

**SOLEBURY TOWNSHIP BOARD OF SUPERVISORS**

**May 6, 2014 – 7:00 P.M.**

**Solebury Township Hall**

**MINUTES**

Attendance: James Searing, Chair, Paul Cosdon, Vice-chair, Robert Heath, Jr., Edward McGahan, Jr. and Helen Tai. Dennis H. Carney, Manager, Gretchen K. Rice, Assistant Manager, Jonathan J. Reiss, Solicitor and C. Robert Wynn, Township Engineer were also present.

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

Approval of Bills Payable – May 1, 2014

**Res. 2014-72 – Upon a motion by Mr. Heath, seconded by Mr. McGahan, the list of Bills Payable dated May 1, 2014 was unanimously approved as prepared and posted.**

Approval of Minutes – April 15, 2014

**Res. 2014-73 – Upon a motion by Mr. Cosdon, seconded by Ms. Tai, the Minutes of April 15, 2014 were approved as written and posted.**

**Abstaining: Mr. Heath due to absence from meeting.**

Announcements:

- The Board announced an executive session related to litigation held prior to the meeting.
- The Chairman noted the new Board table arrangement is an effort to improve on the acoustics and interaction between Board members.
- The Board congratulated the New Hope Solebury School District on its ranking as the 3<sup>rd</sup> top school in the state and the 337<sup>th</sup> nationally.
- The Board expressed its thanks to the many individuals, volunteer groups and watershed organizations that routinely pick up trash on an annual basis throughout the Township.
- The Board acknowledged the first sign of spring evidenced by all the daffodils blooming through the area, noting thus far, as part of its ongoing county beautification initiative, Bucks Beautiful has planted 750,000 daffodil bulbs.
- The Board acknowledged the National Landmark designation recently bestowed upon the Nakashima complex on Aquetong Road.
- Mr. Cosdon commended the Police Department on their efforts to assist with the traffic congestion resulting from the Brewfest recently held at the Washington Crossing Park.

## Public Comment

- Cathy Snyder, Executive Director of the Rolling Harvest Food Rescue, addressed the Board about the program and the hidden need in Bucks County noting that our area is known as being affluent while there are many families struggling to put food on the table.

PUBLIC HEARING – Coleman Conditional Use, TMP 41-001-027-004, Sawmill Road. The applicants were present with their counsel, Paul Cohen, Esquire, and Adam Crews of Crews Surveying. A court stenographer was present to record the hearing testimony.

Following the close of the hearing, the Board considered a recommendation from Mr. Searing and Ms. Tai to table any decision until the next Board meeting to allow additional time to consider the information provided during the hearing. It was the consensus of the Board not to table the issue but to move forward with deliberation and decision at this meeting.

Mr. Cosdon offered a motion to approve the application including a condition that the soil disturbance be restored within 6 months of the initial disturbance unless extended by the Township Engineer. No second was offered to the motion. Mr. McGahan and Mr. Heath opined that 6 months was not a reasonable timeframe within which to require restoration as most projects take considerably longer to complete. Additional discussion focused on increasing the suggested 6 month timeframe.

The motion from the Township Planning Commission referenced 32,000 square feet of area to be designated as meadow and/or for agricultural plantings, however, the applicant believed this number was in error and the motion should have read 23,000 square feet. The applicants stated for the record that they would comply with whichever number is confirmed as correct by the Planning Commission.

Mr. Tinsman raised concern that the applicant may not have complied with the Wild & Scenic Rivers Act regulations and opined that the Board should not grant approval until that outstanding issue is addressed.

**Res. 2014-75 – Upon a motion by Mr. McGahan, seconded by Mr. Heath, it was agreed to grant Conditional Use Approval to the Application of Douglas and Shawn Coleman subject to the Simone Collins review letter dated April 8, 2014 (with the exception of Item #6); the C. Robert Wynn’s review letter dated April 3, 2014; inclusion of plan note designating 23,000 square feet or 32,000 square feet of meadow and/or for agricultural plantings, whichever number is confirmed by the Township Planning Commission in the approved Minutes of April 14, 2014; installation of screening placed in the front hedgerow with supplemental flowers and plants; topsoil is replaced in an amount not less than the preconstruction depth or 8”, whichever is greater and the area of temporary disturbance is deep-disked or tilled to reduce soil compaction with the affected area returned to agricultural use, meadow or forest within nine (9) months of the initial disturbance unless extended by the Township Engineer in writing.**

**In Favor: Mr. McGahan, Mr. Heath and Mr. Cosdon**

**Opposed: Ms. Tai and Mr. Searing**

**Motion Carries.**

Temple Partners Conditional Use – TMP 41-001-029-001 & 41-001-029-002, Mechanicsville Road. The applicants were present with their counsel, Kelly McGowan, Esquire, and John Tresslar, P.E. of Boucher

& James. William Tinsman of Lumberville requested and was granted party status on behalf of the Paunacussing Watershed Association. A court stenographer was present to record the hearing testimony.

The Solebury Township Planning Commission had provided a recommendation for approval to the Board of Supervisors.

Following the close of the hearing the Board deliberated about the number and location of accesses proposed, possibly attaching a condition that the properties must be used for agricultural purposes for five years or a similar timeframe and tabling the issue for further consideration. A majority of the Board felt that such a condition was not necessary and decided not to table the issue.

