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HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS MEETING
AUGUST 13, 1990

The meeting was called to order by Chairman William J. Bennett at 7:35PM. and opened with the Pledge of Allegiance.

Also present were: Kenneth Bennington, Vice-Chairman
Betty Kelly, Supervisor

Lee Buchanan-Gregory, Acting Township Manager
Frank Grabowski, Solicitor
C. Robert Wynn, Township Engineer
Police Chief George Egly
Barbara A. Grove, Township Secretary

1. SUPERVISORS' MEETING MINUTES OF JULY 23, 1990:

A motion was made by Supervisor Kelly, seconded by Chairman Bennett and carried unanimously to approve the minutes of July 23, 1990 as written. Supervisor Bennington abstained from the vote due to the fact he was on vacation and not present for the July 23, 1990 meeting.

Supervisor Bennington directed questions to Solicitor Grabowski concerning the Miley Subdivision (Habitations). Final approval was granted with ten (10) houses having a previous water study conducted by Habitations and an escrow account established in the amount of \$30,000, as agreed to by Mr. Miley at the July 23, 1990 meeting. Further, during the meeting of July 23, and in the absence of Mr. Miley, one (1) additional name was placed on the list (Mr. Walter Helhowski). Supervisor Bennington questioned if this could legally be done in Mr. Miley's absence. Solicitor Grabowski stated this action was incorporated into the action letter of July 27, 1990 issued by the Township to Mr. Miley and there has been no objection to date of this addition.

Chairman Bennett stated this was recognized at the time of the meeting on July 23, 1990, and he therefore requested the Township Solicitor contact Mr. Miley for his approval of the addition to the list of names to be covered in the event of water problems.

2. APPROVAL OF CURRENT BILLS:

Supervisor Bennington questioned the bill for Code Inspections in the amount of \$3,000.00. Lee Buchanan-Gregory stated Code Inspection's bill is a three-part bill, from the preliminary plan to an inspection and through the final inspection, and therefore, the bill is a combination of different inspections.

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Chairman Bennett commented on the phone bill in the amount of \$1444.00 and asked if this could be considered a normal bill. Lee Buchanan-Gregory stated tracking is being done on the individual extensions, monthly long distance and local charges, along with the taxes the Township pays and this is normal. This shows a decrease due to the elimination of five (5) lines since the last meeting. The phone system is constantly under review.

Chairman Bennett stated in the Executive Session conducted this evening, he did request that the bills for BAHPCO be held on maintenance agreements for \$1420.00 and \$1350.00, which represent bills for the keypad system and the video system for two police cells.

A motion was made by Supervisor Kelly, seconded by Supervisor Bennington, and carried unanimously to pay all bills, other than BAHPCO for \$1420.00 and \$1350.00.

3. TREASURER'S REPORT:

Lee Buchanan-Gregory gave the Treasurer's Report as follows:

	Beginning Balance	End of Month Balance
General Fund Checking	\$255,322.68	\$311,426.15
Payroll Checking Account	12.13	36.73
Debt Service Invest.	5,561.73	6,413.43
State Highway Aid Checking	128,488.52	116,978.69
Police Pension Invest.	20,991.11	21,094.91
Non-Uniform Invest.	26,356.40	26,472.65
Escrow Fund Checking	29,061.19	25,534.79

The Board has also received a Statement of Expenditures and Revenue for month-ending July 31, 1990. The Board has received a Supervisors' Report on the account activity ending July 31, 1990, month-end report of cash escrow accounts, with five being reported and total balance of \$26,479.34 for month-end July 31, 1990.

A motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to accept the Treasurer's Report as read, subject to audit.

4. APPOINTMENT TO THE HILLTOWN TOWNSHIP PLANNING COMMISSION:

Chairman Bennett stated three applications had been received for the vacancy on the Hilltown Township Planning Commission. A motion was made by Supervisor Bennington, seconded by Chairman Bennett and carried unanimously to appoint Christine Bishop Edkins, Transportation Planner with the New Jersey Department of Transportation in Trenton, New Jersey, specializing in Statigic Planning.

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Ms. Bishop-Edkins received a Masters degree in Regional Planning from the University of North Carolina, Chapel Hill, with an emphasis in Transportation and Land Use Planning. Her course work consisted of reviewing and developing County and Local Land Use Plans. Supervisor Kelly abstained from the vote. This appointment is to take effect immediately.

5. CONFIRMED APPOINTMENTS:

A. Ms. Julie Gustanski, Director, Bucks County Agricultural Land Preservation Program gave a presentation and presented a "Fact Sheet" on the Easement Purchase Program (attachment A). This program, developed in conjunction with state funds, allows the County to have an easement purchase program, whereby the County will purchase agricultural easements on farms that qualify for the program. This program has been in operation approximately eleven months. The chief purpose of this program is to save the prime agricultural land in Bucks County -- not only preservation, but sustaining this land as well. Hilltown Township does have an active agricultural security area that can participate in this Easement Purchase Program. The 1989 joint County and State funds allotted for this program were in the amount of \$2,061,000.00, with slightly less than this figure for 1990.

Ms. Gustanski stated twenty-five (25) acres is minimum for participation under this program. The terms of the easement may be perpetuity or for a period of twenty-five (25) years.

6. AWARDING OF BIDS:

90-10 - 12 TON DUAL TANDEM TRAILER - Chairman Bennett stated two bids were received - one from Detlan Equipment Incorporated for \$8,150.00, and the second from Beck Brothers Corporation for \$7,711.00. Both of these were inspected on site by the Acting Township Manager, Lee Buchanan-Gregory, and the Director of Public Works, Tom Buzby, and recommendation was for the purchase of Beck Brothers Corporation for \$7,711.00.

A motion was made by Supervisor Bennington, seconded by Supervisor Kelly, and carried unanimously to accept the bid from Beck Brothers Corporation for \$7,711.00.

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90-11 - INDUSTRIAL WHEEL LOADER BACKHOE - Chairman Bennett stated two bids were received - one from Plasterer Equipment in the amount of \$59,840.00 and the second bid from Road Machinery, Incorporated, in the amount of \$56,756.00. Again, the Acting Township Manager and Director of Public Works, Tom Buzby, reviewed the submitted bids and specifications and due to the deviation list submitted by Road Machinery, the recommendation was for Plasterer Equipment in the amount of \$59,840.00 (John Deer Equipment).

Supervisor Bennington reiterated that Plasterer Equipment was not the lower bid, but Road Machinery's deviation list did place the piece of equipment outside of the specifications requested. Also, Plasterer has submitted a John Deer product, servicable in Silverdale.

A motion was made by Supervisor Bennington, seconded by Supervisor Kelly and unanimously approved to accept the bid of Plasterer Equipment in the amount of \$59,840.00.

7. CONFIRMED APPOINTMENTS - RECONVENED:

B. Mr. Hayes Ramsey, Hilltown Township resident, stated he has many questions concerning the Miley Subdivision. He further asked if the concerned public could review the escrow agreement documents for the Miley Subdivision before actual execution in the final form. Supervisor Bennington stated this question was brought up in the Executive Session this evening and it could be reviewed before finalization. Chairman Bennett and Supervisor Kelly were in full agreement. Solicitor Grabowski stated he would prepare the agreements when the developer calls for them. He will then leave a copy at the Township office, in draft form, for viewing by an concerned resident.

C. Mr. Wally Rosenthal, Curtis Furniture (J.R. ASSOCIATES) once again requested clarification in having to submit a Site Development Plan as requested by the Hilltown Township Planning Commission, as it is his feeling the changes he intends to make will be internal only and will not impact zoning.

Mr. Rosenthal stated he is maintaining a single entity, single identity, single address, single everything. Solicitor Grabowski asked if all the salesmen would be Curtis Furniture employees. Mr. Rosenthal stated they will be outside contractors, as Curtis Furniture does not have employees.

Mr. Rosenthal further stated there would be 40 to 50 vendors. Mr. Jack Fox, Hilltown Township Planning Commission Chairman, further clarified the request of the Hilltown Township Planning Commission and reaffirmed their request for a Site Plan because they did not know what was being proposed and after review, it could be classified as a shopping center.

Mr. Rosenthal stated he also had plans to sell food. Solicitor Grabowski stated this must go before the Planning Commission through a Site Development Plan.

