

**SOLEBURY TOWNSHIP BOARD OF SUPERVISORS**  
**June 17, 2014**  
**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.

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

Approval of Bills Payable – May 29, 2014 & June 12, 2014

**Res. 2014-96 - Upon a motion by Mr. Heath, seconded by Mr. McGahan, the lists of Bills Payable dated May 29, 2014 and June 12, 2014 were unanimously approved as prepared and posted.**

Approval of Minutes – May 19, 2014

**Res. 2014-97 - Upon a motion by Ms. Tai, seconded by Mr. McGahan, the Minutes of May 19, 2014 were unanimously approved as prepared and posted.**

Approval of Minutes – May 22, 2014 – Mr. Cosdon noted that the Minutes did not reflect when the public hearing was closed on the Agricultural Soils Amendment. The Board requested that the Minutes be revised to reflect that the public hearing was closed prior to the action being taken on the Agricultural Soils Amendment.

**Res. 2014-98 - Upon a motion by Mr. Heath, seconded by Mr. Cosdon, it was agreed to approve the Minutes of May 22, 2014 as written and posted with revision as discussed.**

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

Announcements

- The Board announced an executive session held prior to the meeting regarding land preservation, litigation and personnel issues.
- The Chair commented on Mr. Tinsman's previous comments to the Board on the possible impact of the Temple Partners project on the Paunacussing Creek as related to the Wild and Scenic Rivers Act, stating that the Township Manager, Solicitor and Engineer have done extensive research on the issue and it appears that the Temple Partners application is not covered by the Act. The Township will continue to monitor the matter and will provide updates as necessary.

- The Chair updated the audience on status of plans to breach the dam at Aquetong Lake. After the Board approved moving ahead with the breach, an Amendment to the Agreement was entered into between Fish & Board and the Township and the Township has been working the DEP, the Army Corps and the Township's consultant, O'Brien and Gere on obtaining the necessary approvals and permits. The Township is hopeful that all approvals and permits will be in place and the work can be done sometime in the fall. Following the breach, restoration will be the major focus including allowing the natural course of the creek to re-establish itself. The Board will provide additional updates as the project moves forward.

Public Comment – No early public comment was offered.

#### PRESENTATION:

NHS Cheerleading Champions – Recognition – Mr. Rice, P&R Director, gave a brief background explaining that the team, which involved 21 New Hope-Solebury girls ages 11 to 14, won third place in the 2012 Pop Warner National Cheerleading Championships held at Walt Disney World in Florida after winning first place in the Bux-Mont Cheer Competition, followed by taking first place in the Eastern Regional Competition.

Before presenting each of the girls with engraved trophies, Tricia Tangradi, Head Coach, noted that the team also received the distinguished "Spirit of Sport Award". This award is presented to only one squad, nationwide, that embodies excellence in all areas of athleticism, team spirit, connection to squad and coaches and respect for leadership and self.

Ms. Tangradi also noted that in order for the team to participate in Walt Disney World, the members had only eleven days to successfully raise a total \$24,000 to cover expenses and with the support of many local businesses, individuals, family and friends the team successfully raised the funds.

The team members receiving trophies were Alyssa Arrain, Riley Brennan, Mackenzie Carpenter, Nicolette Cosmas, Jacqueline Dyer, Mary Kate Eshelman, Taylor Gundlach, Zoey Jopling, Samantha Kolen, Fiona Male, Caroline Maloney, Autumn Marshall, Chloe Miller, Marissa Miller, Mia Pieretti, Courtney Purdy, Caroline Rubino, Taylor Selbst, Rachel Sorokin, Kathleen Tangradi and Jacqueline Vargis, coached by Tricia Tangradi, Head Coach and assistants, Sheila Gundlach, Lori Maloney and Heidi Kellner.

On behalf of the Township, Mr. Searing praised the girls for their tremendous achievement and thanked them for their representing Solebury Township in such an exemplary fashion.

