

Council Meeting
May 10, 2011
Chancellor Center

President Julia Woldorf called the regular semi-monthly meeting of Newtown Borough Council to order at 7:00 P.M. on Tuesday, May 10, 2011. Ms. Woldorf asked those in attendance to join her in a moment of silence, followed by the Pledge of Allegiance.

Present: Councillors O'Malley, Sellers, Walker, Warren and Woldorf; Mayor Dennis O'Brien and Solicitor Paul Cohen. Councillor Burke was excused.

Historic Preservation Awards – James McAuliffe

Commercial Signs:

Michael Pilon – Proprietor
Debbie McKenty & Jaime McKeehan – Signmakers
Signs of the Village

For craftsmanship, artistic skills and dedication in the design and production of the signs at the
Black Horse Tavern, 101 S. State Street

Keith Coleman – Proprietor
Donal McKernan, Danthonia Designs – Signmaker

For craftsmanship, artistic skills and dedication in the design of the signs at the Hamilton Building
Supply Company, 201 S. State Street

Mayor's Report – Dennis O'Brien

Police Report for April

The Mayor presented the April police report. Two truck enforcement details were held during the month of April, there was a joint drug take back program with Newtown Township and several random details took place with citations written.

Officer Sean Orr received a certificate from M.A.D.D. as the police officer with the most DUI arrests this year and Chief Wojciechowski received a certificate of appreciation from Council Rock School District.

Reminder: Police Memorial Service – May 16, 2011, at 7 P.M., St. Andrew's Catholic Church

Election Day – May 17, 2011 and with a reminder that the Ward II voting place moved to the Sewer Authority on S. Congress Street

Memorial Day Parade – May 30, 2011

Old Timers Baseball Game – May 30, 2011, at Pickering Field

Amendments to the Agenda

Ms. Woldorf moved the discussion on the First Fourth Parade to just before approval of the minutes. She postponed discussion of the purchase/installation of the playground equipment to the June Work Session, since Mr. Burke was unable to attend the Council meeting.

President's Report – Julia Woldorf

Ms. Woldorf announced several important upcoming planning activities. The first was tonight's presentation on development of the Stockburger site. The Bucks County Planning Commission is holding public meetings to update the County's Comprehensive Plan. There will also be public meetings regarding the SMART Transportation Grant that Newtown Borough received, which will be a chance for the public to voice their opinions on the future of Newtown and circulation issues. Future planning meetings for Newtown Creek will also be held.

Correspondence

FEMA sent a letter about a meeting on May 23, 2011, in Doylestown regarding "The Discovery Process for the Neshaminy Watershed." Ms. Woldorf will forward this to the Borough Engineer.

Public to be Heard

Theodore Schmidt thanked Jennifer Abrahamson and the Arbor Day Committee for a wonderful job of organizing Arbor Day.

Jon Guy reminded all Veterans to join the American Legion in marching in the Memorial Day Parade.

Paul Salvatore was disappointed about postponing the decision on the playground equipment. With school ending shortly, Mr. Salvatore noted that there is very little for the youth to do. He suggested that Council consider impact fees in the future, as Newtown Township has used impact fees from developers for Park and Recreation needs.

Newtown Township Supervisor Rob Ciervo advised the public that he and Senator McIlhinney are working with Tyler State Park to attempt to save the barn and maze playground area in the park. A non-profit group will accept donations, with \$30,000 required to save the structures and all donations will be tax-deductible.

Certificates of Appropriateness

- ❖ A motion was duly made by Councillor Warren, seconded by Councillor O'Malley, and carried unanimously, to follow the recommendation of the Historic Architectural Review Board and direct President of Council to sign COA 2011-008H, thereby approving the

historical appropriateness of the application, with final approval by the Code Enforcement Officer.

COA 2011-008-H Applicant: Darrell Swartz, 119 N. State Street, Swartz Culleton PC

The applicant was seeking a Certificate of Appropriateness for a hanging sign and a wall sign, noting that design option A would be used and that *Swartz Culleton PC* would be in bold type.

- ❖ A motion was duly made by Councillor Warren, seconded by Councillor Walker, and carried unanimously, to follow the recommendation of the Historic Architectural Review Board and direct President of Council to sign COA 2011-009H, thereby approving the historical appropriateness of the application, with final approval by the Code Enforcement Officer.

