

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

May 2, 2017 – 7:00 P.M.

Solebury Township Hall

MINUTES

Attendance: Helen Tai, Vice-chair, Noel Barrett, Paul Cosdon and James Searing. Dennis H. Carney, Manager, Gretchen K. Rice, Assistant Manager and Jordan B. Yeager, Solicitor were also present.

Absent: Kevin Morrissey

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

Approval of Bills Payable – April 13, 2017 and April 27, 2017

Res. 2017-65 – Upon a motion by Mr. Barrett, seconded by Mr. Cosdon, the Bills Payable lists dated April 13, 2017 and April 27, 2017 were unanimously approved as prepared and posted.

Approval of Minutes – April 4, 2017 and April 11, 2017

Mr. Searing requested a minor revision to the April 4th draft Minutes.

Res. 2017-66 – Upon a motion by Mr. Barrett, seconded by Mr. Cosdon, the Minutes of April 4, 2017 were unanimously approved with revision and the Minutes of April 11, 2017 were unanimously approved as written and posted.

Supervisor Comment:

- Mr. Searing presented a power-point presentation on the recent reintroduction of brook trout at Aquetong Spring Park. A copy of the presentation is attached to these Minutes.
- Ms. Tai updated the members on the research and efforts being undertaken by the EAC related to options and methods to address and/or eradicate invasive plants at Aquetong Spring Park including alternatives to herbicides commonly used.

Public Comment:

- P&R Director Dudley Rice provided information on the 35th Annual Bucks County Senior Games scheduled in June at various locations throughout Bucks County. The flier and registration information will be posted on the Township website.
- Kevin Campbell, P&R Chair, inquired about the status of the County Open Space Grant application that was submitted for the multipurpose field at the location of the old public works building since it was recommended for approval to the County Commissioners by the County Open Space Committee. At Ms. Tai's request, the Solicitor provided a response that the grant application submitted for the preservation of the Sauls property was going to be approved but it appeared that the grant application for the park project would not be approved, adding that the County focuses more on boroughs that do not have open space when approving park projects.

PRESENTATION – Larry Peseski, Chair of the Historical Architectural Review Board

Mr. Peseski opened his presentation by showing photographs of properties in the Carversville Historic District that are vacant and in need of maintenance as well as properties with projects that had commenced but appeared to have stalled or stopped entirely, commenting that HARB is “losing control of the village.”

Nancy Ruddle, Vice-chair of HARB, and members Patrick Pastella, Marnie Newman and Scott Minnucci were also present.

The Supervisor members expressed their support for the concept of a Repair & Replacement in Kind (RRIK) for projects that would result in no visible change. The goal of such a process is to encourage and help to facilitate the upkeep of properties within the districts.

At the direction of the Supervisors, the administration and counsel reviewed and offered comments on the draft documents that HARB had created in an effort to establish a process and application for a RRIK. Mr. Peseski advised that HARB did not agree with the comments or recommendations offered.

There was a lengthy discussion surrounding whether or not a Certificate of Appropriateness was or should be required when submitting an application using the RRIK process.

Among additional issues discussed by the Board, Solicitor and representatives from HARB were the requirements for a Certificate of Appropriateness under the state laws for anything requiring a permit and the interpretation of certain wording in both the statutes and the Township Ordinances.

The board agreed to the following:

1. For RRIK projects NOT requiring a permit (e.g., repainting a house, replacing a window of the exact same dimensions, materials, colors, etc.), two HARB members and the HARB administrator will decide whether to approve within a few days. If approved, the applicant may immediately proceed with their project. If not approved, the applicant must go through the full HARB process.
2. For RRIK projects REQUIRING a permit, two HARB members and the HARB administrator will determine whether to recommend a Certificate of Appropriateness. If yes, the applicant may skip the HARB meeting and go straight to the Board of Supervisors for approval. If no, the applicant must go through the full HARB process. The applicant may also apply for the permit simultaneously with the RRIK process (normally they must wait for the Certificate of Appropriateness to apply for the permit. If the applicant chooses to do this, they accept the risk that the CoA may not be issued or requires changes which will require a re-submission of the permit).

Following discussion the Board expressed support for an Ordinance revision to be drafted for consideration that would incorporate the RRIK procedure. Since HARB has already done a good deal of research on this topic, HARB will provide a draft Ordinance that incorporates what they feel is appropriate and provide it to the Solicitor for review and to ensure compliance with state law. HARB will also revisit the draft process and application documents to determine what if any revisions would be beneficial.

The Solicitor noted that the Township Ordinance regarding hearing notices would also need to be updated since HARB falls under the requirements for public notice, posting the property, etc.

Ms. Tai inquired about the Guidelines that were in draft form last year. Mr. Peseski stated that if the Ordinance is being revised to allow for the RRIK, then the Guidelines will need additional revisions, therefore a final draft cannot be prepared until after the Ordinance revisions are complete.

OLD BUSINESS – No old business came before the Board.

NEW BUSINESS

Temporary Lodging & Events Ordinance – The Township Solicitor provided background on the topic. Over the past several months the administration and Township Solicitor have been reviewing existing Township Ordinances in an effort to identify areas that might require revisions to accommodate recent developments related to rentals or use of properties for temporary lodging or events commonly listed on websites known as Air B&B or VRBOs. The current Zoning Ordinance does not address these uses and a draft Ordinance was prepared for discussion.