Supervisor Bennington further questioned the use of the building by Cheap Skates, a concept set up as a training center for skate-boarders. Present usage would align closely with a recreational facility. Supervisor Bennington stated even with this usage, an amusement tax has not been paid to Hilltown Township.

Mr. Rosenthal stated he personally does not lease to Cheap Skates. Rather a partnership owns the ground and building, who does lease to Cheap Skates, and Mr. Rosenthal is one member of a five member partnership, J.R. Associates. Mr. Rosenthal stated he is Curtis Furniture, leasing space from Telford Industrial Authority and J.R. Associates. He is one of the partners of J.R. Associates. Supervisor Bennington asked why the partnership is not coming to the Board to request a change in configuration, if he is only a tenant. Solicitor Grabowski asked if Mr. Rosenthal spoke for the partnership. Mr. Rosenthal stated he could speak for one-fifth of the partnership. Supervisor Bennington stated it was unacceptable that Mr. Rosenthal was before the Board as a "lessee" instead of an "owner".

Mr. Rosenthal asked if he needed a zoning permit just to change the merchandise. Mr. Grabowski stated one tax parcel has a furniture store, karate studio, skating amusement center, and possibly a restaurant, and this could qualify as a shopping center. Supervisor Bennington reiterated that the partnership should be before the Board and not one-fifth of the partnership, as he is only a tenant. Supervisor Bennington stated he could not make a ruling at this point in time, when not knowing the further constatings we are under with this particular tax parcel. He would prefer to talk with J.R. Associates, as owners of the tax parcel, to determine what is going on.

Mr. Grabowski stated the best thing would be for the Township Zoning Officer to speak to whomever is in charge. Mr. Rosenthal stated he is the liaison for the partnership of five members, with other members residing in California.

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Mr. Grabowski asked who made the decision for the partnership and who signed checks. Mr. Rosenthal stated that he is one of them; he signs checks and his mother and brother sign checks, with his mother and brother being members of the five partners.

Chairman Bennett stated it would be "referred back to the Planning Commission", as the Board was not prepared to make any decision at this time. "Apparently a 'can of worms' has been opened in other businesses and so forth, that require looking into".

Chairman Fox suggested Mr. Rosenthal review the Zoning Ordinance which states what is necessary under Land Development and Site Development and how many copies to submit, where the buildings are located, size of the lot, size of impervious surface, sewage, water, where it comes from.

In response to Mr. Rosenthal's comment that it has no effect on the outside of the building, Mr. Fox stated it does have an effect on the outside -- traffic flow, need for traffic light -- parking situation, the whole thing -- this would have to be studied.

In response to Mr. Rosenthal's question of whether or not the parking was a function of the business size, Mr. Wynn stated it was a function of the use, and the retail use would have to be studied after appropriate information is supplied to make that study.

Mr. Wynn stated the use is being changed and if he does what he intends to do, would be in violation of the zoning ordinance.

Mr. Rosenthal asked what he was in violation of. Mr. Grabowski stated if he does not have a zoning permit and the operation of the building is changed, then he is in violation of the zoning ordinance.

Supervisor Bennington stated a Site Development is needed and a letter is needed from the partners of J.R. Associates saying that he is a spokesperson for J.R. Associates, so he will be speaking as an owner, and not as a tenant.

Supervisor Bennington stated he could not make a decision until he saw exactly what the plans were; everything could be O.K. with the plan, but he would not know until it was seen and reviewed. Until the plan was seen, the Supervisors would not be able to determine what was being done with the site.

Solicitor Grabowski reaffirmed a Site Plan Development is needed.

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D. BFI FINAL PLAN APPROVAL - Mr. Joseph Del Ciotto stated he was before the Board this evening to ask for contingent Final Approval and discuss several items in the contingency.

Mr. Del Ciotto stated all of Reliance Road was being improved, from Route 309 to the creek, with storm sewers being placed the entire length of the road, along with widening, where appropriate, as shown on the plan. Three property owners are being affected, one being Mr. and Mrs. Smith, with stream discharge at the end of the storm sewer, and the other two at the intersection of Route 309 and Reliance Road -- the Pub and Viking Properties (empty space). Viking Properties is in a cooperative arrangement with BFI and not a problem as far as acquiring any rights-of-way or easements. They have discussed sharing the cost of improvements that impact both property owners. This is not an issue. The Cato Pub and the Smith property right-of-way and construction easements have been granted on both of those properties -- both have verbally agreed there is not a problem, pending legal documents which are in process.

A resolution is needed from the Supervisors extending the maintenance period from 18 months to 24 months. The application has been pending for one month and the application will not be accepted without a Resolution from the Township.

Mr. Wynn stated the maintenance period does not start until all improvements have been completed. Start would be 18 months after the agreements have been executed, if everything proceeds normally.

Other items impacting project is DER permit for stream discharge for dumping storm water along Reliance Road into the stream. The permit has been filed through the Township and is in process. All other agencies have complied. Mr. Wynn stated one Planning Commission recommendation includes approval from the Bucks County Conservation District, and the second was the approval of the Water and Sewer facility, in writing, from the Telford Borough Authority. We do not have that as yet, but a letter from them indicating the affirmative action to authorize water and service in that manner, which includes granting a 20 foot wide easement along with property line of the Telford Borough Authority from the rear of the property to Reliance Road for water line construction.

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Telford Borough will extend a 12" water main from their #6 well to locate behind the property, between the property and the Rt. 309 bypass -- along with easement that is to be provided connecting water to their main on Reliance Road. Telford Borough Authority will provide a tap in the main and a fire hydrant approximately 600 feet from Reliance Road. The Telford Borough Authority will reimburse the builder for the sewer line connection into that line, with an estimated expense of \$7,510.00. The Telford Borough Authority will bear the responsibility for costs. A letter dated August 10, 1990 from the Telford Borough Authority Manager requests acceptance so a construction schedule can be planned. Communication from Telford is substantiated, but final approval is not. Supervisor Bennington asked if "laterals" were questioned when appearing before the Hilltown Township Water and Sewer Authority. Supervisor Bennington stated the issue is the laterals and final approval has not been granted from the Authority.

The Planning Commission, by motion, provided for escrow funds for public improvements, including a traffic signal.

A motion was made by Supervisor Bennington, seconded by Supervisor Kelly and unanimously passed to grant final plan approval based upon the following conditions:

- 1) Required easement/right-of-way for roadway improvements to Reliance Road and Bethlehem Pike, and storm sewer extension along lands of N/L Smith must be provided to Hilltown Township in a manner acceptable to the Township. (SLDO Section 403 602).
- 2) Verification of approval of proposed erosion and sedimentation control measures must be received in writing from the Bucks County Conservation District. (SLDO Section 420).
- 3) Verification of approval of proposed water and sewer facilities must be received in writing from the Telford Borough Authority. (SLDO Section 512, 514).
- 4) Verification of approval of the storm sewer discharge at Mill Creek must be received in writing from PA DER. (SLDO Section 421).
- 5) An Escrow Agreement must be executed between the applicant and Hilltown Township to guarantee installation of all "public" improvements including design/installation of traffic signal at Reliance Road/Bethlehem Pike intersection. (SLDO Section 602).

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6) Verification of approval from PennDot for improvements to Bethlehem Pike/Reliance Road intersection must be received in writing. (SLDO Section 403, '67 PA Code).

7) All engineering/drafting details as contained within the correspondence from the Township Engineer, dated July 6, 1990 (copy enclosed and incorporated herein by reference), must be accomplished in a manner satisfactory to the Township.

8) In accordance with your request dated July 25, 1990, the agreement to maintain highway improvements at the intersection of Bethlehem Pike and Reliance Road will be extended to twenty-four (24) months in lieu of the normal 18 months required by Township agreement.

Mr. Del Ciotto asked for clarity on the policy of the Township to issue building permits. Mr. Wynn stated that conditions of the final plan approval need to be satisfied prior to the issuance of a building permit -- along with the execution of the agreements.

Mr. Del Ciotto reiterated that no permit can be issued until all conditions can be met, including PennDot, as well as DER Stream Discharge permit. Mr. Grabowski answered in the affirmative.

