

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JEFFRY DENCE, VICE-CHAIRMAN	ABSENT
JEFFREY ROCCO, SECRETARY-TREASURER	PRESENT
BRIAN GALLOWAY, SUPERVISOR	PRESENT
JEFF BORASKI, SUPERVISOR	PRESENT

The meeting commenced at 7:10 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Dence who was not feeling well this evening. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher and Township Engineer James Sullivan. A moment of silence held in memory of President George H.W. Bush.

**PRESENTATION FROM ROBIN ROBINSON FROM THE BUCKS COUNTY
RECORDER OF DEEDS**

Ms. Robin Robinson (Bucks County Recorder of Deeds) said she is here with First Deputy Gail Humphrey. When Ms. Robinson took her position, they discovered some issues. The one they are speaking about tonight is the condition of the deed books. Their office is responsible for maintaining these books. The books are the history of Bucks County and had been stored on a warehouse floor. They are in very poor condition. One way to take care of these books is by restoration. Ms. Robinson explained the restoration process. They plan to fund the restoration with a record improvement fund or by grants. Ms. Robinson decided to do what they do in New England; create an Adopt-A-Book program. There are 700 books that need to be restored. The board was shown a book that cost \$4,400 to fix. The cost could range from \$2,600 up to \$13,000. Ms. Robinson asked the township if they would be willing to help with this cost. Chairman Harvie appreciates all the work they have done and said the condition of the books is deplorable. Ms. Robinson said once the books are complete, they will be stored in an old Sheriff's department. They will have about 1,400 volumes when all is done. Member Galloway moved to donate \$5,000 to the Recorder of Deeds office to restore deed books; Member Rocco seconded the motion; all board members were in favor. (4-0)

**ITEM # 1 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON
FORTY-FIVE MINUTE MAXIMUM**

Ms. Amy Ransley wanted to speak about agenda item 5. Chairman Harvie said they will be authorizing advertisement for this item. This would probably not be voted on until sometime in January. It will be in the newspaper. It is notification so you can come back to make comments or ask questions. Ms. Ransley said her property is zoned Village Preservation Business (VPB) under the HD zoning. They are advertising that they want to

change it to regular Neighborhood Conservation Residential (NCR) district. Why are they moving them under a regular residential when they are a business? Ms. Gallagher said item # 5 has to do with one parcel at 515 S. Olds Boulevard. Ms. Gallagher said Ms. Ransley will be receiving a new notice. There are about eight parcels in the VPB district which is a subset of NCR. They will move it back into NCR and you will still be able to do everything in the VPB, but you will be able to do everything that is in the NCR. Chairman Harvie said the idea is to make it less restrictive. Ms. Gallagher said it is an overlay in the NCR and we are essentially removing the overlay. The public hearing will be on the 18th. Ms. Gallagher will take down Ms. Ransley's information and get back to her.

ITEM # 2 SUPERIOR MOTOR SERVICES – WAIVER OF LAND DEVELOPMENT, 965 LINCOLN HIGHWAY – TMP # 13-028-035

Manager Gray said the applicant's proposed improvements consist of the creation of a leasehold on and around the back portion of the property to store towed vehicles. This will be enclosed by a fence of at least six feet in height to secure the lot. The applicant is represented by Mr. Mike Bradley. The proposed tenant, Mr. McCoy, is here as well. They are not looking to make improvements on the property; they just want to park vehicles in the back of the property. Member Rocco moved to approve Resolution # 18-27 for Superior Motor Services, waiver of land development at 965 Lincoln Highway, TMP # 13-028-035; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 3 CONSIDER PROPOSAL FROM REMINGTON AND VERNICK ENGINEERS FOR THE GREEN LIGHT GO AND ARLE GRANTS