A brief recess was taken after the presentation following which the meeting was called back to order.

#### PRESENTATION:

Free Library of New Hope-Solebury – Carol Taylor, Jaqui Griffith and Connie Hillman were present to address the Board. The representatives addressed the Board with a request to increase the dedicated library tax from .25 mills to .5 mills, an increase from approximately \$60,000 to approximately \$120,000.

Ms. Taylor and Ms. Griffith emphasized that Solebury Township and New Hope Borough combined provide only \$74,000 annually toward the total operating budget of \$212,000, which is significantly less than any other municipalities in Bucks County and the Library Board finds this shameful in a community like Solebury.

Describing the library as an active community center that provides support services for business, community connections and resources for lifelong learning, Ms. Taylor reviewed how the library has grown since 2008. The library offers free enrichment programs for all ages, such as free WIFI service, museum passes, and programs geared for teens and Kindles for residents. Program offerings have increased by 86% with program attendance increasing by 125% during that timeframe.

The Board specifically asked if the library charged for use of the Kindles or other services. Ms. Taylor responded they are loaned free of charge, noting that the library is the "Free Library of New Hope & Solebury". Out of state residents are charged a nominal fee.

Responding to a question from Mr. McGahan, Ms. Griffith said that the Library Board intended to make a similar presentation and request for additional funding to New Hope Borough, but added that the bulk of the funds have to come from Solebury Township.

Ms. Tai complimented the library on the amazing job it does with the funds it has.

Mr. Cosdon questioned how the library determines a user to be a Solebury resident when their address and identification offered lists a New Hope address. Ms. Taylor responded that when address is entered, the computer is set up to identify areas in Solebury even if the mailing address shows as New Hope.

Mr. Searing commented that the Township has made a conscious decision not to encourage an increase in the base of the Township, however everything still goes up such as inflation, expenses, etc. All of these increases continue to be carried by basically the same base and the Board is very aware of that fact.

The hand-out provided details that the combined contributions from Solebury and New Hope equal just over \$6.00 per capita and state aid is tied directly to local investment made by municipalities. The library currently qualifies for state aid because it is aggregated with other libraries in Bucks County and because of that, the library qualifies for state aid because it meets the minimum per capita contribution required under that scenario of \$5.00. However with the changes pending in the Commonwealth, the library will need to meet a minimum of \$12.50 per capita in order to continue receiving state aid.

Mr. McGahan noted that according to the information provided, proportionately, the \$60,000 Solebury provides equates to 80% of the money received from municipal contributions.

Mr. McGahan asked what dollar number would realistically sustain the library, because based on the number provided, it does not appear that the additional

\$60,000 being requested from Solebury Township will be sufficient to sustain the operation and the library and Township could again find itself in the same position in 4 or 5 years.

The Board asked if the group called Friends of the Library was in fact the library and if the private donations sent to that group was provided to the library. Ms. Griffith responded that contributions to the Friends group does benefit the library, but the Friends group really deals with specific projects or requests.

Ms. Griffith stated that she believes the Township has a civic responsibility to support the library but the support provided by the Township is shameful in comparison to other municipalities.

Mr. Searing stated for the record that Solebury does support the library as evidenced by the tax instituted previously, noting however that not all Bucks County municipalities contribute toward libraries, citing Buckingham, Upper Makefield and Newtown as examples.

Mr. McGahan commented that the building the library is housed in is really a money pit due to its age and condition. He encouraged the representatives to think outside the box when it comes to raising revenues and offered his personal assistance if there were any ideas where he might be able to help with.

Mr. Searing thanked the representatives for their presentation and for raising the issue now rather than waiting until the budget meetings started in September. The library will submit an official letter from the Board of Directors requesting an increase in funding to .5 mils in 2015.

#### PUBLIC HEARING:

Act 537 Ordinances – The hearing was opened by the Chair. The Township Solicitor noted that the hearing had been properly advertised and copies of the proposed Ordinances have been available at the Township Building. Additionally, although not required, the Board had forwarded the Ordinances to the Planning Commissions for comment.