**Res. 2014-76 – Upon a motion by Mr. McGahan, seconded by Mr. Heath, it was unanimously agreed to grant Conditional Use Approval to the Application of Temple Partners I. LP subject to compliance with the review letter of C. Robert Wynn dated February 7, 2014.**

#### OLD BUSINESS

Floodplain Ordinance – Authorization to advertise - The Federal Emergency Management Agency (FEMA) has reviewed Solebury Township's Floodplain policies and determined that a new stand-alone ordinance was needed to bring Solebury's policies into compliance.

**Res. 2014-77 – Upon a motion by Mr. Searing, seconded by Mr. McGahan, it was unanimously agreed to authorize the Township Solicitor to advertise the proposed Floodplain Ordinance for adoption as drafted.**

Zoning Ordinance Amendment re: Floodplain – Authorization to send to Planning Commission and advertise - This Amendment results from the proposed adoption of the stand-alone Floodplain Ordinance.

**Res. 2014-78 – Upon a motion by Mr. Searing, seconded by Mr. McGahan, it was unanimously agreed to forward the proposed Zoning Ordinance Amendment regarding the Floodplain to the Bucks County and Township Planning Commissions and to authorize the Township Solicitor to advertise the proposed Amendment for adoption at the same hearing with the Floodplain Ordinance.**

Act 537 Plan – Authorization to advertise Ordinances:

Ordinance Governing Management of On Lot Systems

**Res. 2014-79 – Upon a motion by Mr. Cosdon, seconded by Mr. McGahan, it was unanimously agreed to authorize the Township Solicitor to advertise the Ordinance Governing Management of On Lot Sewage Disposal Facilities.**

Ordinance Governing Management of Holding Tanks

**Res. 2014-80 – Upon a motion by Mr. Searing, seconded by Ms. Tai, it was unanimously agreed to authorize the Township Solicitor to advertise the Ordinance Governing Municipal Management of Holding Tanks in Solebury Township.**

## Ordinance Providing for Permitting of All On Lot Facilities

**Res. 2014-81 – Upon a motion by Ms. Tai, seconded by Mr. McGahan, it was unanimously agreed to authorize the Township Solicitor to advertise the Ordinance Providing for the Permitting of All On Lot Sewage Disposal Systems Proposed to be Installed on All Lots in Solebury Township, Regardless of Lot Size, and Providing Penalties and Enforcement Remedies.**

## NEW BUSINESS

Architectural Proposal for New Public Works Facility – Bid Award – Fourteen proposals were received in response to the request for proposals. After review, the Administration eliminated eleven because of costs or other factors. Three finalists were then interviewed by Mr. Searing, Ms. Tai, Mr. McGahan, and the Township Engineer and Township Manager.

Mr. Cosdon suggested increasing the timeframe for payment of invoices from 35 days to 45 days to account for only one scheduled meeting during the summer months.

**Res. 2014-82 – Upon a motion by Mr. Searing, seconded by Mr. McGahan, it was unanimously agreed to authorize the appropriate Township Official to execute the proposal as submitted from Phillips & Donovan for architectural services in the amount of \$118,640.00 as recommended, with revision to page 7 to reflect progress payments to be due and payable forty-five (45) days from date of invoice.**

Public Works Material Bid Awards: The Township opened bids on April 23, 2014 as follows:

### Superpave Asphalt Material:

Miller Material - \$171,970

Eureka Stone Quarry, Inc. - \$172,450

### Milling & Paving Project:

Blooming Glen Contractors, Inc. - \$373,697.25

Harris Blacktopping, Inc. - \$383,731.50

Bray Brothers, Inc. - \$384,427

James D. Morrissey, Inc. - \$387,211

Kehoe Construction, Inc. - \$408,709.98

### Seal Coat & Crack Sealing Project:

Asphalt Industries, Inc. – \$74,617 (Seal Coat bid only) – Incomplete Bid

Asphalt Maintenance Solutions, Inc. - \$80,375.20

Dosch King Emulsions, Inc. – \$86,214.40

**Res. 2014-83 – Upon a motion by Mr. Cosdon, seconded by Mr. McGahan, it was unanimously agreed to award the Public Works Material Bids as follows:**

**Superpave to Miller Materials in the amount of \$171,970;**

**Milling and Paving of Twp. Roads to Blooming Glen Contractors in the amount of \$373,697.25;**

**Seal Coat & Crack Sealing to Asphalt Maintenance Solutions, Inc. in the amount of \$80,375.20.**

Act 153 Certification of eligible properties – The Township certifies properties eligible for the Act 153 program on an annual basis to the New Hope Solebury School District. This program authorizes the school district to exempt by resolution certain real property from further millage increases imposed on real property.

**Res. 2014-84 – Upon a motion by Ms. Tai, seconded by Mr. Cosdon, it was unanimously agreed to certify the List of Properties eligible under the Act 153 Program as prepared and the Administration is authorized to forward said list to the New Hope Solebury School District.**

SUBDIVISION/CONDITIONAL USES/LAND DEVELOPMENTS – No applications were reviewed.

Public Comment – No public comments was offered.

Adjournment:

**Res. 2014-85 – Upon a motion by Mr. Cosdon, seconded by Mr. McGahan, the meeting was adjourned at 10:40 p.m.**

Respectfully submitted  
Gretchen K. Rice  
Assistant Manager  
Secretary/Treasurer