Manager Gray said the township received a proposal from Mr. Chris Fazio with Remington & Vernick Engineers. The proposal is for engineering services to provide a grant application for the PennDot Green Light Go Program for the West Trenton Avenue and Alden Avenue intersection improvements project and the ARLE grant for the installation of a solar-powered flashing school zone system on Yardley Avenue at the Fallsington Elementary School. This would be an 80/20 grant with the township being required to provide 20%. The total of this proposal is \$4,500. Mr. Chris Fazio is available to answer any questions. Mr. Fazio said at the intersection, there will be ADA-accessible improvements, restabilization, retiming and reconfiguration of the intersection. Mr. Fazio said this will dramatically improve the safety. For the Fallsington Elementary School, flashers would be a great traffic calming device to try to slow down the speeds in front of the school. Member Galloway moved to accept the proposal from Remington & Vernick Engineers in the amount of \$4,500 for the grant application for the PennDot Green Light Go and the ARLE grants for the elementary school; Member Boraski seconded the motion; all board members were in favor. (4-0)

Chairman Harvie said there have been complaints about the traffic lights at Lincoln Highway and Oxford Valley Road and how they were changed and causing some problems. Mr. Fazio said they reached out to PennDot and Middletown Township and have had discussions with them to try to resolve this issue. We are now trying to set up a follow up

meeting. PennDot said they made some tweaks to it and we hope that will help, but they want to sit down and make sure that the township's position on this is heard.

ITEM # 4 CONSIDER PURCHASE OF VEHICLES FOR THE POLICE DEPARTMENT

Manager Gray said the township secured quotes from New Holland Ford for the purchase of three vehicles from New Holland Ford. They include two police interceptor utility vehicles for \$43,900 each and a third vehicle in the amount of \$18,950. The purchase of the first two vehicles is budgeted for 2019 and is from the Co-Stars list. The third vehicle is in the 2018 budget and is also off of the Co-Stars list. Member Rocco moved to approve the purchase of the three police vehicles in the total amount of \$106,818 from New Holland Ford (one this year and two next year); Member Galloway seconded the motion; all board members were in favor. (4-0) Chairman Harvie said for the third vehicle, the specifics were not mentioned as this is a vehicle for the detectives so we are avoiding mentioning what kind of car this is.

ITEM # 5 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR ORDINANCE AMENDING CHAPTER 209 – ZONING DISTRICT MAP OF THE TOWNSHIP OF FALLS – SECTION 209-7 – BY REZONING CERTAIN LANDS IDENTIFIED AT BUCKS COUNTY TAX MAP PARCEL # 13-015-001-005 FROM LR – LOW DENSITY RESIDENTIAL DISTRICT – NC – NEIGHBORHOOD COMMERCIAL DISTRICT

Chairman Harvie said over the past few years, Ms. Gallagher has worked extensively with the engineers and the Code Enforcement Officer to identify inconsistencies and issues in our ordinances dealing with land development and things like zoning, trees, and items of that nature. We are looking to authorize advertisement. Ms. Gallagher said this is TMP 13-015-001-005 at 515 S. Olds Boulevard. The property has been zoned Low Density Residential (LR) for a number of years. The property has been used for other zoning, including medical and dental offices, and the property owner would like to continue to be able to use the property consistent with different zoning regulations. We have determined that the Neighborhood Commercial (NC) district would be more appropriate zoning for that parcel and surrounding parcels as well. This ordinance would rezone that parcel from LR to NC. Member Rocco moved to open public comment; Member Boraski seconded the motion; all board members were in favor. (4-0) Ms. Toni Battiste understood 515 S. Olds Boulevard to be the old medical building, but Ms. Gallagher said the 'surrounding area' and wanted to know what that would constitute. Ms. Gallagher said the parcels that neighbor that property are not zoned LR. It is an island of LR that is surrounded by some NC, some business professional, and a couple other zoning districts in that general vicinity. In the zoning re-write, the business professional district is being completely eliminated so a lot of those parcels are being rezoned to NC. The residential parcels are staying the same as they are. Ms. Battiste asked about the wooded area. Ms. Gallagher said this ordinance is just about this parcel. There are different ordinances that are in place that have to do with eliminating

the VP district, but if those parcels are not zoned VP, their zoning is not being changed. Chairman Harvie said this parcel, compared to what is around it, is not zoned the way it should be zoned. We are trying to straighten it out and make it more friendly zoning for the owner itself. Member Rocco moved to close public comment; Member Boraski seconded the motion; all board members were in favor. (4-0) Member Galloway moved to authorize advertisement of ordinance amending Chapter 209 – Zoning District Map of the Township of Falls – Section 209-7 – by rezoning certain lands identified at Bucks County Tax Map Parcel # 13-015-001-005 from LR – Low Density Residential District – NC – Neighborhood Commercial District; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 6 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 209 - ZONING

