

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS
August 19, 2014 – 7:00 P.M.
Solebury Township Hall

MINUTES

Attendance: James Searing, Chair, Edward McGahan, Jr. and Helen Tai. Dennis H. Carney, Manager, Jean Weiss, Administrative Assistant and Jonathan Reiss, Solicitor, were also present.

Robert Heath, Jr. and Paul Cosdon, Vice-chair were absent from the meeting.

The meeting was called to order followed by the Pledge of Allegiance.

Approval of Bills Payable – July 31, 2014 and August 18, 2014

Res. 2014-115 - Upon a Motion by Ms. Tai, seconded by Mr. McGahan, the Bills Payable lists dated July 31, 2014 and August 18, 2014 were unanimously approved as prepared and posted.

Approval of Work Session Minutes – July 15, 2014

Ms. Tai requested the minutes be revised on page 1 to change the word sale to salt.

Res. 2014-116 - Upon a Motion by Mr. McGahan, seconded by Ms. Tai, the Work Session Minutes of July 15, 2014 were unanimously approved as written and posted with revision to page 1 as noted.

Approval of Minutes – July 15, 2014

Ms. Tai requested the minutes be revised on page 2 and 3 to change “site distance” to “sight distance” and “commended” to “commented”. Ms. Tai also requested that on page 2 change “the two neighbors impacted the most” to “the two neighbors whose properties are located at the intersection”. Ms. Tai additionally stated that on page 3, Resolution 2014-111 should reflect that she opposed the resolution not in favor.

Res. 2014-117 - Upon a Motion by Ms. Tai, seconded by Mr. McGahan, the minutes of July 15, 2014 were unanimously approved as written and posted with revisions to pages 2 and 3 as noted.

Announcements:

- The Board announced an Executive Session held on July 30, 2014 related to personnel;
- The Board noted that the New Hope Auto Show was held last weekend at the New Hope-Solebury High School and commended the Community Association and all of the organizers, sponsors, friends and benefactors, advertisers, vendors, volunteers and the planning committee who worked to make it a great success.

Personnel:

The Board announced the resignation of Peter Schwalm, EAC Chair.

Res. 2014-118 - Upon a Motion by Mr. McGahan, seconded by Mr. Searing it was unanimously agreed to accept Peter Schwalm's resignation as EAC Chair.

Public Comment:

Lawrence Booth announced that the Free Library of New Hope Solebury will be having an event on October 11, 2014 to raise funds for the Library and will hold the annual book sale from September 5, 2014 to September 14, 2014.

Presentations:

Jamie Schlesinger from the Township's financial consulting firm of Public Financial Management was present to discuss the results of a request for proposal for the refinance of the \$4.7 million 2009A Bond Payable and new borrowing of \$2.7 million to pay for the new Publics Works Building.

Res. 2014-119 - Upon a Motion by Mr. Searing, seconded by Mr. McGahan it was unanimously agreed to authorize the Township's administration and professional consultants to take the necessary action to proceed with the financing discussed at this meeting pursuant to the procedures of the Local Government Unit Debt Act based on the proposal of First Savings Bank of Perkasié dated July 28, 2014 providing for a fixed interest rate loan structure as set forth in the proposal.

Larry Peseski, HARB Chair presented the annual report of the HARB Board and briefly discussed special projects for 2014/2015. Mr. Peseski also mentioned that HARB is finalizing an update to the guidelines and plans to submit the update to the Board of Supervisors in the near future. Among the recommended changes is a simpler process for approval of 'in kind and replacement'.

Kevin Campbell, Parks & Recreation Chair and Andy Kelly, Vice Chair presented the annual report of the Parks & Recreation Board.

PUBLIC HEARING – HARB – Cerami property – 6135 Carversville Road TMP #41-4-1

The Chair opened the hearing and noted that the application had been continued from the July 15, 2014 meeting. Mr. Cerami was present on behalf of the application.

The applicant is proposing to repaint the existing shutters from red to Old Village Paint Color #1123 Rittenhouse Ivory. The Historical Architectural Review Board has reviewed the application and recommended issuance of a Certificate of Appropriateness.

Res. 2014-120 - Upon a Motion by Mr. McGahan, seconded by Ms. Tai, it was unanimously agreed to issue a Certificate of Appropriateness to TMP #41-4-1 in accordance with the recommendation made by the Historical Architectural Review Board.

PUBLIC HEARING – HARB - Guthrie property – 3694 Aquetong Road TMP #41-2-51-5

The Chair opened the hearing.

The applicant is proposing to erect a sign to name the aforementioned homestead Airy Knoll. The sign will be placed at the center of the stone retaining wall of the property along Aquetong Road. The sign will hang from a 4X4 T-frame post 6 feet high. The sign and post will be painted Congress Hall Red to match the shutters of the home and cottage on the property. There will be no lighting for the sign. The Historical Architectural Review Board has recommended issuances of a Certificate of Appropriateness.