Mr. Wynn clarified that both of these permits were for off-site improvements -- storm sewer being extended off-site several hundred feet, and the other being the intersection, as opposed to permits to access to the site. Permits should not be issued for a pending requirement for access to the site, but as these are off-site and guaranteed by an escrow agreement be accomplished and that the final engineering be accomplished to secure these permits, recommendation would be to the start of the work, not hold up start of the construction. Easements have been obtained to permit construction of public improvements. Mr. Del Ciotto emphasized that verbal agreement has been received from Smith and Cato.

Chairman Bennett asked Mr. Wynn what other conditions he would recommend for satisfaction (assuming a waiver of off-site improvements). Mr. Wynn stated that all State improvements to be secured by the State not delay construction on the site, provided they are guaranteed in escrow or Land Development Agreement.

E. SOLAR ATMOSPHERES - FINAL PLAN APPROVAL - Mr. Bill Jones, owner of Vacuum Furnace Systems and President of Solar Atmospheres, a sister company to Vacuum Furnace Systems spoke of the time restraints on his loan for the project and requested the Board consider the possibility of granting approval, with building permit only and occupancy permit being contingent upon all aspects of the conditions being met.

Supervisor Bennington suggested the Chairman of the Planning Commission, or a representative thereof, attend the work session of the Hilltown Township Water and Sewer Authority on August 22, 1990 to ascertain what is desired and satisfactory for both the Authority and Commission.

A motion was made by Supervisor Bennington, seconded by Supervisor Kelly and unanimously approved to grant final approval to Solar Atmospheres based upon the conditions and recommendations of the Planning Commission and Bob Wynn as follows:

- 1) In accordance with Section 522(b) of the Zoning Ordinance, the developer must enter into a written agreement with the Township assuring that one year after issuance of an Occupancy Permit, additional parking spaces are needed at the site, same shall be provided at the owner's expense.
- 2) Parking lot landscaping shall be provided for Lot #2 as required by Section 410(j) of the Subdivision Ordinance.
- 3) Verification of approval of proposed erosion and sedimentation control measures must be received in writing from the Bucks County Conservation District. (SLDO Section 420).
- 4) Verification of approval of the proposed water service and connections must be received in writing from the North Penn Water Authority. (SLDO Section 515).
- 5) Verification of approval of proposed sanitary sewer lateral service to Lot #2 must be received in writing from the Hilltown Township Water and Sewer Authority. In the event HTWSA does not approve of the proposed lateral connection and requires extension of the public sewer line to service Lot #2, the plan must be resubmitted for recommendations by the Planning Commission and reconsideration and action by the Board of Supervisors as a revised final plan (SLDO Section 512).
- 6) An Escrow Agreement is required to guarantee installation of all "public improvements". (SLDO Section 602).

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7) Installation of property monumentation is required to be installed prior to the plan recordation where possible and certified by the surveyor responsible for same. Monuments that are not being installed at this time due to conflicts with public improvements shall be included within the Escrow Agreement. (SLDO Section 508, 602).

8) Engineering/drafting details on the plan shall be revised as follows:

- a) Screenings are not required under 3A base course for the widening of Clearview Road. However, asphalt section shall be revised to two inches of binder and one inch wearing course for the widening.
- b) Typical widening sections on sheet 3 of 7, and neat cut down is shown. However, the detail is incorrectly shown and shall be revised to conform to PennDot requirements.
- c) On the typical half section of Clearview Road, the concrete curb section is shown with the depth of 18 inches conflicting with the concrete curb detail. All curb shall be shown to have a depth of 22 inches conformance to Hilltown Township's specifications.

8. MANAGER'S REPORT - LEE BUCHANAN-GREGORY:

A) Correspondence has been received from the Souderton Area Midget Football Association regarding their annual bonfire to be held Thursday, September 6, 1990 at the Romanoff Field on Central Avenue, 7:30 - 8:00PM.

B) A thirty day zoning notice letter sent to Mr. and Mrs. Northington, dated July 2, 1990 (violation of Section 404 A6 of the zoning ordinance prohibiting kennels except by special exception). As there has been no activity communicated to the Board, Ms. Buchanan-Gregory recommended the Board proceed with Trespass and Assumpt.

A motion was made by Supervisor Bennington, seconded by Supervisor Kelly and unanimously passed to proceed with a Trespass and Assumpsit concerning the Northington violation.

C) A second of a zoning violation has been sent to Mr. and Mrs. John Coleman regarding the use of an operation of a junkyard business which violates Section 404 I10 of the zoning ordinance. Mr. Coleman, property owner, and Mr. Joel Harris, tenant, have both been provided with notification.

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C) A building and zoning inspection report has been received for July 19, 1990 through August 6, 1990, showing:

- 34 outside inspections for construction, electrical and mechanical;
- 21 zoning inspections;
- 93 hours spent by all inspectors from Code Inspections;
- 13 complaint investigations of various nature, mostly high weeds and grass;
- 15 zoning permits issued;
- 8 building permits issued;
- 2 additions;
- 3 sheds;
- 4 decks;
- 8 plumbing permits issued;
- 10 electrical permits issued;
- 8 mechanical permits issued;
- 1 pool permit issued;
- 7 Use and Occupancy Permits

E) The Board has received notification that the Zoning Hearing Board will be meeting on August 23, 1990 to hear the application of Thomas Egitto regarding a variance to allow use of premise at 1707 Hilltown Pike as a business or professional office.

F) Notification has been received from the Hilltown Township Zoning Hearing Board that they will be meeting on Thursday, August 30, 1990, at 7:30PM to hear the application of Nyce Realty.

G) Correspondence has been received from Pennridge Christmas Parade regarding participation in the 1990 parade.

H) A signed copy of the Mutual Aid Agreement has been received from New Britain Township, which now requires the signature of Chariman William Bennett, Jr.

I) A speed detail was conducted on August 1, 1990 at Green Street, south of Rickert Road, with the following results:

- 14 violations issued;
- Total revenue generated for the Township - \$382.00;
- Total cost of labor for Township - \$172.40;
- Net credit of \$209.60;
- Only one missed violation due to traffic flow;

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J) Notification has been received from the Hilltown Township Police Department, on July 27, 1990, a speed check was conducted on Diamond Street, south of Orchard Road, during the morning hours with results as follows:

- 11 violations issued;
- Revenue generated - \$289.00;
- Labor Costs - \$194.36;
- Net Credit - \$94.64;
- A few violations missed;

K) The Board has received correspondence, through Chief Egly, that Sgt. Ashby Watts has been certified as a Mentor in the Drug Abuse Resistance Education Program and he recently participated in a seminar and passed with very high qualifications.

L) Dublin Volunteer Fire Company is having a parade and housing for the new pumper on Saturday, September 15, 1990 at 1:00PM. An invitation has been extended to the Board members.

9. ROAD REPORT FOR MONTH OF JULY - TOM BUZBY, DIRECTOR OF PUBLIC WORKS (attachment): In the absence of Mr. Buzby, Lee Buchanan-Gregory read the Road Report for the month of July.

10. POLICE CHIEF GEORGE EGLY'S REPORT FOR JULY (attachment): Chief Egly presented his report for July, 1990 before the Board of Supervisors.

Supervisor Bennington asked if there was any indication when Officer Engelhart would return to work. Chief Egly stated he would most probably be back to work on full duty by late October, 1990.

Supervisor Bennington asked Chief Egly where Hilltown Township stood with East Rockhill police coverage. Chief Egly stated the outlook would be a short-change for Hilltown Township, if it were to be done, as Hilltown Township warrants full attention at this point in time.

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11) ESCROW RELEASES:

A motion was made by Supervisor Bennington, seconded by Supervisor Kelly and unanimously passed to grant the following escrow releases:

PRITZ (CASH)	VOUCHER #1	\$205.94
PRITZ (CASH)	VOUCHER #2	\$1,336.50
PRITZ (CASH)	VOUCHER #3	\$159.40
HICKORY HAMLET		
PHASE II (L/C)	VOUCHER #19	\$5,682.15
STERLING KNOLL		
PHASE II (L/C)	VOUCHER #26	\$1,903.50
ORCHARD STATION (L/C)	VOUCHER #7	\$2,014.70
ORCHARD STATION (L/C)	VOUCHER #8	\$274,933.80
HICKORY HAMLET		
PHASE II (L/C)	VOUCHER #20	\$792.18
SUMMIT COURT (L/C)	VOUCHER #20	\$292.50
CHITTICK (CASH)	VOUCHER #3	\$155.40
BRIDLE RUN (L/C)	VOUCHER #1	\$920.36
LONGVIEW (L/C)	VOUCHER #10	\$1,809.00
LONGVIEW (L/C)	VOUCHER #11	\$3,375.00
BRODERICK (L/C)	VOUCHER #24	\$1,730.00
BRODERICK (L/C)	VOUCHER #25	\$163.06
COLEMAN (L/C)	VOUCHER #1	\$259.17
HAWK RIDGE (L/C)	VOUCHER #27	\$41,193.00
HAWK RIDGE (L/C)	VOUCHER #28	\$650.00
HAWK RIDGE (L/C)	VOUCHER #29	\$1,588.15
DEERFIELD (L/C)	VOUCHER #15	\$774.30

12. ENGINEERING/PLANNING - C.R. WYNN:

A. Mr. Wynn reported that extensions have not been received from Leon Clemens Land Development - sixty (60) days - and a ninety (90) day extension for the Haberle Subdivision has not been received.