Ms. Gallagher said this is a proposed change to the zoning ordinance. This was forwarded to the Bucks County Planning Commission and the Falls Township Planning Commission. There are several changes that were recommended and there are several zoning map changes. We will need to post the properties that will be affected. The property owners were notified that the properties were not posted. We are recommending that this item be canceled to a date certain of December 18, 2018. The ordinance can be re-advertised to include all of the Bucks County Planning Commission changes. The properties will be posted next week consistent with the Municipalities Planning Code. Member Rocco moved to table this agenda item for ordinance amending Chapter 209 – Zoning, until December 18, 2018; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 7 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 191 SUBDIVISION AND LAND DEVELOPMENT

Ms. Gallagher said this ordinance amendment cleaned up a lot of the provisions that were inconsistent with the zoning code or the storm water management ordinance. We have shifted the storm water provisions over to the storm water management ordinance. We have cleaned up a lot of the definitions. One example was the size of parking stalls for new development. We have added the Township of Falls Authority to the distribution list for the circulation of new applications that they are able to generate a review and make sure they are involved in the project. We have cleaned up traffic impact study requirements, driveway requirements, lighting requirements, and sidewalks have been revised to increase the minimum width from 4 feet to 5 feet. This was also forwarded to the Bucks County Planning Commission who recommended some minor changes. Ms. Gallagher read some of the proposed changes and she would suggest that if the ordinance is approved tonight, it is approved with these changes. Member Galloway moved to adopt Ordinance # 18-5, amending Chapter 191, Subdivision and Land Development and incorporating the recommendations from the Bucks County Planning Commission, as mentioned by Ms. Gallagher; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 8 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 187
STORMWATER MANAGEMENT**

Ms. Gallagher said in talking with Mr. Jones, we have discovered some substantive changes that need to be made to this ordinance. Member Rocco moved to table this agenda item for ordinance amending Chapter 187 Stormwater Management to December 18, 2018; Member Galloway seconded the motion; all board members were in favor. (4-0)

**ITEM # 9 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 122
EARTH DISTURBANCE**

Ms. Gallagher said this is a complete re-write of the earth disturbance regulation. It is designed to update the grading permit application process and to incorporate the current regulatory scheme to ensure compliance with state regulations and storm water management. Certain activities are exempt from the permit requirements and the specific requirements for permit applications are set forth in the ordinance. Another ordinance to be considered tonight is the tree protection standards ordinance and that will be incorporated into this new earth disturbance permit process and may, depending on the application, require approval from the Bucks County Conservation District or the DEP. The ordinance requires access easements in favor the township for the purpose of access, inspection, and where necessary, maintenance of storm water management facilities. Member Rocco asked if this affects in-ground pools. Ms. Gallagher and Mr. Sullivan said yes. They are currently required so there is no change for them. Member Galloway moved to adopt Ordinance # 18-6, amending Chapter 122, Earth Disturbance; Member Boraski seconded the motion; all board members were in favor. (4-0)