COA 2011-009-H Residents David & Andrea Page, 14 S. Chancellor Street

The applicants were seeking a Certificate of Appropriateness for the installation of cedar fencing.

- ❖ A motion was duly made by Councillor Warren, seconded by Councillor Walker, and carried unanimously, to follow the recommendation of the Historic Architectural Review Board and direct President of Council to sign COA 2011-010H, thereby approving the historical appropriateness of the application, with final approval by the Code Enforcement Officer.

COA 2011-010-H Resident Joseph White, 143 N. State Street

The applicant was seeking a Certificate of Appropriateness for the replacement of storm doors constructed of wood and noting that the submitted Vanderbilt model design would be used for the front door and visible side door facing the front.

- ❖ A motion was duly made by Councillor Warren, seconded by Councillor Walker, and carried unanimously, to follow the recommendation of the Historic Architectural Review Board and direct President of Council to sign COA 2011-011H, thereby approving the historical appropriateness of the application, with final approval by the Code Enforcement Officer.

COA 2011-011-H Residents Steve & Jeanne Haeckel, 123 E. Penn Street

The applicants were seeking a Certificate of Appropriateness for renovations to an accessory building.

- ❖ A motion was duly made by Councillor Warren, seconded by Councillor Walker, and carried unanimously, to follow the recommendation of the Historic Architectural Review Board and direct President of Council to sign COA 2011-007H, thereby approving the historical appropriateness of the application, with final approval by the Code Enforcement Officer.

Modification to COA 2011-007-H Residents Ralph & Barbara Posmontier, 32 N. Lincoln Avenue

The applicants were seeking a Certificate of Appropriateness for the modification to COA 2011-007 to change the material for the pole gutters from the previously approved painted tin to copper.

Presentation of Proposed Stocking Works II Development – Allan Smith

Ms. Woldorf explained that Mr. Smith made two presentations of his Sketch Plan to the Borough Planning Commission, with their recommendation that it now be reviewed by Borough Council. The Sketch Plan process is optional but Mr. Smith has the opportunity to obtain feedback from Council and the public before entering the formal planning process.

Mr. Smith began by explaining that the Design Committee of the Joint Downtown Newtown Corporation looked at the Borough's Comprehensive Plan for guidance in creating a "visioning map," which included the goals of preservation and enhancement to the infrastructure of the Borough and of insuring the economic vitality of the downtown business district. A parking garage and creek walk were shown on that map and when considering development of the Stockburger site, Mr. Smith decided to incorporate those ideas into the plan. His proposed plan was first presented to the public approximately two years ago and included 55,600 square feet of retail space, 140 condominiums and 100,000 square feet of office space. After the traffic study was completed, Mr. Smith realized that the office use would generate twice as much traffic as the residential use, and he began reconsidering the usage of the space. Architect Robert Hillier explained some of the changes, which include retail space with apartments and a restaurant overlooking the creek. The parking garage would be connected with a bridge at the 2nd floor level to condominiums, which are positioned over the liquor store. A small amphitheater is proposed and there would be retail stores along State Street. Four to five story residential condominiums are planned at the south end of the property along the creek and overlooking the plaza. Parking for the units would be underneath the buildings.

Ms. Woldorf then asked Council for their input.

In considering the proposed plan, Mr. O'Malley took into account traffic, parking, walk-ability and bike-ability, retaining the look and feel of Newtown, incorporation of open space into the plan, the impact on Borough services and how the Borough property would be used in this plan. Mr. O'Malley noted that the original plan presented in 2009 was dominated by an office complex and included retail-residential mixed use and a parking structure. That plan received support from the community. With this plan, the five residential buildings and the parking structure concern him, as does the potential height of those buildings. The intensity of use for the space and its impact on the Borough are of greatest concern to him with regard to parking and traffic. In addition, Mr. O'Malley questioned whether the parking garage and the overall parking would be sufficient to cover the new uses; offset the Borough parking that would be lost and meet the current parking shortfall. Although in favor of a mixed-use development and noting that the plan has many things that he likes, he still has concerns about the overall feel of the plan and that the balance is not yet right. He would not support this sketch as presented. Since the Borough has received a number of questions on the Traditional Neighborhood Development Ordinance (TND), Mr. O'Malley felt that the

Borough owes it to the residents to be clear on what the TND ordinance does or does not allow related to density.