Both the Township Planning Commission and the County Planning Commission had recommended adoption of the Ordinances.

Ms. Tai inquired as to whether or not the issues raised by Michael Farbotnik had been addressed. The Township Manager responded that he had a conference call with the Board of Health and Mr. Farbotnik and his questions and concerns had been addressed. The Township Engineer also confirmed that all of the issues raised by Mr. Farbotnik had been addressed.

Mr. Cosdon questioned if a list of licensed haulers referenced on page 9 of the Ordinance Governing Management of the systems would be available to property owners. Mr. Carney responded that the Bucks County Board of Health is providing the Township with the list and it will be provided to property owners and posted on the Township website.

Responding to a question as to why the penalty fees were different in the Ordinances, Mr. Carney responded that the requirements and violations involved were different so the fees imposed were also different.

The hearing was closed by the Chair.

**Res. 2014-99 - Upon a motion by Mr. McGahan, seconded by Ms. Tai, it was unanimously agreed to adopt the following Ordinance:**

**ORDINANCE NO. 2014-007 - AN ORDINANCE OF SOLEBURY TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA GOVERNING MANAGEMENT OF ONLOT SEWAGE DISPOSAL FACILITIES, as advertised;**

**ORDINANCE NO. 2014-008 - AN ORDINANCE GOVERNING MUNICIPAL MANAGEMENT OF HOLDING TANKS IN SOLEBURY TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, as advertised;**

**ORDINANCE NO. 2014-009 - AN ORDINANCE PROVIDING FOR THE PERMITTING OF ALL ONLOT SEWAGE DISPOSAL SYSTEMS PROPOSED TO BE INSTALLED ON ALL LOTS IN SOLEBURY TOWNSHIP, REGARDLESS OF LOT SIZE, AND PROVIDING PENALTIES AND ENFORCEMENT REMEDIES, as advertised.**

PUBLIC HEARING:

Floodplain Ordinances - The hearing was opened by the Chair. The Township Solicitor noted that the hearing had been properly advertised with the standalone Ordinance being advertised one time and the Zoning Ordinance Amendment being advertised twice as required by the Municipalities Planning Code. Copies of the proposed Ordinances have been available at the Township Building.

The Township Planning Commission recommended adoption of the Ordinances and the County Planning Commission recommended consideration of updates to Section 1504.A.1 and Section 201 of the Zoning Ordinance and Section 3.01 of the Subdivision and Land Development Ordinance, and correction of one typographical error.

The administration confirmed that the typo has been corrected in the Ordinance before the Board. Due to time constraints, the administration recommended that the Ordinances be adopted this evening and any further revisions be considered for inclusion in the future omnibus amendment.

Mr. Cosdon recommended that the list of dangerous materials and substances on page 5 of the Zoning Ordinance Amendment and page 16 of the Floodplain Ordinance reading "Petroleum products (gasoline, fuel oil, etc.)" be revised to read "Petroleum products or other combustible products".

The Township Solicitor and Township Engineer explained that such a revision could not be considered as a minor revision and if the Board wanted to make that revision now, the proposed Ordinances would have to go back to the Planning Commissions for review and new advertisements, etc. would be required. He suggested that if the Board wanted to make the revision, that it could be included in the omnibus amendment so as not to hold up adoption of the Ordinances before the Board.

The hearing was closed by the Chair.