B. Mr. Wynn requested the Board to determine what type of lighting they would prefer for the Bridle Run Subdivision. It was the unanimous decision of the Board to go with "traditional" lighting.

C. SOUDERTON SQUARE - As of August we, 1990, sodding work had been done, and additional work is in evidence. Mr. Wynn suggested action be tabled until the next meeting before taking steps to secure escrow funds for completion of needed work on the retention basin.

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D. SKYLINE ESTATES - (Skunk Hollow Road and Callowhill Rd.) - a motion was made by Supervisor Bennington, seconded by Supervisor Kelly and unanimously passed to authorize Mr. Wynn to notify the developer and Bucks County Bank and Trust that in the event insurance is not renewed by tomorrow, August 24, 1990 and/or the development agreement (L/C) extended beyond August 22, 1990, for a period not less than three months, they are in default. The Board requested Mr. Wynn notify them no later than Tuesday, August 24, 1990.

E. ELYSIAN FIELDS - A motion was made by Supervisor Bennington, seconded by Supervisor Kelly to adopt Resolution 90-27 - Planning Modules (sewage) for Elysian fields.

13. SOLICITOR'S REPORT:

A. HILLTOWN VILLAGE DEVELOPMENT AGREEMENTS - A five lot subdivision approved by the Township. Mr. Grabowski stated the agreement provides for an escrow in the amount of \$121,923.58 for site work, storm sewer, road widening, erosion control, monumentation, street trees, as well as contingencies and engineering inspection. Funding is by Letter of Credit from Bucks County Bank and Trust Company. Insurance certificates have also been provided by the developer.

B. EGITTO SUBDIVISION - As required under his plan, Mr. Egitto has set up a cash escrow account in the amount of \$690.00 to provide for the maintenance of trees on his subdivision.

A motion was made by Supervisor Bennington, seconded by Supervisor Kelly and unanimously passed to approve the Egitto and Ventresca Development Agreements, as set forth in the above.

Mr. Grabowski commented on the Bux-Mont lawsuit, stating the lawsuit involved the application for the Reliance Road site -- the second site applied for by Bux-Mont, with the first being Spur Road. The Spur Road site had been denied by the Township for reasons renumerated by way of a written action letter. There was an appeal of that decision as to one of the issues involved and timing of the lawsuit. The Pennsylvania Commonwealth Court upheld the Township in that matter. The Federal case was not on that parcel, but the Reliance Road parcel. In this case, the Township was of the determination to reject the application of Bux-Mont for specific reasons as renumerated in an action letter. There was no appeal of this zoning decision.

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What was filed was a Civil Rights action against the Township as a governmental agency, the Supervisor's in office at the time, the Township Engineer and the Township Manager. Over the course of time, the original demand on the matter was that the plaintiffs were damaged to the tune of \$18,000,000.00. The suit was given to the liability carrier of the Township (Scottsdale Insurance Company) to defend the matter. The insurance coverage did not cover an \$18,000,000.00 claim. Mr. Grabowski noted that a claim of \$18,000,000.00 was reduced to \$9,000,000.00 and then to \$1,000,000.00 and then reduced to \$500,000.00, to \$400,000.00 and to \$250,000.00. From the time the demand had been reduced to \$1,000,000.00, the insurance company had made an offer to settle for \$200,000.00. They never changed their opinion throughout the negotiation. Since it had reached the point where there was adequate coverage by the insurance company, the role of the Township became one of much less importance. A business decision was made by Scottsdale to settle the matter and they did settle. At this time, the Township Manager, Township Engineer and Mr. Vincent Pischl were dropped from the case. Mr. Grabowski stated the amount of \$200,000.00 should be taken into perspective that it was a case filed for \$18,000,000.00 on a civil rights matter. The matter is now done.

14. RESIDENT'S COMMENTS:

A. Mr. Bob Grunmeier requested the Board of Supervisors to acknowledge the recent passing of William Beals. Mr. Beals was a member of the Hilltown Township Water and Sewer Authority, along with being an active member of the community. The Board concurred.

15. SUPERVISOR'S COMMENTS:

Supervisor Bennington brought up the following issues:

- A. Orchard Station - Mr. Wynn will follow-up.
- B. Correspondence from Ms. Beth Johnson - Ms. Buchanan-Gregory will follow-up.
- C. Status of the Glanzmann zoning violation - Ms. Buchanan-Gregory reported the Township recently received correspondence which is currently under legal review.
- D. Inquired on the McKinstry vs. Hilltown Township suit - Mr. Grabowski provided an update.
- E. Informed the public, Representative Clymer will be holding an information meeting on Wednesday, August 29, 1990 at 7:30PM at the Sellersville Borough Hall on Impact Fees.

F. Silverdale Fire Company, Hazardous Materials and first response.

G. Made a motion to adopt Resolution 90-26, - Annual User/Conditional Use Fees for Signs/Conditional Use. Supervisor Kelly seconded. Chairman Bennett called for a vote, motion passed unanimously. A copy of the Resolution becomes an official part of these minutes.

H. Requested the Board consider receiving a cost quote from Niessen, Dunlap and Pritchard, for a specific item audit for the years 1986 and 1987. After discussion, Supervisor Bennington made a motion to request a price quote only for specific item audits for 1986 and 1987 from Niessen, Dunlap and Pritchard. Supervisor Kelly seconded. Chairman Bennett called for a vote, motion passed unanimously.

16. Ms. Buchanan-Gregory reported all general correspondence has been placed on file at the Township office.

17. PRESS CONFERENCE.

18. There being no further business, Supervisor Bennington made a motion to adjourn. Supervisor Kelly seconded that motion. Chairman Bennett called for a vote. Motion passed unanimously.

19. ADJOURNMENT: The meeting was adjourned at 10:25PM.

Minutes submitted by Barbara Grove, Township Secretary and Lee Buchanan-Gregory, Acting Township Manager

BUCKS COUNTY AGRICULTURAL LAND PRESERVATION EASEMENT PURCHASE PROGRAM - 'FACT SHEET'

An agricultural conservation easement is a legal covenant establishing a less than fee simple interest that runs with the land, allowing a landowner to protect his/her farmland for agricultural use, while retaining private ownership of the farm. Landowners have the option to sell a conservation easement to the Bucks County Agricultural Land Preservation Board, if their land is located within a designated Agricultural Security Area. The value of the easement is the difference between the fair market value of the farm and the farmer's agricultural value.

ELIGIBLE PROPERTY

- Minimum Acreage: 25 acres;
- Farm property must be located within an Agricultural Security Area.
- Farm property must be used as part of a normal farming operation capable of generating annual gross receipts greater than \$25,000.00;
- Farm property must contain at least 50 percent of soils in Classes I through IV, as defined by the United States Department of Agriculture - Soil Conservation Service; and
- Farm property must contain a minimum of 50 percent harvested cropland, pasture or grazing lands.