**ITEM # 10 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 170
REGULATE PODS AND DUMPSTERS**

Ms. Gallagher said this is a new ordinance for the township. It will regulate dumpsters and portable storage units. This will require a permit, accessing the permit fee, and limiting the duration or use of such units. The township's current code does not provide for these uses so this is something that allows us to make sure they are complying with the standards that are in the ordinance. It provides for an exemption for a dumpster or pod that will be on the property for under 30 days. Member Rocco asked if there were a time limit. Ms. Gallagher said they will require a permit if they will be there for more than 30 days. Ms. Gallagher believes the maximum is 60 days and that can be extended at the discretion of the township. Chairman Harvie said the code does include the restriction that dumpsters or pods to be off of the street unless there is some situation that there is no other place for them to be located. Usually they have to be in the driveway. Until now we don't have the ability to restrict them because they are not in any of our current ordinances. Member Boraski moved to approve Ordinance # 18-7, amending Chapter 170, Regulate Pods and Dumpsters; Member Galloway seconded the motion; all board members were in favor. (4-0)

ITEM # 11 CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 182 RIGHTS OF WAY

Ms. Gallagher said this is a complete re-write of Chapter 182 is which is designed to complement the new wireless communications revision included in the zoning rewrite, which the board will consider on December 18th. The Right of Way ordinance regulates all facilities including cable, cable franchise facilities, or other than wireless communications facilities that were installed in the public right of way, provides for an application and permit renewal process, collection of permit fees, construction and abandonment standards and enforcement provisions. Wireless facilities are governed by the Telecommunications ordinance; this covers everything else. Member Galloway moved to adopt Ordinance # 18-8, amending Chapter 182, Rights of Way; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 12 CONSIDER ADOPTING ORDINANCE CHAPTER 199 – ESTABLISH TREE PROTECTION STANDARDS

Ms. Gallagher said this ordinance is to establish protection and preservation standards for existing trees. This ordinance would encompass situations that normally wouldn't require earth disturbance permitting. The removal of trees of over 5,000 sq. ft. would trigger this ordinance and require that tree protection standards be met. It prohibits clear cutting, contains replacement provisions, sets limits of disturbance, and requires submission of a tree survey plan for any application for an earth disturbance permit, demolition permit, building permit, subdivision, land development or zoning change application, with some exceptions. The tree survey plan is subject to review and approval of the Shade Tree Commission which is empowered to determine the extent to which replacement trees must be installed. The ordinance also provides for enforcement remedies and penalties for violations. Member Rocco asked if these have to be installed where we want or on the site. Ms. Gallagher said typically it is on the site. For development it will be a different story and that will require subdivision and land development approval. This ordinance is trying to target just clearing a lot, not related to development. This is really meant to target situations where there is no earth disturbance or land development application. It is so the township knows what is going on with regard to clear cutting. Member Galloway moved to approve Ordinance # 18-9, adopting Chapter 199 – Establish Tree Protection Standards; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 13 MINUTES – NOVEMBER 20, 2018

Member Galloway moved to approve the minutes from November 20, 2018; Member Boraski seconded the motion; all board members were in favor. (5-0)

Board of Supervisors – December 4, 2018

ITEM # 14 EXECUTIVE SESSION

Ms. Gallagher said prior to tonight's meeting, the board held an Executive Session to discuss matters involving personnel.

ITEM # 15 MANAGER COMMENT

A. Mylars for Superior Motors are ready for signature.

ITEM # 16 BOARD COMMENT

Member Rocco – no comment.

Member Boraski – no comment.

Member Galloway – no comment.

Chairman Harvie thanked township residents and our manager who have been going through difficult times with PA American Water. They had a mechanical failure which caused some problems at their Lower Makefield facility. There are a little over 1,000 connections in Falls Township, 11,263 in Lower Makefield, and under 1,000 in Yardley. The schools were affected, and PA American Water delivered a lot of water to the schools that were affected. We appreciate the patience of the residents in Falls. PA American Water is working to the best of their ability to make things happen as fast as possible. Chairman Harvie moved to appoint Mr. Richard Lavinthal to the longest term on the Community and Economic Development Commission; Member Rocco seconded the motion; all board members were in favor. (4-0) Chairman Harvie wishes everyone a very Happy Hannukah.

Member Rocco moved to adjourn the meeting; Member Galloway seconded the motion all board members were in favor. (4-0) The meeting was adjourned at 7:55 p.m.



Jeffrey Rocco, Secretary