**Res. 2014-100 - Upon a motion by Mr. Heath, seconded by Mr. McGahan, it was agreed to adopt the Floodplain Ordinances as follows:**

**ORDINANCE NO. 2014-010 - FLOODPLAIN ORDINANCE - AN ORDINANCE OF SOLEBURY TOWNSHIP REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESS, AND CORPORATIONS TO OBTAIN A PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT WITH A FLOODPLAIN; PROVIDING FOR THE ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF SOLEBURY TOWNSHIP WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR REFUSES TO COMPLY WITH, THE REQUIREMENTS OF THIS ORDINANCE, as advertised;**

**ORDINANCE NO. 2014-011 - AN ORDINANCE OF THE SOLEBURY TOWNSHIP BOARD OF SUPERVISORS AMENDING ARTICLE 14, FLOODPLAIN CONSERVATION DISTRICT OF THE SOLEBURY TOWNSHIP ZONING ORDINANCE FOR CONSISTENCY WITH FLOODPLAIN REGULATIONS REQUIRED BY FEMA AND ADOPTED AS THE SOLEBURY TOWNSHIP FLOODPLAIN ORDINANCE, as advertised.**

**Voting in favor: Mr. Searing, Mr. Heath, Mr. McGahan and Ms. Tai**

**Opposed: Mr. Cosdon**

**Motion carries.**

**Res. 2014-101 - Upon a motion by Mr. Cosdon, seconded by Mr. McGahan, it was agreed to direct the Administration to contact FEMA regarding the revision proposed by Mr. Cosdon to the list of dangerous substances and materials.**

**Voting in Favor: Mr. Cosdon, Mr. McGahan and Ms. Tai**

**Opposed: Mr. Searing and Mr. Heath**

**Motion carries.**

#### **OLD BUSINESS**

Parks & Recreation Discussion – Mr. Cosdon opened the discussion referencing a number of revisions and communications back and forth between the Supervisors and the Parks and Recreation Board related to the Recommendations contained in the initial draft update to the P&R Master Plan presented last November.

In response to input from individual Supervisors, the answers provided by the Parks and Recreation Board to questions asked by the Supervisors, and information garnered from the surveys taken in conjunction with the draft update to the Comprehensive Plan, Mr. Cosdon presented a revised list of short-term, mid-term and long-term recommendations for consideration by the Board.

Among the items included on the mid-term and long-term list was contacting and working with Bucks County to establish access through Hal Clark Park to the Delaware River and Canal. However, during discussion and upon input from the Township P&R Director as to the County's position on this issue that the cost to

provide an access bridge was prohibitive, the item was removed from the list of recommendations.

Ms. Tai recommended adding the identification of funding sources and interest to support a dog park to the mid-term recommendations. Jane Wilson commented that many dog owners don't live in a development with sidewalks or don't live near a trail to walk their dog. In addition, walking a dog on-leash is not the same as allowing your dog to run free which is what is provided by a dog park. Mr. McGahan suggested that if it costs the Township nothing financially, it could be included in the mid-term recommendations.

Mr. Cosdon commented that a dog park fell below other facilities in the survey conducted such as a public swimming pool and noting if you combine the interest in a gymnasium with the interest in a community center, that item becomes the second most requested item in the survey.

Ms. Tai suggested that if a community center is to be included in the long-term recommendations, she would want to validate that the community wants one and is willing to financially support building one.

Andy Kelly, Vice-chair of the P&R Board responded that the validating the desire for a community center with gymnasium has already be done, agreeing with Mr. Cosdon's comments about results of the Comp Plan survey.

Ms. Tai questioned the calculation used in determining a need for two fields suggesting that more events might be scheduled. The Director pointed out that scheduling must be considered when factoring the use of the fields, not just the condition of the field. Using only the capacity of a field does not take into consideration when the field can be used and the availability of teams to use it, typically between 5 and 9 in the evening because team members are in school during the day and are not available.

In response to questions about including the school fields in the equation, Kevin Campbell, Chair of P&R and the Director explained that use of those fields is always subject to school needs, and closure of the fields by the school at its discretion. In addition, the organizations are only permitted use of certain school fields such as one baseball field and one soccer field.

The Director explained that he works closely with the school district and arrangements and schedules are made months in advance. However they are subject to change at any given time based on needs of the school. He has a spreadsheet that includes containing this information and will provide a copy to the Board.