PROCEDURES FOR PURCHASING EASEMENTS

- The landowner contacts the Agricultural Land Preservation Program for information on the selling of an easement.
- The landowner submits the easement purchase application to the program's Executive Director, by one of the annual deadlines of February 1, or September 1.
- The Agricultural Land Preservation Board ranks all qualifying applications, after each deadline, into priority order, using the ranking system, which is attached to the program application.
- Landowners are notified as to rankings, acceptance or rejection.
- Upon acceptance, landowners must submit a two hundred dollar (\$200.00) appraisal escrow fee. This fee is refundable upon agreement to purchase an easement on the subject property, at or below the easement value, as established by the appraisal.
- When the appraisal has been completed, the Director and/or appointed Board Member(s) will meet with the landowner to discuss the appraisal and make an offer to purchase a conservation easement based on the appraisal results. The landowner has thirty (30) days in which to accept or reject the offer, or have a second appraisal conducted, at his/her expense.
- Upon acceptance of an offer to sell an easement, the landowner signs a Contract of Sale. The Director prepares necessary documentation and Summary Report, a title search is also conducted. In some cases, a new survey may be necessary. The Contract of Sale is then subject to approval by the Board of County Commissioners.
- Once approved by the Board of County Commissioners, the Sales Contract and Summary Report are submitted to the State Agricultural Land Preservation Board (when State funds are used in addition to County funds to purchase an easement).

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- The State Agricultural Land Preservation Board has sixty (60) days to approve or disapprove the purchase and a subsequent four (4) months to conduct settlement.
- At settlement, the easement is signed by all parties, recorded, and payment or installment payment is made to the landowner, together with a refund of the two hundred dollar (\$200.00) appraisal deposit.

LAND USES PERMITTED BY A STANDARD EASEMENT

- All agricultural uses are permitted.
- Uses directly associated with agriculture in Bucks County are permitted, including: farm buildings for production, storage, processing and marketing of products produced principally on the farm, farm support businesses, home-craft operations, and a Bed & Breakfast business in existing home, (if applicable under zoning).
- One additional single-family dwelling may be constructed on the farm, if necessary for seasonal or full-time farm workers (family or tenant).
- Any other residential, recreational, commercial, and industrial uses are prohibited.

THE DURATION OF THE CONSERVATION EASEMENT

The term of the easement may be in perpetuity (forever) or for a period of 25 years. The purchase price of an easement for a 25 year term will be equal to or less than 1/10 of the easement value as determined by the appraisal process.

TAX LIABILITY

The sale of a conservation easement is the sale of a less than fee-simple interest in real-estate. The sale of any interest in real estate is taxable. Therefore, the proceeds of an easement sale received by a landowner is taxable income. Landowners who sell an easement, may elect to receive proceeds in installment payments over a five year period or in a lump sum at settlement.

TAX BENEFITS

If a conservation easement is willfully sold by a landowner at an amount less than the appraised value (bargain sale), the landowner may use the difference between the easement value and the sale price as a Federal Income Tax charitable gift deduction.

When planning transfer of the family farm for estate tax purposes, the conservation easement will limit Internal Revenue Service's valuation of the farm to agricultural value. As the current Internal Revenue Service exemption ceiling for farm estate is \$650,000, the conservation easement may keep the farm estate valued under the exemption ceiling and result in a significant tax savings. Tax savings may be substantial in areas of high development pressure, as land values continue to rise.

GOVERNING LAWS AND REGULATIONS

Pennsylvania Act 43 of 1981, and Act 149 of 1988.

CONTACT

Julie Ann Gustanski, Director
 Bucks County Agricultural Land Preservation Program
 Bucks County Planning Commission
 The Almshouse
 Neshaminy Manor Center
 Doylestown, Pa. 18901

(215) 345-3409



Bucks County Agricultural Land Preservation Board

Penrose Hallowell, Chairman
Kenneth Beer
Darwin M. Dobson
Joseph D. DiGirolamo
Dr. Joshua Feldstein
A. Warren Kulp, Jr.
Manfred Marschweski
William Yerkes, III
Lyndia Barness

c/o Bucks County Planning Commission
The Almshouse, Neshaminy Manor Center
Doyiestown, PA 18901
Robert E. Moore, Executive Director
(215) 345-3400 Fax (215) 345-3886

County Commissioners:

*chairman, Andrew L. Warren
Mark S. Schweiker
Lucille M. Trench*

July 17, 1990

Dear Agricultural Security District Landowner:

Hello. As you may be aware, Bucks County has an active Agricultural land preservation Program, which was established in late 1989, under the auspices of the Board. The Board itself, was appointed by the County Commissioners, who acted affirmatively to the Bucks County electorate, seventy-eight percent of whom voted in favor of a \$100 million state bond issue, to purchase development rights for farmland preservation.

Since the appointment of the nine-member board and the development and approval of the County's Agricultural Land Preservation Easement Purchase Program in November 1989, much has happened towards the goal of preserving Bucks County's agricultural land. Most recently, the County Commissioners appointed a Director who is responsible for the direction and administration of the "Program", and acts as a liaison between various agencies and organizations involved in farmland preservation in the County.

The County's Agricultural Land Preservation Board is currently in the final stages of evaluating over 280 acres on four county farms for participation in the easement purchase program. These pioneers in the "Program" will have a tremendous impact upon the success and the future of both the "Program" and farming in Bucks County.

As the State's Attorney General has recently approved the State Board's Regulations pertaining to Agricultural Conservation Easement Purchase programs, Bucks County is anxious to get underway with the completion of necessary transactions to complete purchases on farms that applied by the initial February 1, 1990 deadline. The board expects to move quickly throughout the remainder of 1990 toward acquiring easements which will be drawn upon State and County funds, which were appropriated for 1989.

For those landowners interested in participation in Bucks County's Agricultural Land Preservation Easement Purchase Program, a second round application review for 1990 is open through September 1, 1990. The second round will be considering farms for easement purchase using State and County Funds appropriated for 1990.

For all years following 1990, there will be two annual application submission deadlines, **February 1** and **September 1**, of each year. Applications submitted by the February 1 deadline will generally have priority over September 1 applications according to the annual allocation of funds.

If you would like further information or an application to apply to the Easement Purchase Program, please contact me (Program Director) at (215) 345-3409.

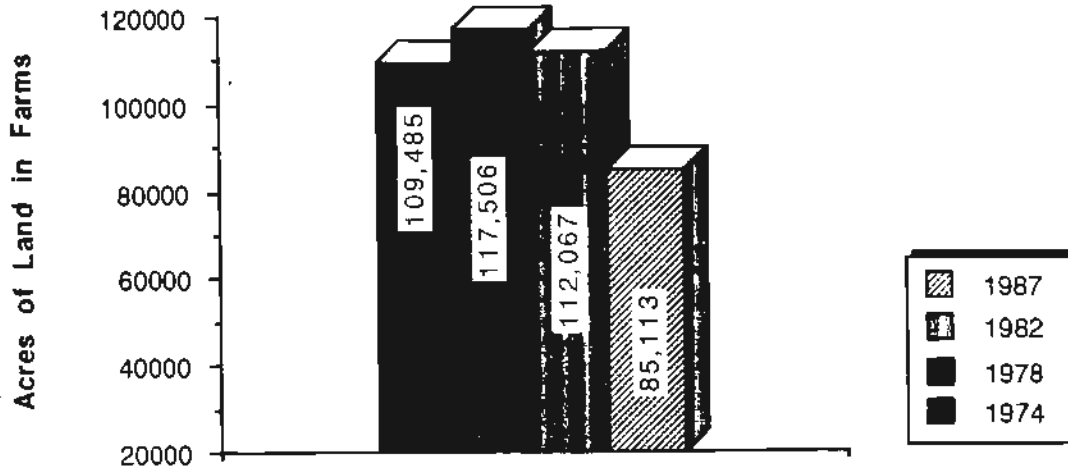
Sincerely,

Julie A. Gustanski, Director
Bucks County Agricultural
Land Preservation Program

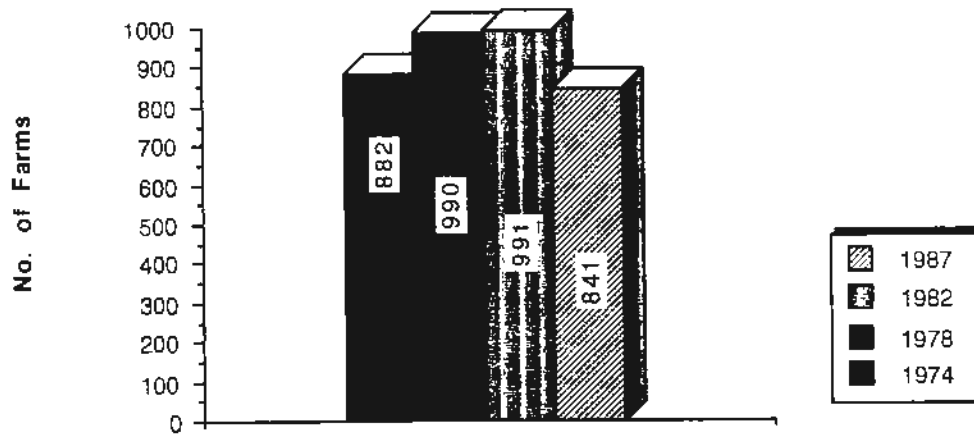
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Bucks Co. - Acres in Farming Use 1974-1987

