the Hilltown community, and if there are any events they can participate in, they would be happy to comply.

K. LINENS FOR SIGNATURE: None.

L. RESIDENT'S COMMENTS:

1. Mr. Chuck Stockert, chief of the Silverdale Fire Company, was unhappy with the distribution of the Foreign Fire Relief Fund, which was made by motion earlier this evening. Members of the Silverdale Fire Company have been before the Board this year with numerous requests for increased funding. The monies from this

fund comes from new housing developments, most of which are concentrated within Silverdale's coverage area. Mr. Stockert advised development in their district is putting a severe financial strain on the Silverdale Fire Company. Mr. Stockert implored the Board to reconsider the distribution of Foreign Fire Relief funds, if not for this year's distribution, then for the 1997 distribution.

Supervisor Bennington feels Mr. Stockert does not have to defend Silverdale's position to him, since he lives in that fire district. Supervisor Bennington would prefer that Silverdale Fire Company receive a bulk of the funding, however this same request for additional funding is also made by all of the fire companies who support the Township. Chairman Bennett agreed and stated any extra funds given to the Silverdale Fire Company would have to come from another fire company's distribution. Mr. Stockert commented the Silverdale Fire Company is merely seeking a more equitable distribution of funds. Chairman Bennett does not necessarily feel the present distribution of funds is fair, however it is the same formula used when he became a Supervisor nine years ago. Discussion took place concerning the Foreign Fire Fund distribution and what type of formula should be used for a more equitable distribution of those funds.

Chairman Bennett asked Mr. Stockert what amount of funding they receive from the Borough of Silverdale and how much money is brought in by fund raising drives. Mr. Stockert replied \$4,579.00 of Foreign Fire Fund monies are received from the Borough per year, with various fundraisers netting \$11,000.00 per year. Further, Mr. Stockert explained that the borough provides a donation of \$3,500.00, with fund drive donations netting approximately \$17,000.00 per year. The donation from Hilltown Township is approximately \$16,500.00 per year.

Chairman Bennett recommended that during the budget process over the next 60 days, extra consideration be given to the distribution formula for Foreign Fire Fund monies. Mr. Stockert thanked the Board for any consideration whatsoever and stated Hilltown Township's help in the past has been greatly appreciated.

2. Mr. John Perritt, president of the Silverdale Fire Company, was disappointed that a more equitable distribution of Foreign Fire Fund monies was not determined for this year's distribution. Mr. Perritt believes the present distribution system is nothing more than a historical formula which may have been appropriate in the past, but no longer serves the purpose in 1996. With the deluge of development in Silverdale's coverage area, and since the Foreign Fire Fund comes from homeowner's insurance, Mr. Perritt feels the majority of the monies in the fund is from their coverage area.

3. Mr. Kerry Kramer thanked the Silverdale Fire Company for their assistance in the recent flooding and also urged the Board to consider increasing funding to Silverdale. Mr. Kramer asked the amount of funding given to each fire company. Mr. Horrocks replied the Dublin Fire Company, Perkasio Fire Company, Sellersville Fire Company, Souderton Fire Company, and Telford Fire Company will receive \$4,243.00; the Hilltown Fire Company will receive \$32,661.84; and the Silverdale Fire Company will receive \$11,717.00.

Mr. Kramer asked if there is an Ordinance with regard to keeping the streets in Hilltown Township clear of winter cinders and mud. In the last two years, Mr. Horrocks explained that wherever there is a curbed street, salt rather than cinders is applied to the roadway. The Township also recently purchased a small street sweeper which will be used on minor development roads. Occasionally, the Township has contracted out with power sweepers. There is not an official Ordinance, however there is a maintenance policy followed by the Public Works Department. Discussion took place.

4. Mr. John Gillespie of the Silverdale Fire Company stated they are attempting to give something back to the Township by lowering ISO ratings. Mr. Gillespie will acquire the manual stipulating procedures to lower those ratings and will try to coordinate this endeavour with all the fire companies in the area. If a value of business is \$200,000.00, to lower their rating from an 8 to a 7 would be a savings of \$960.00 of insurance premiums. Mr. Gillespie noted his job as a safety officer is to advise the fire chief on risk management plans. The Silverdale Fire Company has adopted N.F.P.A. 1500 as their safety regulations. It is part of Silverdale Fire Company's risk management plan to lower the insurance premiums for residents of both Silverdale Borough and Hilltown Township.

