

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
MONDAY, MAY 23, 2022**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John McIlhinney at 7:02 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, and Finance Director Marianne Egan.

1. ANNOUNCEMENTS: None.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
  - a) Minutes of the April 11, 2022, Board of Supervisors Work Session Meeting
  - b) Bills List – April 26, 2022
  - c) Bills List – May 10, 2022
  - d) Bills List – May 24, 2022
  - e) Financial Report – April 30, 2022

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

4. CONFIRMED APPOINTMENT:
  - a) Steven & Lauren Kearns – 680 Bennett Lane – Fence in Buffer/Easement – Fence Agreement: Steven & Lauren Kearns, 680 Bennett Lane, were in attendance to request permission to place a black, aluminum, removable fence in the buffer easement area inside of the berm that surrounds the property. Chairman McIlhinney reiterated that nothing can be built in the 100-foot-wide buffer area. Solicitor Wuerstle stated he will prepare the standard fence agreement. Chairman McIlhinney stated since there is a 100-foot buffer in the area that encompasses a portion of Route 152 and Rickert Road, a few neighbors may be looking at the decision that was made tonight and he would like to emphasize, while they are willing to look at fences in that area, it does not mean they are willing to look at buildings and construction in that area as they are prohibited and will remain prohibited.

Motion was made by Supervisor Torrice, seconded by Vice-Chairman Groff, and carried unanimously to approve the fence agreement request for Steven & Lauren Kerns located at 680 Bennett Lane. There was no public comment.

- b) Maria Wirths – 1023 Fairhill Road, & Linda Reider, Executive Director of the Bucks County SPCA: Maria Wirths and Linda Reider were in attendance to give a presentation on the Bucks County SPCA. Ms. Reider thanked Hilltown Township for the yearly donation and

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gave a brief overview of the services that were provided to the Township in 2021 such as: twenty-one stray animals accepted, nine animals adopted, fifteen cases of humane law enforcement, one case of surrender prevention, 1,514 lbs. of pet food donated, sixteen lost/found reports, three low-cost end of life services, and one low-cost cat neuter clinic. Ms. Reider continued to state their budget is \$3,000,000.00 per year and an average of \$656.00 is spent on every animal. Approximately forty people are employed with two hundred volunteers. Ms. Reider thanked the Township for their continuing support and hopes it will continue. It was noted the yearly donation to the Bucks County SPCA is in the 2022 budget. Ms. Wirths thanked the Township for their donation and asked if the Township would consider an increase in their donation this year.

5. LEGAL:

a) Zoning Hearing Board Appeal #2022-006 – Angelo Franco – 2 Gina Circle – Requesting Variance: Solicitor Wuerstle stated the applicant for ZHB #2022-006 is seeking a request for a variance as apparently a pool was built on the property in the wrong location and/or in the side yard setback. After discussion, it was noted Solicitor Wuerstle will contact the Zoning Hearing Board Solicitor for further information.

6. PLANNING:

a) Reserve at Highview (Chrzanowski) Subdivision: Township Engineer, Tim Fulmer, stated on April 18, 2022, the Planning Commission recommended final approval of the Reserve at Highview Subdivision stating they also recommended approval of a partial waiver of Section 140-17.D noting that aerial imagery is included in the plan set to show features on the surrounding properties. Mr. Fulmer discussed the Wynn Associates review letter dated March 25, 2022, noting the cost estimate for waived cartway widening, curb, and sidewalk was received in the amount of \$37,959.00 and the Board of Supervisors should determine the amount of capital contribution that will be accepted in lieu of constructing the required improvements along Highview Road within the frontage of the site. Mr. Scott Mease, Mease Engineering, stated the applicant has a concern about the fee-in-lieu of road improvements and proposed the installation of a wrought iron fence along the frontage of lot six which would not be the Township's responsibility to maintain. Mr. Fulmer clarified the overlay, and the drainage improvements are part of the plan and not included in the \$37,959.00. After discussion, the Board of Supervisors stated for the applicant to come back with a proposal for the fence with the possibility of removing the fence cost from the cost estimate for waived street improvements. Mr. Mease clarified the name of the road will be Syrena Lane and the consolidation of the two parcels may not be needed prior to the plan recording.

Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to grant Final Approval for the Reserve at Highview Subdivision contingent upon the items contained in Wynn Associates review letter dated March 25, 2022, and subject to the consideration of a revised proposal for capital contribution which must be to the satisfaction of the

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Board of Supervisors before the plan can be recorded. There was no public comment.

b) 221 Keystone Drive (Leahy) Land Development: Mr. Fulmer stated on April 18, 2022, the Planning Commission recommended final approval of the 221 Keystone Drive Land Development plan conditioned upon completion of the items contained within the Wynn Associates review letter dated March 28, 2022. Mr. Fulmer stated the applicant provided a cost estimate for waived improvements (including cartway widening, curb, sidewalk, and replacement trees) in the amount of \$13,331.00 and the Board of Supervisors should determine if this amount is acceptable in lieu of constructing the required improvements. Mr. Jason Smeland, Lenape Valley Engineering, stated all items in the Wynn Associates review letter dated March 28, 2022, are all will comply, and the applicant is agreeable to the fee-in-lieu in the amount of \$13,331.00.

Motion was made by Supervisor Torrice, seconded by Vice-Chairman Groff, and carried unanimously to grant Final Approval for the 221 Keystone Drive Land Development contingent upon the items contained in Wynn Associates review letter dated March 28, 2022. There was no public comment.

c) Thorton Minor Subdivision – Resolution 2022-013 – Plan Revision for New Land Development: Mr. Fulmer stated on December 20, 2021, the Planning Commission recommended preliminary/final plan approval for the Thorton Minor Subdivision conditional upon the items contained in the Wynn Associates review letter dated November 30, 2021. Mr. Fulmer stated the applicant provided a cost estimate for waived street improvements in the amount of \$28,320.00 of which the applicant offers \$5,000.00 due to the limited development of the lot, and the Board of Supervisors should determine if this amount is acceptable in lieu of constructing the required improvements. In addition, Mr. Fulmer requested Resolution 2022-013 be adopted for the Sewage Facilities Planning Module for the Thorton Minor Subdivision and be sent to PA DEP.

Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to grant Preliminary/Final Approval for the Thorton Minor Subdivision contingent upon the items contained in Wynn Associates review letter dated November 30, 2021, and accepting the offer of the capital contribution in lieu of street improvements in the amount of \$5,000.00. There was no public comment.

Motion was made by Supervisor Torrice, seconded by Vice-Chairman Groff, and carried unanimously to adopt Resolution #2022-013 for the Plan Revision for New Land Development for the Thorton Minor Subdivision Planning Module to be sent to PA DEP. There was no public comment.

## 7. ENGINEERING:

a) Wawa (HRES) Land Development: Mr. Fulmer stated Hunt Real Estate has satisfactorily completed all maintenance period punch list items associated with the public

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improvements for the Wawa project and requested the Board of Supervisors accept the completion of the 18-month maintenance period and authorize the return of the remaining financial security to the developer, upon payment of all engineering, legal, and Township administrative costs incurred by the Township during the course of the project.

Motion was made by Supervisor Torrice, seconded by Vice-Chairman Groff, and carried unanimously, to accept completion of the 18-month maintenance period for the Wawa Land Development and authorize the return of the remaining financial security to the developer, upon payment of all engineering, legal, and Township administrative costs incurred by the Township during the course of the project according to Wynn Associates letter dated May 17, 2022. There was no public comment.

b) Highfield Estates Subdivision: Mr. Fulmer stated the developer has satisfactorily completed all maintenance period punch list items associated with the public improvements for the Highfield Estates Subdivision and requested the Board of Supervisors accept the completion of the 18-month maintenance period, and authorize the return of the remaining financial security to the developer, upon payment of all engineering, legal, and Township administrative costs incurred by the Township during the course of the project according to Wynn Associates letter dated May 17, 2022.

Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice, and carried unanimously, to accept the completion of the 18-month maintenance period for the Highfield Estates Subdivision and authorize the return of the remaining financial security to the developer, upon payment of all engineering, legal, and Township administrative costs incurred by the Township during the course of the project according to Wynn Associates letter dated May 17, 2022. There was no public comment.

c) County Line Plaza Land Development: Mr. Fulmer stated all of the required improvements associated with the approved plan and Development/Financial Security Agreement for the County Line Plaza Land Development have been satisfactorily completed and requested the Board of Supervisors accept the completion of the project and authorize commencement of the 18-month maintenance period subject to the Township retaining financial security in the amount of \$32,942.93 to guarantee the condition of required improvements during the 18-month maintenance period.

Motion was made by Supervisor Torrice, seconded by Vice-Chairman Groff, and carried unanimously to accept the completion of the County Line Plaza Land Development and authorize commencement of the 18-month maintenance period subject to the Township retaining financial security in the amount of \$32,942.93 per Wynn Associates letter dated May 17, 2022. There was no public comment.

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d) 2022 Road Project Bid Awards: Mr. Fulmer stated the 2022 Road Projects bid openings occurred on April 12, 2022. One bid was received for Bid #2022-001 (Asphalt Sealcoat with Slurry Seal) from Asphalt Maintenance Solutions, LLC in the total amount of \$136,285.00. Three bids were received for Bid #2022-002 (Cartway Milling and Superpave Installation) with the low bidder being Bray Brothers, Inc. in the total amount of \$586,569.00. After discussion, due to the concern over the cost of materials and the escalator clauses that the various contractors have in their contract, the Board of Supervisors tabled the road bids and will not be awarding the bids this year.

e) Draft Zoning Ordinance Omnibus Amendment: Mr. Fulmer stated the Hilltown Planning Commission, and the Bucks County Planning Commission reviewed the Draft Zoning Ordinance Omnibus Amendment. Mr. Fulmer continued to state the Board of Supervisors can authorize the advertisement of the Draft Zoning Ordinance Omnibus Amendment as it is or consider the comments by the Township Planning Commission and the Bucks County Planning Commission and make changes if they desire. If they wish to make changes, the Draft Zoning Ordinance Omnibus Amendment must go back to the Hilltown Township Planning Commission and the Bucks County Planning Commission to be reviewed again. After discussion, several Board of Supervisors stated they wish to go through the Draft Zoning Ordinance Omnibus Amendment one more time and it was tabled until the June meeting.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) H&K Extension of Hours – June 1 – 30, 2022: 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, 2022, and June 30, 2022, excluding holidays, for the PennDOT projects per their letter dated May 17, 2022. Motion was made by Vice-Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to grant the extension of hours between June 1, 2022, and June 30, 2022, for the Concrete, Asphalt and Crushing Plant at the Skunkhollow Quarry per their letter dated May 17, 2022, 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.

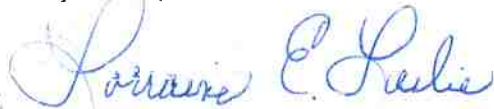
11. PUBLIC COMMENT: Jim Hess, 1904 Upper Stump Road, stated he has eight hundred feet of road frontage, the shoulder has tire ruts, and needs to be mowed. The road in front of his house is maintained by New Britain Township and, recently, they only mowed one pass. After discussion, it was noted the Public Works Director will reach out to the New Britain Township Roadmaster to discuss the issue.

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12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Torrice, seconded by Vice-Chairman Groff, and carried unanimously, the May 23, 2022, Hilltown Township Board of Supervisors regularly scheduled meeting was adjourned at 7:54 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).