Res. 2014-121 - Upon a Motion by Ms. Tai, seconded by Mr. McGahan, it was unanimously agreed to issue a Certificate of Appropriateness to TMP #41-2-51-5 in accordance with the motion made by the Historical Architectural Review Board.

OLD BUSINESS

Pantera Liquor License - On April 1, 2014 the Board presided over a public hearing on the application of Pantera Realty, LLC to transfer a liquor license into Solebury for the proposed restaurant and banquet hall. At the hearing Robert Facchina testified that he was the sole owner of Pantera Realty, LLC. The Board of Supervisors approved the intermunicipal transfer of a liquor license into the Township by Resolution No. 2014-54. The applicant was Pantera Realty, LLC (“Pantera”) which owns the property. Subsequently, Pantera assigned its rights under the Agreement of Sale to Purchase the Liquor License to Gatti Holdings, LLC (“Gatti”), and Gatti has applied to the LCB.

By e-mail dated July 7, 2014 H. Kenneth Butera, Esquire requested to appear before the Board to request an amendment of Resolution No. 2014-54 for the following reason: "At a meeting with the LCB investigator last week, we were asked to seek a revision of the resolution the Township adopted in March, with two modifications: first, they asked that the name of the present owner/seller of the license be included in the resolution, and second they asked that the name of the approved license be changed from Pantera to Gatti."

Mr. Butera commented that he felt it important to note that Robert Facchina is the sole principle of both Pantera and Gatti, and that both of the entities are duly registered Pennsylvania limited liability companies.

Mr. Reiss commented that the hearing date listed on the resolution needs to be changed from March 1, 2014 to April 1, 2014.

Mr. Searing questioned the steps following the approval of the resolution.

Mr. Butera advised the Board that the application would need to go in front of the Liquor Control Board for approval.

Res. 2014-122 - Upon a Motion by Mr. McGahan, seconded by Ms. Tai it was unanimously agreed approve the new resolution as requested with the corrected date change to April 1, 2014.

Old Windy Bush Discussion – The Board has been considering how to resolve the safety concerns at the intersection of old Windy Bush Road and Aquetong Road. At the July meeting the Board asked the Township Manager to poll the residents of that section of road as to their thoughts about the proposal to make Old Windy Bush a one-way street heading north.

Mr. Carney advised the Board that the two property owners that take access off that section of Old Windy Bush Road were contacted for their input.

Mr. Searing has had discussion with many neighbors who feel that the intersection is very dangerous. Having the road as a one-way appears to be the most logical solution. Another area of concern is with the additional signage that will be required to make the road a one-way.

Mr. Carney did express that PennDot will have to approve the plan before anything can be done as it impacts two PennDot roads.

Ms. Tai expressed that she was conflicted on making a decision on this issue because in principle it is important for Solebury to enforce its zoning ordinances. However, in this case, she opined that there were extenuating circumstances, including the following: the shrubbery and fence pre-dated the current owners; even if these were removed, it would be difficult to see and may still be unsafe; in practice its already used as a one-way street; very few people

would be affected by making it one-way; and making it one-way only adds a short distance to those who would have cur through Old Windy Bush Road.

Ron Ewer commented that from a safety standpoint the change makes sense, but there is a concern with the additional signage that will result.

Res. 2014-123 - Upon a Motion by Mr. McGahan, seconded by Ms. Tai it was unanimously agreed to change the section of Old Windy Bush Road between Aquetong Road and Route 232 from a two-way street to a one-way street headed north and direct the Township Solicitor to prepare a modified ordinance for enactment at a future meeting.

Honey Hollow Road Discussion – Honey Hollow Road is unsigned and therefore defaults to 55 mph. The administration has requested the Board to approve the reduction of speed from 55 mph to 35 mph from Street Road to Aquetong Road and the installation of signage.

Res. 2014-124 - Upon a Motion by Mr. Searing, seconded by Mr. McGahan it was unanimously agreed to reduce the speed limit on Honey Hollow Road from 55 mph to 35 mph from Street Road to Aquetong Road and directed the Township Solicitor to prepare a modified ordinance to be enacted at a future meeting.

SUBDIVISION/LAND DEVELOPMENT

Giuliano Tract – Escrow Release #1 – The Township wishes to release funds held in escrow to pay for expenses incurred in connection with the development of the Giuliano Tract. The Township Engineer has certified that the improvements required in connection with this land development have been completed and that \$1,676.52 can be released to Solebury Township for legal, engineering and administrative fees.

Res. 2014-125 - Upon a Motion by Mr. Searing, seconded by Ms. Tai it was unanimously agreed to approve the escrow release in the amount of \$1,676.52 for legal, engineering and administrative fees.

Public Comment – No public comment was offered.

Adjournment

Res. 2014-126 - Upon a Motion by Mr. McGahan, seconded by Ms. Tai, the meeting adjourned at 8:30 p.m.

Respectfully submitted
Jean Weiss
Administrative Assistant