Ms. Woldorf cautioned discussing the merits of the project as it relates to the TND ordinance, as she said that the TND simply permits a mixed-use development, which was not allowed on that site prior to the ordinance. She said that comments should be focused on what is proposed and not stray to discussion of the ordinance.

Mr. Sellers felt that Council needs to use vision and plan for the future of the Borough, which is a hard thing to do and he commented that change is also difficult. This project requires a much more expansive view and broader vision. Although understanding the comments about retaining the physical features everyone is familiar with, Mr. Sellers felt that a combination of the old with something new should add up to the vision the Borough needs to look at for the future of this site. He said that the plan should be looked at as a concept at this stage, with questions on details to follow at a later stage of the process. Mr. Sellers also commented on what inaction could produce or what could happen if an unknown developer comes forward with a plan that fits the TND, which Council would be required to review and approve within certain limits. He stressed the importance of supporting the business district, which he feels this project would do.

While supporting the concept of mixed-use, Mr. Warren shared Mr. O'Malley's concerns about traffic and parking. In addition, Mr. Warren was worried about the sociological impact on the town with so many people in a small place, but he was interested in becoming more educated on the project.

Mr. Walker agreed that the site does need to be developed, but he is concerned that the project, as currently presented, is not what the Borough needs. Between what was originally presented and the current plan, he feels that the solution is somewhere in the middle. Mr. Walker agreed that Mr. Smith is certainly capable of creating a design that is in keeping with the profile of Newtown Borough. Council needs to consider the impact of such a project on all of Newtown Borough, which includes the impact on Earned Income Taxes, the need for additional police and the ownership and maintenance of the parking garage. All of those issues need to be discussed in terms of what is best for the community.

Ms. Woldorf is excited about the prospect of development on this site and she felt that mixed-use is what Newtown Borough needs. She felt that the Borough needs to be able to picture change and have a vision and that it is important to look at this project as an opportunity. Ms. Woldorf referred to Jefferson Court and Newtown Station and how there was opposition to those projects, but how the developments actually blended in. She likes the proposed entrance on Centre Avenue, but does have concerns about 300 residential units and their affect on the Borough. Although not wanting to crowd the town, Ms. Woldorf would like to see the Borough retain its attraction and overall she is supportive of the plan. She then opened discussion for public comment.

Resident Frank Warvolis has lived in the Borough for 40 years. He asked the Planning Commission and Council to consider the taxpayers and citizens with regard to increased traffic and the possible increase in taxes because of additional police and infrastructure required to support the development. Mr. Warvolis was also concerned about additional expenses, if the garage is Borough owned.

Cathy Fink was overwhelmingly excited about the project and the talented group of individuals with a vision. Ms. Fink agreed that not everything is perfect and traffic is a given, but she felt that Council should work with them [the developer] and be thankful for the opportunity.

Resident Matthew Kyle commented that his generation thinks of Newtown in terms of Applebees and Starbucks and places to go and things to do. He felt that there is a generational gap, which is not being addressed, in that their perception is different. He supports the development of the nine acres and this development in particular.

Sycamore Street resident Nancy Grazia said that the back of her property will face the parking garage and she sees this as an asset to Newtown. She felt that Mr. Smith is giving the residents a sense of place and she would like to see the project supported and embraced.

North State Street resident Joseph White loves the Borough for its architecture, small town feel and walk-ability. He is upset at the idea of a parking garage and condominiums and felt that the Borough has plenty of retail space. Mr. White agreed that something should happen with that area, but he felt that it should be in keeping with what is here now. He would like to see the Borough stay the way that it is.

Steve Laskey of Penn Street felt that the Borough lost a car dealership and they are now building a city and he does not feel that it fits. While he appreciated the work that went into the plan, he felt that it is a bit extreme to put 4-5 story buildings in that space. Mr. Laskey understands the mixed-use, but he does not feel that the parking garage would help anyone in the existing business district. He said that the Borough is very unique and he is worried that the uniqueness will be destroyed.