Mr. Gillespie explained there are three parts to the ISO rating - communication, which carries a weight of 10 points, fire department, which carries a weight of 50 points, and water supply, which carries a weight of 40 points. Mr. Gillespie is aware of a fire company in Oregon who has a rating of 2, and who does not have access to a water supply like Silverdale does.

5. Ms. Kathy Holiday heard rumors that the Wolfson Group purchased the Baum farm and plans to develop the property as light industry or to construct low income housing. Chairman Bennett was told by Mr. Wolfson two months ago that they did bid on the Baum farm, however the bid had not yet been accepted at that time. Chairman Bennett heard some ridiculous rumors of 800 homes being constructed on the Baum property. Chairman Bennett advised that zoning would not allow that sort of development. Supervisor Fox



noted the Baum property is zoned Rural Residential, which is 50,000 sq. ft. lots with public water. If Mr. Wolfson attempted a performance or a cluster subdivision, he would have to request a zoning change from the Board of Supervisors. The Supervisors assured Ms. Holiday that they would not be agreeable to a zoning change in that area.

6. Mr. John Snyder advised all three members of the Zoning Hearing Board will be attending a training seminar on the 11th, 18th, and 25th of November.

Mr. Snyder noted there is only one mention in the Zoning Ordinance concerning a burned or destroyed property. If it is a non-conforming building, it can be reconstructed for a period of up to one year. There is only one conforming property in Hilltown Township that was destroyed by fire almost a year ago. Mr. Snyder is concerned that this property may become a public nuisance and a safety hazard. There is no requirement in the Zoning Ordinance where the destroyed property must either be rebuilt or demolished.

Mr. Horrocks commented the B.O.C.A. Code can address this issue if it is a safety hazard, and the Code Enforcement Officer can require a property owner to bring the site up to Code.

With regard to the insurance rating information supplied by Mr. Gillespie, Mr. Snyder explained that when going from an insurance rating of an 8 to a rating of 7, it pertains only to commercial rates. This will also vary from insurance company to insurance company. The I.S.O. rating is a base rating, though most major insurance companies deviate somewhat from that rating or develop their own rating file. Another thing to keep in mind is that if there is a rate protection class 8 on a regular homeowner's policy which is within 5 miles of a fire company and within 1,000 ft. of a fire hydrant, the rating can be lowered to a 5. However, on a personal homeowner's policy, it will not make any difference in the rate, even though commercially, it does.

Mr. Snyder is sympathetic to Mr. and Mrs. Christiansen's plight, however, when he was a child in the 1950's, that area of Rt. 152 constantly experienced severe flooding. This took place during a time when the Godshall property was still a working farm and the Christiansen's home was not yet constructed. There was actually a stream running directly through the area where their house now stands. Mr. Snyder believes the flooding in this area is partly due to new development, but noted that flooding conditions existed prior to construction of any homes, including the Christiansen home.

7. Mr. Mike Beatrice, a resident, asked if developers are charged a per house fee to provide funding for fire protection,



police protection, and road maintenance. Chairman Bennett noted the Township receives voluntary contributions from some developers. Mr. Wynn explained impact fees are not permitted under State law.

M. SUPERVISOR'S COMMENTS:

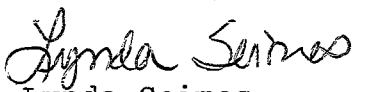
1. Supervisor Fox acknowledged that lack of funding is a difficulty experienced by all fire companies. The biggest problem for the Silverdale Fire Company is that they are located in the small borough of Silverdale which can not provide the amount of funding that larger boroughs and municipalities can provide to their home fire company. It is Supervisor Fox's intent to continue asking developers for donations.

2. Supervisor Bennington noted Mr. Feindler of Telford Borough Authority had alluded to the fact that the Hilltown Township Water and Sewer Authority fully supported the Wellhead Protection Program. Mr. Groff, Operations Manager of the Authority, advised that statement is not totally true. Supervisor Fox asked if the Hilltown Authority owns any wells contaminated with TCE. Mr. Groff replied there are no Hilltown Authority wells constructed in industrial areas and none of the wells experience any TCE contamination.

N. PRESS CONFERENCE: There were no reporters present at this time.

O. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously, the October 28, 1996 Board of Supervisors meeting was adjourned at 10:21PM.

Respectfully submitted,



Lynda Seimes  
Township Secretary  
HILLTOWN TOWNSHIP