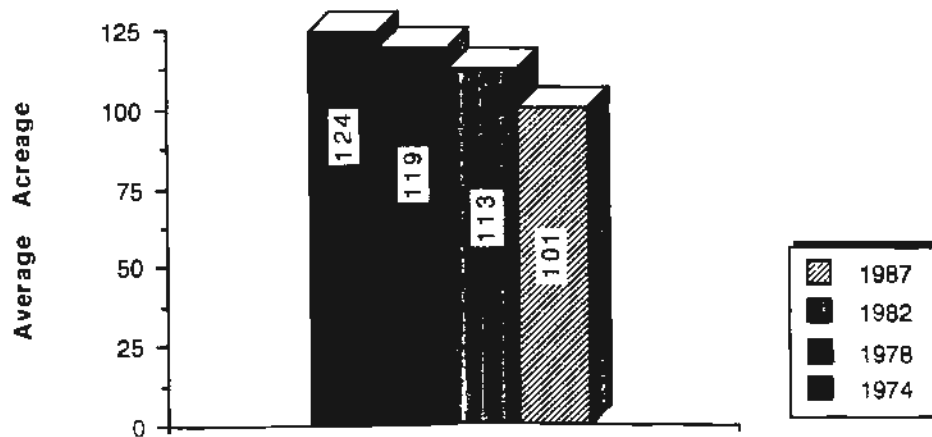
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Bucks Co. - Number of Farms 1974-1987



Bucks Co.- Average Farm Size 1974-1987



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BUCKS COUNTY AGRICULTURAL LAND PRESERVATION AGRICULTURAL SECURITY AREAS FACT SHEET

PA Act 43 of 1981 provides supporting legislation for the establishment of Agricultural Security Areas (ASA's).

WHAT IS AN AGRICULTURAL SECURITY AREA?

An Agricultural Security Area consists of an area of at least 500 acres of farmland designated by farmers and those in other agricultural operations. Establishing an Agricultural Security Area provides those farmers who wish to continue farming, beneficial and preferential policy treatment acting to both help slow and guide development pressures, as noted below:

- Township supervisors provide support to agriculture by not putting laws into effect which may be restrictive to normal farming operations.
- Governmental condemnation of farmland in an Agricultural Security Area must first be approved by the Agricultural Lands Condemnation Approval Board in an attempt to establish available alternative sites for condemnation.
- Agricultural Land Preservation Easement Purchase Program option offered by the County Agricultural Land Preservation Board are only available to qualified landowners who are registered in an ASA.

PURPOSE OF ASA's

Designated ASA's are intended to promote more permanent viable farming operations over the long-run by strengthening the farming community's sense of security in land use and their right to farm.

Agricultural Security Areas are not intended to stop development or restrict farm owners in any way. Individual township zoning laws are the only regulations as to how, when and where land can be developed.

PARTICIPATION

Participation in an Agricultural Security Area is completely voluntary, each landowner decides on an individual basis whether or not to include their farmland tract.

Farms comprising the 500 acre minimum are not required to be adjoining, contiguous parcels, they do not have to be zoned strictly for agricultural use and they do not have to be within the same township.

Once established, an ASA, must be reviewed every seven years by the township.

ESTABLISHING AN AGRICULTURAL SECURITY AREA

Townships have the primary responsibility in forming ASA's. If the proposed ASA has land in more than one township, a petition must be filed with each township involved. Upon receipt of a proposal containing a minimum of 500 acres, name, addresses, tax parcel numbers and acreage on each farm holding, the township supervisor will:

- a. Announce receipt of ASA proposal; publish notice in local paper and accept suggestions for addition/deletion of farm parcels.

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- b. 15 days following publication, proposed modifications to the ASA may be received from adjacent municipalities or landowners.
- c. At the expiration of 15 days, the township supervisors appoint an Advisory Committee and forward the proposal to the Committee for recommendations.
- d. Simultaneously, the township planning commission reviews the proposal and makes a recommendation to the township supervisors (the Advisory Committee and planning commission are allowed up to 45 days to make recommendations).
- e. Upon submission of recommendations, a public hearing is held to receive comments from the public as to the proposed ASA. Notice is given to each landowner included in the proposed ASA.
- f. Township supervisors have 180 days to decide upon adoption or rejection of the proposed ASA.

ELIGIBLE LAND

- 500 acres minimum, in one or more ownerships.
- Each farmland tract must contain at least 10 acres.
- Farmland tracts need not be adjacent nor in the same township.
- Minimum 50% of land in ASA has SCS Class I-IV soils.
- Must be viable agricultural land.
- Zoning shall permit agricultural use, but need not exclude other uses.

ADDING OR REMOVING LAND

Additions may be initiated at any time on a voluntary basis by landowners. Additions are subject to the same procedures applicable to those used in creating an ASA.

Withdrawals of land may occur only during the seven year review process, which is done every 7 years to review and re-establish or terminate an ASA.

BENEFITS

- Landowners within an ASA are eligible to participate in the County Easement Purchase Program.
- Continuance of farming is facilitated by farming an agricultural core in areas best suited to agricultural use, while directing development to areas more compatible to intensified land uses.
- Provides for exclusion of agricultural activities from local ordinances prohibiting public nuisances, if such activity bears no direct relation to public health and safety. Thereby, protecting farmers from public nuisance suits.

FOR MORE INFORMATION

- Your local Township office may be able to tell you whether an ASA currently exists and may be able to assist you in joining.

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- Bucks County Agricultural Land Preservation Program office has records of all townships with ASA's. Also, further information on the Easement Purchase Program can be obtained from the Director.
- Your District Conservationist or Cooperative Ag. Extension Agent may have information as to Agricultural Security Areas throughout Bucks County.

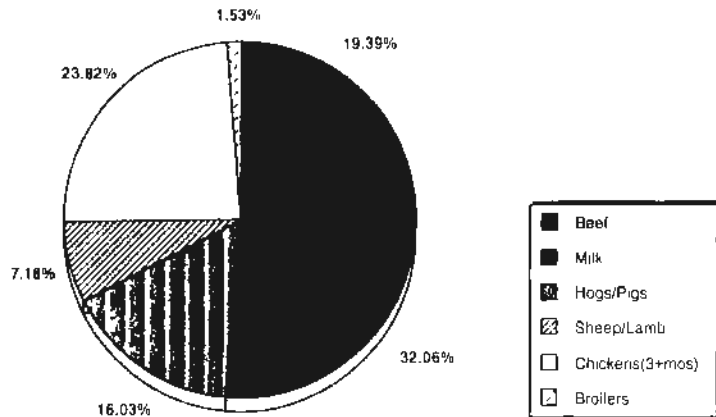
GOVERNING LAWS

PA ACT 43 OF 1981

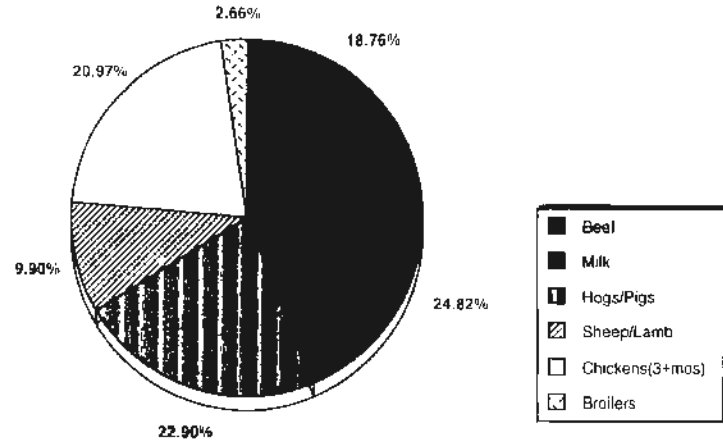
CONTACT

Julie Ann Gustanski, Director
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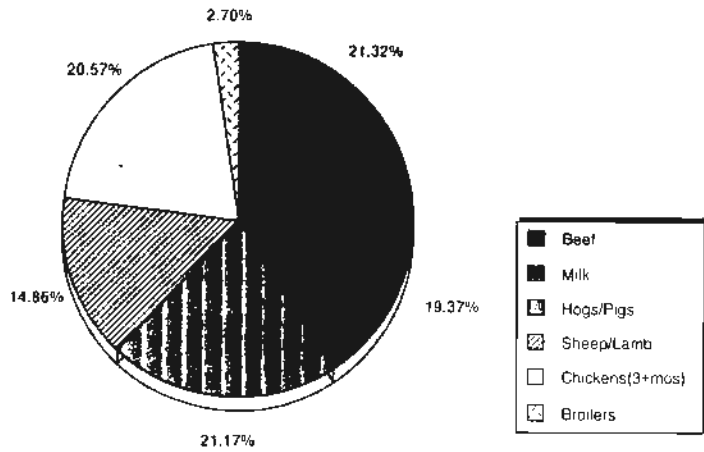
Bucks County-Livestock Farms by Standard Classifications 1974