Chuck Machion agreed for the need to support the merchants, but he felt the density would be too much for the residents. He felt that having 300 condominiums in that small space would really change Newtown. Mr. Machion agreed that the site needs to be developed, but he is concerned that this development would increase the Borough population by one-third.

Marlowe Gordon of North State Street likes the layout but felt there were many unanswered questions, such as will the Borough be responsible for the garage. It is a beautiful project and she agreed that something needs to be done, but residents need answers before any decisions are made.

Larry Fink, who is an architect, agreed that the Borough will see many changes from the sketch plan as many details still need to be worked out as the plan evolves. It is a normal process and in the 33 years he has lived in Newtown, he has always felt that the Borough could use a parking garage. He wholeheartedly supports the project and feels that the Planning Commission will have plenty of input, as well as the residents at other public meetings.

Joe Swerk is supportive of the project and his only concern is that Mr. Smith did not get the ACME project. It was a project that required no [zoning] relief and yet residents are still looking at the empty ACME site.

Eric Johnson, who has two properties on South State Street, and the only individual with property touching the Stockburger property, "heartedly embraced" Mr. Smith's project. Mr. Johnson knows and trusts Mr. Smith and he would rather have someone that is known develop the property.

Resident Jon Guy was concerned about the traffic impact on the Borough, and as a member of the Traffic Committee, he said that they [the committee members] did not support a further intensifying of this project. Mr. Guy cannot support what he sees as a deeply flawed project, but he hopes that changes can be made to de-intensify the development, and he might feel differently.

Resident Betsey King felt confident, that based on some of Mr. Smith's past projects in town, he could do a very good job, but she voiced concern about the intensity of the project and the impact on traffic in Newtown. Ms. King asked Council think very carefully about maintaining the integrity and the proper perspective for the Borough.

Property owner George Stockburger gave Mr. Smith credit for a number of aesthetically pleasing projects in the Borough, but he pointed out that Mr. Smith is a businessman first. Mr. Stockburger provided background on his own original plans for the Stockburger Dealership property and for his business dealings with Mr. Smith. Mr. Stockburger was in favor of Mr. Smith's original project proposal, which was a partnership, presented in 2008 to him and members of the Stockburger family. Mr. Stockburger said that verbal commitments were made to him as part of the partnership to assist with his mortgage payments, but that never happened. He felt that he was put in a position by the bank to accept Mr. Smith's offer, which was dramatically lower than what he felt was the value of the property, in order to avoid foreclosure and meet his obligations to the bank. Mr. Stockburger said that his reason for sharing this personal information was to point out how things drastically changed for him and suggesting that since Mr. Smith's plans changed dramatically from the original proposal until now, it is following a parallel path. Mr. Stockburger felt that the project as now proposed will irrevocably harm the Borough. It will be developed but should not be developed to the intensity that is now proposed and noting that the police chief anticipates needing two additional full time officers at an estimated cost of \$200,000 - \$300,000 a year. Council should consider very carefully, what they will be getting.

Bob King asked what Council's responsibility and commitment is to this project. Mr. King said that the developer should not be encouraged to design something too big for the Borough. Expectations should be managed and, as encouraged in the Comprehensive Plan, the character of Newtown should be retained. He felt that Newtown could wait to get a good plan rather than rushing into one now. As Co-Chairman of the Environmental Advisory Council, Mr. King referred to the recently passed Open Space Plan and was surprised and disturbed that the Planning Commission was no longer interested in having actual open space. Mr. Smith has a great vision but his other [Borough] projects have not been this large.

Mark Craig was involved from the beginning of the Joint Downtown Newtown Corporation and one of their concerns had been the lack of critical mass in the business district and having a destination to come and shop. Mr. Craig looked at the proposed development as adding to that critical mass, but the change from office to residential addresses two of his concerns, intensity and density. He is worried about the stress on the infrastructure of the town with the addition of 600 residents. With this project the Borough needs to alleviate the parking problem, not just provide parking spaces to meet the minimum for the new businesses, residents and replacement of the Borough's lost spaces. Mr. Craig agreed that the addition of new businesses and restaurants could be integrated into the State Street fabric, but we want to be able to enjoy it without dealing with the negatives.