Andy Kelly commented that P&R uses the same criteria as the school district in developing the need for additional fields.

Under the short-term recommendations, exploration of recreational uses for alternate age groups and confirming the need for two additional fields was added. Obtaining grant funding was also added for completing the trail from Canal Park to North Pointe Park through Kitchens Lane.

Mr. Cosdon stated that the recommendations adopted by the Board will be included in the P&R Master Plan update and in the updated Comprehensive Plan.

**Res. 2014-102 - Upon a motion by Mr. Cosdon, seconded by Mr. Heath, it was unanimously agreed to adopt the following Park and Recreation Requirements:**

**Short Term 1-2 Years**

- **Create a document to be both printed and available on the township web site highlighting existing trails and access to the Delaware Canal and River.**
- **Complete the trail from Canal Park to North Pointe Park through Kitchens Lane and the North Pointe development assuming Township obtains grant funding.**
- **Improve navigation and place signage on the existing trails.**
- **Confirm the need, identify placement and build 2 additional fields for multi-purpose use. Seek public and private funding. In addition to the multi-purpose fields, explore other recreational uses for alternate age groups.**
- **Implement a Solebury Community Day event that fosters community pride, promotes township programs, and encourages volunteerism.**
- **Restore Aquetong Creek as a cold water system and develop a plan for recreational use of Ingham Spring Park. Seek alternative funding for completion of the project.**

**Mid Term 3-5 Years**

- **Create and implement the recreational plan for Ingham Spring including the Judy House.**
- **Develop a plan for the current public works site.**
- **Identify the feasibility of Delaware River access through Washington's Crossing State Park.**
- **Continue to expand and interconnect the trail system for walking and biking in the township. Systematically fund engineering of sections, followed by seeking grants to build extensions over a number of years.**
- **Identify funding source and interest to support a dog park in Solebury Township.**

**Long Term over 5 Years**

- **Monitor river access through Washington's Crossing State Park.**
- **Validate community support and identify and construct a Community Center incorporating an indoor gymnasium and meeting rooms for resident use.**
- **Evaluate the need for additional outdoor recreational facilities.**

NEW BUSINESS

Land Preservation - Property #140

**Res. 2014-103 - Upon a motion by Mr. Cosdon, seconded by Ms. Tai, it was unanimously agreed to acknowledge the eligibility of Property #140 for inclusion in the Solebury Township Land Preservation Program.**

Public Works – Disposal of 1993 International Dump Truck

**Res. 2014-104 - Upon a motion by Mr. Searing, seconded by Mr. McGahan, it was unanimously agreed to authorize the Township Administration to dispose of the 1993 International Dump Truck by the Municibid website.**

Enforcement Notice – Authorization to enforce Zoning Enforcement Notice and UCC Violations re: Sherry Neebe, TMP 41-019-007-001

**Res. 2014-105 - Upon a motion by Mr. Searing, seconded by Ms. Tai, it was unanimously agreed to authorize the Township Solicitor to file an action to enforce the Zoning Enforcement Notice and the UCC Code Violations Notice issued to Sherry Neebe, TMP 41-019-007-001.**

Mr. Cosdon made a motion to include the Sign Ordinance, Landscape Trucks and Radar on the next Board Agenda. No second was forthcoming.

The Chair suggested that Mr. Cosdon send a note to the Board members regarding the issues he wished to discuss.

#### SUBDIVISIONS/LAND DEVELOPMENTS/CONDITIONAL USES

Giuliano – Mylars – The Chair announced that the Board would be signing the Mylars and associated documents representing the last action required for the project to move forward.

Public Comment – No public comment was offered.

Adjournment

**Res. 2014-106 - Upon a motion by Mr. Cosdon, seconded by Mr. Searing, the meeting adjourned at 9:30 p.m.**

Respectfully submitted  
Gretchen K. Rice  
Assistant Manager  
Secretary/Treasurer