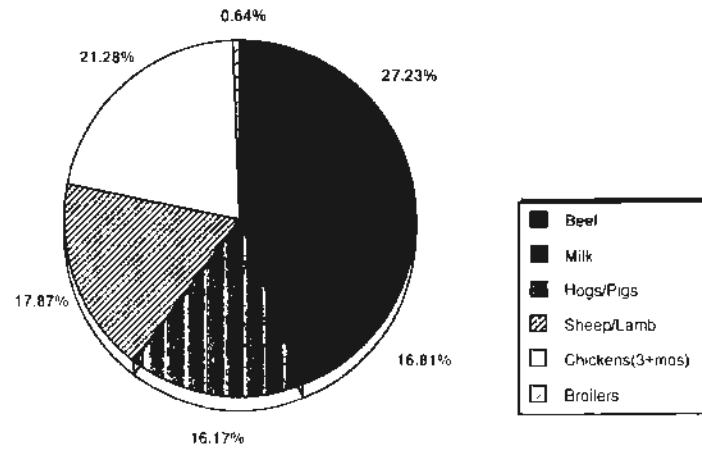
Bucks County- Livestock Farms by Standard Classifications 1978



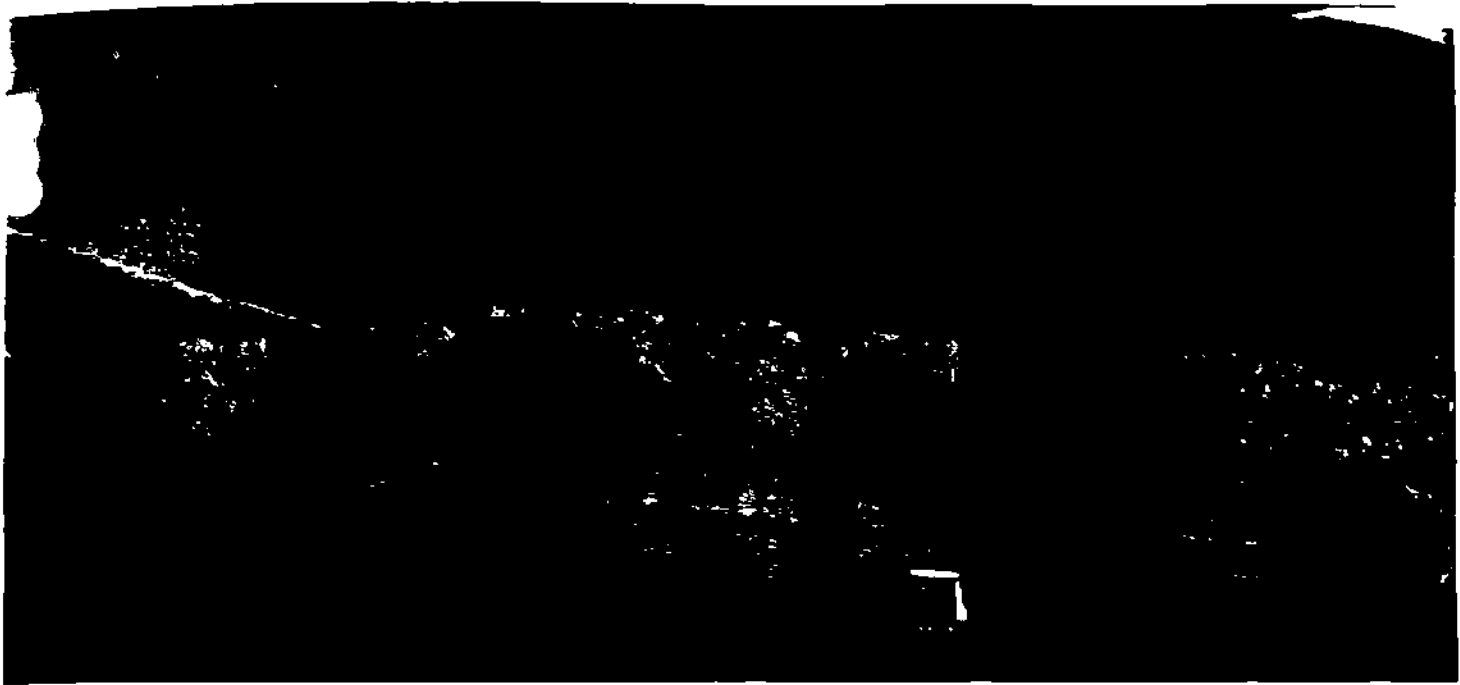
Bucks County- Livestock Farms by Standard Classifications 1982



Bucks County- Livestock Farms by Standard Classifications 1987



6/12/88



In 1988, Vermont made purchase of development rights possible on its valuable farmland.

PURCHASE OF DEVELOPMENT RIGHTS: SAVING FARMS IN THE NORTHEAST

An innovative technique becomes a driving force in farmland protection

by Julia Freedgood

Many people envision a suburban landscape when they think of Long Island. But contrary to this image, the island's eastern county boasts agriculture's highest per capita income in New York State. For centuries, the foundation of Suffolk County's economy was a myriad of small farming and fishing villages. But in the 1960s, the Long Island Expressway expanded eastward and Suffolk was brought within commuting distance of New York City. Since then, the conflicts between farmers and developers have been great.

Easy access to Manhattan resulted in the escalation of land values throughout the county, placing them well beyond the reach of local townspeople and farmers. Shopping centers and glamorous vacation homes placed acre upon acre of farmland, straining Suffolk's land and water resources.

How is it the county still boasts a viable agriculture?

Faced with what seemed to be insurmountable barriers, Suffolk County's citizens developed an innovative farmland protection technique, Purchase of Development

Rights (PDR). Since then, PDR has been successfully adopted throughout the Northeast.

The Basics of PDR

Purchase of Development Rights programs compensate farmers for a portion of the equity in their land without forcing them to sell their farms out of agriculture. These programs buy deed restrictions, known as conservation easements, on qualified farmland, removing it forever from non-agricultural development. Participation in a PDR program is always voluntary, and farmers who elect to sell their development rights retain full ownership and use of the land. When the farm is sold or transferred, future owners must also abide by the conditions in the deed.

Initiated and primarily run by state or local government bodies, existing PDR programs are currently funded by regular appropriations or bonds. In a few cases, private nonprofit organizations have created independent PDR programs. Farmers are generally paid the difference between the fair market value of their land, or the price the developer would pay, and the price the land would command for agriculture.

Farmers may use the income however they see fit—retiring debt, purchasing equipment, improving or expanding their farm or perhaps planning for retirement. A recent AFT study, *Protecting Farmland Through Purchase of Development Rights - The Farmers' Perspective*, indicates that much of the proceeds from the sale of development rights is reinvested in the farm. This has benefited local economies as well as farmers. Selling or donating development rights can also reduce estate tax liabilities for a farmer's heirs.

Putting PDR to Work

In the early 1970s, Suffolk County officials began considering ways to protect their rapidly-disappearing farmland.

They developed a program to buy easements on productive agricultural land and contiguous parcels of at least 200 acres. In 1976, they were granted \$21 million in funding by the county legislature. The program has grown to protect over 6,000 acres of land, and last year the original funding was supplemented by another \$10 million. In addition, three county townships have invested \$10 million more in local PDR efforts.