Rob Ciervo [Chairman of the Newtown Township Supervisors] said he is dramatically opposed to this project with the change from office to residential. Mr. Ciervo felt that there is no worse mix than having high density residential and 60,000 sq. ft. of retail. Putting these numbers into context it would basically be the size of the ACME in Newtown Township, although not in one mass, but even broken-up it is a lot of retail space that would produce a great deal of traffic. Additionally, the trips generated by residential use could be as high as eight trips per home per day. Mr. Ciervo said that he felt putting 300 homes on nine acres is the worst thing the Borough could do. He agrees with having long-term vision, but the idea must be well thought through, as this would be a huge, intense use, which would forever change Newtown. Mr. Ciervo hopes that Council will steer the developer toward a less intense use. Concern had been raised about the redevelopment plans for 25 units on two acres at the old ACME site as being a traffic nightmare.

Cathy Fink said that people who chose to live in the Borough know that there will be traffic and she said that the volume of the traffic is not the problem, speed is the problem.

At the conclusion of the public comment, Ms. Woldorf asked Council to discuss the two portions of Borough property that Mr. Smith would like to use for his project.

There was a 10-minute recess at this point.

Ms. Woldorf asked the Solicitor if Council should convey to Mr. Smith their feelings regarding the usage of the Borough property, so that he would know whether to pursue alternate options. Mr. Cohen said that it would be up to Council to decide if they wished to have a formal motion or simply provide their individual comments on the possible transfer of Borough property. Ms. Woldorf then asked Council members for any concluding remarks.

Mr. Sellers said that it was important for Council to hear the resident's comments and consider their remarks. He was, however, surprised at the comments from Rob Ciervo considering that he felt the Borough did not receive the same courtesy from Newtown Township when Council members approached the Supervisors regarding concerns about The Promenade/ACME site and the traffic study during the plan approval process. Mr. Sellers finds it disingenuous for Mr. Ciervo to direct criticism at the Borough, when Council members went to the Township and were not so well received.

First Fourth Parade

The application for the First Fourth Parade was received at the Work Session, but further discussion was postponed until additional information was received. Mayor O'Brien explained that, although it does not say it on the application, all applications are to be received at least 90 days prior to the event. Four officers would be required to cover the parade at \$60/hr. or a total of \$1200 and the schedules have already been made for that date. Ms. Woldorf said that the recommendation of Chief Wojciechowski was that he was unable to handle this event. Mr. O'Malley was disappointed and asked how police protection has been handled in the past. Mayor O'Brien said that the Borough has picked up the cost of police protection for all parades. Mr. Warren did not believe that was accurate and in this case the cost would probably be passed on, if the application was approved. Mr. Warren said that because of the short notice for this event the Chief does not have the available manpower.

Paul Salvatore, representing the First Fourth Committee, stated that even though the application did not say it had to be [submitted within] 90 days, the Committee is being held to the 90-day rule and he felt that they were being punished for it. Mr. Salvatore suggested moving the parade to the following weekend, but Ms. Woldorf said the 90-day issue would still apply.

Mr. O'Malley understood the Chief's recommendation, but he still thought it was nice having an event celebrating the Fourth of July.

- ❖ A motion was duly made by Councillor Sellers, seconded by Councillor Warren, and carried with Councillor O'Malley and Walker voting nay, to deny the Special Event Application for the First Fourth Parade.

Presentation of Minutes

- ❖ A motion was duly made by Councillor Sellers, seconded by Councillor O'Malley, and carried unanimously, to approve the minutes of the April 6, 2011, Work Session Meeting.
- ❖ A motion was duly made by Councillor O'Malley, seconded by Councillor Walker, and carried unanimously, to approve the minutes of the April 12, 2011, Council Meeting.

COMMITTEE REPORTS

Budget & Finance – Gerard O'Malley and Robert Walker

Consolidated Report

- ❖ A motion was duly made by Councillor Walker, seconded by Councillor O'Malley, and carried unanimously, to accept, subject to audit, the consolidated expenditure report for the month of April 2011 totaling \$ 102,969.35.

Environmental Advisory Council – Julia Woldorf

Ms. Woldorf announced that the Environmental Advisory Council is sponsoring a presentation on April 24, 2011, at the Chancellor Center, on how to make historic homes more energy efficient.

Long Term Parking – Gerard O'Malley

Mr. O'Malley asked that authorization to advertise the Residential Parking Permit Ordinance be postponed.

Alex Haaf, Isaac Newton's Restaurant, asked about the parking permits. Mr. O'Malley explained that the permits would be issued to residents living on Court Street, Centre Avenue, Penn and Mercer Streets and the streets would be posted for 2 hr. parking for anyone without a Residential Permit. Mr. Haaf, as the second largest employer in the Borough, questioned where the employees would park if these residential permits are approved. Mr. Haaf felt that the Borough needs parking meters and they should knock down old buildings to provide parking. He said that Mr. Smith's parking garage would only benefit Mr. Smith and not provide needed additional parking. Mr. O'Malley

suggested that Mr. Haaf attend the Long Term Parking Committee meetings, where discussions are held to find ways to address the employee parking issue.

Personnel Committee - Perry Warren

Mr. Warren announced an opening on the Planning Commission to fill an unexpired term and on the Recreation Board to fill an unexpired term. Anyone interested in applying should contact the Secretary at Borough Hall.

Traffic Committee – Gerard O'Malley

Mr. O'Malley announced that May 25, 2011, at 7 P.M. a public meeting would be held regarding the Newtown Borough Integrated Traffic, Transportation and Circulation Study. The meeting would be held at the Chancellor Center and will include members from various committees and a representative of the Police Department.

Mr. O'Malley announced that the Newtown Township/Newtown Borough Joint Traffic Committee is sponsoring their spring Pedestrian Safety Week from May 20-30, 2011, to raise awareness of pedestrian safety in town.

- ❖ A motion was duly made by Councillor O'Malley, seconded by Councillor Walker, and carried unanimously, to approve Resolution 05-10-11A designating the week of May 20-30, 2011, as Newtown Pedestrian Safety Week.

Solicitor's Report – Paul Cohen

Newtown Borough Neshaminy Creek Watershed Ordinance

Solicitor Cohen announced the public hearing to adopt Ordinance #712, which is the Newtown Borough Neshaminy Creek Watershed, Act 167 Stormwater Management Ordinance. The ordinance was advertised in The Advance of Bucks County on April 21, 2011, and filed with the Bucks County Law Library on the same date.

Mr. Walker referred to a newspaper article noting that municipalities were objecting to the requirements that are being set forth by this ordinance. Mr. Cohen agreed that there are concerns, as were also expressed by Council members when the ordinance was received, but Mr. Sellers did note that on smaller projects it was not as onerous as originally thought.

- ❖ A motion was duly made by Councillor Sellers, seconded by Councillor O'Malley, and carried unanimously, to adopt Ordinance #712, the Newtown Borough Neshaminy Creek Watershed Act 167 Water Management Ordinance as advertised.

Joseph Lucas Project

With respect to the Lucas project on S. Lincoln Avenue the following motion was made:

- ❖ A motion was duly made by Councillor Walker, seconded by Councillor Warren, and carried unanimously, to authorize the President of Council to execute "Authorization to the Bank" to reduce the Letter of Credit to 10% retainage, subject to extension of the Letter of Credit to March 17, 2012, for the Joseph Lucas project.

Special Events Ordinance

The Special Events Ordinance was discussed at the Work Session and Council authorized the Solicitor to amend the ordinance, with the application fee to be placed in the Borough Fee Schedule.

- ❖ A motion was duly made by Councillor Sellers, seconded by Councillor Warren, and carried unanimously, to authorize the Solicitor to advertise an ordinance amending the Special Events Ordinance.
- ❖ A motion was duly made by Councillor Warren, seconded by Councillor O'Malley, and carried unanimously, to authorize the Solicitor to advertise a Resolution amending the 2011 Fee Schedule to change the fee from its current \$250 per day to \$25 per day and the fee for police coverage to \$60 per officer per hour.

Pension Agreement

Mr. Cohen explained that the Pension Agreement with the Pennsylvania Municipal Retirement System needs updating and a checklist is required.