Inspired by Suffolk County's lead, Massachusetts and Connecticut adopted statewide programs in 1977 and 1978, respectively. Together they have invested close to \$100 million in farmland preservation through PDR. Connecticut recently bought rights on its 100th farm, and as of September, Massachusetts had protected over 25,000 acres of threatened farmland.

New Hampshire instituted a modest program in 1979. The following year, Maryland began a \$56 million program which in a decade has protected nearly 70,000 acres. Rhode Island passed legislation in 1982, while a year later New Jersey approved a \$40 million bond act to purchase development rights.

More recently, Pennsylvania voters approved a \$100 million Bond Act in 1987 to establish what could be the nation's most extensive PDR program to date. The state's ambitious plan went into effect in the spring of 1989, with the first development rights purchase scheduled for this fall. AFT was actively involved in developing this program, and is now helping to implement it with the placement of a field representative in Pennsylvania.

Elsewhere in the Northeast, in 1988 Vermont's General Assembly expanded the focus of their Housing and Conservation Trust Fund to make purchase of development rights possible on Vermont farmland. In Maine, the Land for Maine's Future Fund makes money available to buy development rights on farms of special scenic value or of value to wildlife. Currently, AFT is working with Maine policy makers who are considering a new program specifically targeted at top quality farmland. In spite of Suffolk County's pioneering lead, New York ironically stands out as the only Northeastern state without a statewide program of any kind. However, legislators there have proposed several PDR bills this year.

AFT's Northeastern Office helped states implement PDR programs as one of several effective responses to farmland loss. The staff offers a wide range of technical assistance to set these programs in motion, and loans from AFT's Revolving Fund have been used to speed up the acquisition process in states with active programs and slow bureaucracies.

One of the office's educational efforts is an annual PDR conference. For the past four years, AFT has brought program leaders together to discuss their progress and problems. Last year AFT's Northeastern Office published the results of an extensive

survey of farmers involved in the Massachusetts and Connecticut PDR programs. The study documented positive social and economic effects on farmers and their local communities. AFT is now working closely with leaders in New York and Maine to help complete the chain of Northeast PDR successes.

What the Future Holds

While the Northeast has been relatively quick to embrace the PDR concept, activity outside this region has been limited to county-level programs in North Carolina and Washington. However, AFT's Western Office is working with four counties in California to develop PDR programs with



Photography by Dennis Reeder

PDR has proved to be an effective tool in farmland protection.

funds from Proposition 70, the statewide initiative passed last year to provide \$63 million to save valuable farmland. On the state level, California legislators are considering a \$200 million PDR program co sponsored by AFT and the California Farm Bureau. In Ohio, AFT's Midwestern Office is offering advice to officials interested in exploring the benefits of a PDR program for their state.

However well-supported and designed, PDR programs are limited by the constraints—particularly fiscal—that face any public initiative. As regions like the Northeast grapple with balancing budgets, the demand on PDR programs may well outstrip available dollars. This could lead

to greater contributions by local municipalities, as in Suffolk County, Maryland. New Jersey and Pennsylvania's programs already have strong county match components, while Connecticut and Massachusetts have both moved to establish greater local-state partnerships.

Much of PDR's success arises from the fact that these programs benefit both the farm community and the non-farm community. Working in concert with other state and local programs, they provide a unique kind of support for production agriculture. They keep farmland affordable for farming and accessible to future generations. PDR programs also represent a strong measure of public support for agriculture. This bolsters farmers' confidence in the future of farming in their communities, and keeps them in production. The money farmers receive for their development rights can help them to improve their farms, and offers a security often lost in the face of development pressure.

For those off the farm, PDR programs protect not only well managed open space, but a valued quality of life. By keeping good farmland in production, they also reduce the high costs of servicing poorly planned new developments. As agriculture and its related activities are critical economic resources for rural areas, PDR programs can mean the survival of small towns and communities, as well as of their farms.

Needless to say, PDR alone cannot save all important farmland. The technique should be used as one part of a comprehensive program to support agriculture both as a valuable land resource and as a viable economic entity. Transfer of development rights programs and creative planning strategies can also play a part in directing growth away from prime farmland, as can differential taxation for farmland and Right to Farm laws. Communities should also seek to protect farmland from publicly financed development, such as landfills, and reformulate local ordinances to encourage farming.

Of course, what happens to farmland is ultimately in the hands of the farmers themselves. By working with farmers on feasible alternatives to selling their land, Suffolk County—and those states and communities which have added to and improved PDR programs—has created an important addition to the repertoire of farmland protection techniques.

—Julia Freedgood is AFT's Northeastern Office Public Education Specialist.



HILLTOWN TOWNSHIP
BUILDING, ZONING, MISCELLANEOUS FEE SCHEDULE
REVISED FEBRUARY 1, 1989

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- VIII. SIGN PERMITS: FEE
- ***
- A. PERMANENT SIGNS
1. UP TO AND INCLUDING 6 S.F., MEASURED ONE SIDE. \$10.00
 2. SIGNS ABOVE 6 S.F., \$1.00 PER EACH ADDITIONAL S.F. ABOVE FIRST 6 S.F. TO NEAREST FOOT.
- B. TEMPORARY POLITICAL SIGNS
- A REFUNDABLE DEPOSIT OF \$100.00 PER EACH 100 SIGNS OR FRACTION THEREOF.
- C. TEMPORARY SIGNS
- A REFUNDABLE DEPOSIT OF \$100.00 IF ZONING CONDITIONS ARE ADHERED TO.

RESOLUTION 90-26
HILLTOWN TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA

BE IT RESOLVED THAT THE FOLLOWING ANNUAL USER/CONDITIONAL USE FEE BE INSTITUTED, RETROACTIVE TO JANUARY 1, 1990 IN HILLTOWN TOWNSHIP:

SMALL SIGN PERMIT (6 SQ. FT. OR LESS) -	\$25.00- Annual Renewal Fee
LARGE SIGN PERMIT (OVER 6 SQ. FT.) -	\$50.00- Annual Renewal Fee
CONDITIONAL USE -	\$300.00 - RESIDENTIAL
	\$750.00 - COMMERCIAL

SO BE IT RESOLVED THIS 13TH DAY OF AUGUST, 1990.

HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS

William H. Bennett, Jr.
WILLIAM H. BENNETT, JR.
CHAIRMAN

Kenneth Bennington
KENNETH BENNINGTON
VICE CHAIRMAN

Betty J. Kelly
BETTY J. KELLY
SUPERVISOR

Barbara A. Grove
BARBARA A. GROVE
TOWNSHIP SECRETARY

RESOLUTION NUMBER 90-29

64ZW

Hilltown Township, Bucks County

WHEREAS, New development has a substantial impact on municipal facilities, such as transportation, sewer and water systems;

WHEREAS, It is unfair to place the entire burden of these costs, which are necessitated by new development, on township's residents through higher taxes; and

WHEREAS, Impact fees represent an equitable way of sharing these costs between new development and the township's residents;

NOW THEREFORE BE IT RESOLVED, That Hilltown Township, Bucks County supports the passage of legislation to authorize municipalities to impose fair and equitable impact fees on new development to pay for the costs of the infrastructure improvements needed to serve that development;

AND FURTHER, That such legislation include the following provisions:

1) The ability for municipalities and developers to continue to negotiate in good faith for offsite improvements;

2) Protection for those municipalities that have existing impact fee ordinances by granting them one year in which to bring their ordinance into conformance with the new law;

3) The authority to use impact fees to pay for the extensive administrative costs a township must incur in order to charge impact fees;

4) The flexibility for a municipality to establish the boundaries of each transportation service area in which impact fees will be levied;

5) The ability to collect impact fees for up to one year from developers who apply for subdivision approval while the impact fee ordinance is in the development stages; and

6) The discretion to appoint members to the impact fee advisory committee who represent a variety of factions within the municipality, instead of loading the membership up with individuals who represent the special interests of the building and real estate industries.

Resolved at a regularly scheduled meeting of the Board of Supervisors of the Township of Hilltown, the twentyseventh day of August, 1990.

BY:

Kenneth B. Benington
Joseph J. Kelly

ATTEST: (SEAL)

Linda S. Seimes
Assistant Township Secretary