- ❖ A motion was duly made by Councillor O'Malley, seconded by Councillor Sellers, and carried unanimously, to authorize the President of Council to sign the Pennsylvania Municipal Retirement System Defined Benefit Municipal Contract checklist.

Cologne Associates Resolution Declaring Default

Mr. Cohen received a written estimate from the Borough Engineer with a cost to replace four lights at the Phillips Court development in the amount of \$4,800 plus a 10% contingency, for a total of \$5280.

- ❖ A motion was duly made by Councillor Sellers, seconded by Councillor Warren, and carried unanimously, to approve Resolution 05-10-11B declaring default on the Cologne Associates Irrevocable Letter of Credit and authorizing the withdrawal of \$5,280.
- ❖ A motion was duly made by Councillor Sellers, seconded by Councillor Warren, and carried unanimously, to authorize the Solicitor to take the action necessary to forward the Resolution to Uninvest National Bank.

FEMA Ordinance Review

Because of the new FEMA maps, Mr. Cohen said that a proposed ordinance was sent to the Borough. The section of the Borough Zoning Ordinance that addresses flood plains needs to be adjusted.

- ❖ A motion was duly made by Councillor Walker, seconded by Councillor O'Malley, and carried unanimously, to authorize the Borough Engineer to begin work to adjust the Zoning Ordinance to accommodate the FEMA changes, with a limit of 10 hours for the work.

Parking Structure Ordinance

Mr. Walker questioned a motion that was made at the previous [April] meeting. The review letter from the Bucks County Planning Commission (BCPC) addressed more than just the Parking Structure Ordinance and included off-street parking requirements. Mr. Walker was concerned that the ordinance forwarded to the BCPC for review had not been reviewed by Council and included more details than were actually approved. Ms. Woldorf said the parking requirements for various housing units was included in the information from the Borough Planning Commission and that is what was sent to the BCPC, but Mr. Walker said the motion did not include that information. Mr. Sellers' made a motion to refer the review letter from the BCPC to the Borough Planning but he later withdrew the motion and Council agreed to discuss the ordinance at the June Work Session.

Old Business

There was no old business.

New Business

There was no new business.

Public to be Heard

Based on Mr. Walker's question regarding the Parking Structure motion, Mark Craig was upset that he felt the Solicitor had drafted an ordinance that included more information than was authorized. Ms. Woldorf said that Mr. Craig did not have the facts and he responded that he had just had the minutes read to him and it did not include off-street parking. Mr. Cohen explained that the May letter from the Newtown Borough Planning Commission addressed both parking structures and off-street parking and that letter is what he used to draft the ordinance.

Paul Salvatore, Vice-Chairman of the Planning Commission, asked that the Planning Commission Chairman invite members of the Bucks County Planning Commission to their next meeting to discuss the issue. Mr. Salvatore said that in conversations with the BCPC they had grave reservations regarding the TND [Traditional Neighborhood Development] Ordinance and they felt that their comments were not being conveyed to the Planning Commission members.

The meeting adjourned at 11:20 P.M.

Respectfully submitted,

Marcia M. Scull
Borough Secretary

ATTENDEES
Warren Woldorf
Jeff Werner
Jim McAuliffe
Ted Schmidt
Paul Salvatore
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Tony Blancato
Luciano Blancato
Larry Auerweck
Frank Brassell
Jon Guy
Ralph Posmontier
Tony Godwin
Katie Sowiak
Jeanne Haeckel
Emilene and Bob Taylor
Alex Haff
Liz Warren
Sally Thompson
Harry and Becky Betz
Dave and Mary Callahan
Joseph White
Matthew Kyle
Frank Warvolis
Rob Ciervo
Jerry Schenkman
Paul Kester
George Wilson
Lorraine Pentz
Chuck Machion
Bill Heinemann
Kathy and Larry Fink
Marlowe Gordon
Paul Snyder
George Stockburger
Joe Swerk
Eric Johnson
Robert and Betsey King
Jayne Spector
Mark Craig
Diane LeBas
Annemarie Kaminski
Jeannine Mortimer
Dottie Sconyers
Steven Laskey
Margaret Danese
Liz Warren
Maureen Duggan
Jasmine Ssperu