As noted by the Solicitor, there has been a proliferation of these uses over the past couple years and the proposed Ordinance is an attempt to add clarity and fill some of the gaps in the current Ordinances.

Eleanor Miller of Phillips Mill encouraged the Board to move forward with the Ordinance noting that there are more than 200 such uses already operating within the Township illegally.

Patrick Pastella opined that he did not see a need to regulate such uses and in fact prefers to avail himself of that type of rental when he travels with his family.

The members provided comment on specific language in the draft, recommending revisions or deletion of some requirements listed. Mr. Searing questioned why the Township would want to consider regulating such uses and recommended that the Board be provided with more details on the issue including different options.

The Solicitor and administration will provide additional information to the Board at a future meeting.

Financial Review – Mr. Searing presented a power-point covering the 2016 end of year financial numbers including an update on the current financial condition of the Township. As evidenced by the following information included in the presentation, the Township's financial condition remains strong:

- 2016 General Fund surplus: \$550,000
- 2016 Fund Balance is \$2.73 million
- Capital Reserve of \$1.2 million
- Stable tax rate in 2016, 2017
- Higher than expected revenues:
 - Earned Income Tax +\$150,000
 - RE Transfer Tax +\$100,000
- Expenses were under budget by \$375,000
- Moody's reaffirmed the Township's Aa2 bond rating

A copy of the presentation is attached to these Minutes.

SUBDIVISIONS/LAND DEVELOPMENTS/CONDITIONAL USES

Giuliano Escrow Release – Authorization Voucher #10

Res. 2017-67 – Upon a motion by Mr. Cosdon, seconded by Mr. Searing, it was unanimously agreed, upon recommendation of the Township Engineer, to authorize the release of \$536.84 from the Giuliano Escrow Fund to reimburse the Township for legal, engineering and administration costs, as recommended.

Public Comment – No additional public comment was offered.

Adjournment

Res. 2017-68 – Upon a motion by Mr. Cosdon, seconded by Mr. Barrett, the meeting adjourned at 9:50 p.m.

Respectfully submitted
Gretchen K. Rice
Assistant Manager

BCTU's Reintroduction of Brook Trout to Aquetong Creek

Presentation by Jim Searing
Solebury Board of Supervisors
May 2, 2017

Background

- Solebury Township acquired the 45 Acre Aquetong property and lake in 2009
- 2013: BOS made the decision to take down the dam after extensive community discussion
- Dam was breached in 2015
- Ecological restoration has begun with tree planting, path clearance and detailed study by Princeton Hydro
- Creek is rapidly recovering

Bucks County Trout Unlimited (BCTU)

- One of first and most active advocates to take down the dam and restore the limestone coldwater Aquetong Creek
- Provided coldwater restoration plans in 2004, 2005, 2007 and 2012
- Long history of conservation projects in Bucks County at Cook's Creek and Mill Creek
- Committed funds to help restore native brook trout to the Aquetong

BCTU Plan for Reintroduction

- Obtained permits from PA Fish and Boat and DCNR
- Permits allowed taking 50 native brook trout from two Lehigh River tributaries
- Expert fly fishers used traditional methods to catch brook trout
- Fish were successfully protected and transferred to Aquetong Creek on April 29 2017

BCTU Fishing Team



Photo by Jim Searing

Jim Valuckas, Ed Harrington, Jack Walsh, Maddie Neamand, Jeff Neamand (Project Co-Leader), Doug McCabe, Kevin Randall (Project Co-Leader), Rich Weber, Frank Nassetta, Gary Gibson, Aquetong Watershed Association's (AWA) Craig Sutton

Fly Fishing in Mountain Streams and Rugged Conditions



Gary Gibson in tight quarters

Transferring a Catch



Frank Nassetta with a good sized brook trout

Temporary Holding Pen on Stream



BCTU Co-Leader Jeff
Neamand placing brook
trout in holding pen



Preparing for Transport



Co-Leader Jeff Neamand, Co-Leader Kevin Randall, Maddie Neamand, Doug McCabe, Frank Nassetta, Rich Weber, AWA's Craig Sutton

Placing Trout into Acclimating Tank



Jeff Neamand Gently Adding Brookie to Acclimating Tank
Prior to Immersion in Aquetong Creek

Brook Trout Return to Aquetong After 170+ Years of Absence



Photo by Jim Searing

BCTU Project Co-Leader Kevin Randall Gently Places the First Native Brook Trout into Aquetong Creek in Solebury at 6:30pm April 29, 2017

Aquetong Transfer Team



Photo by Craig Sutton

Kevin Randall (BCTU Project Co-Leader), Ed Harrington, Jim Searing, Frank Nassetta, Jeff Neamand (BCTU Project Co-Leader), Doug McCabe, Gary Gibson, Maddie Neamand, Richard Weber, Jim Valuckas. Not pictured: AWA's Craig Sutton (photographer)

Sometimes Dreams Do Come True...



Photo by Jim Searing

Aquetong Creek in Highwater Conditions at Sunset April 29 2017

Financial Review

Presentation by Jim Searing
May 2 2017

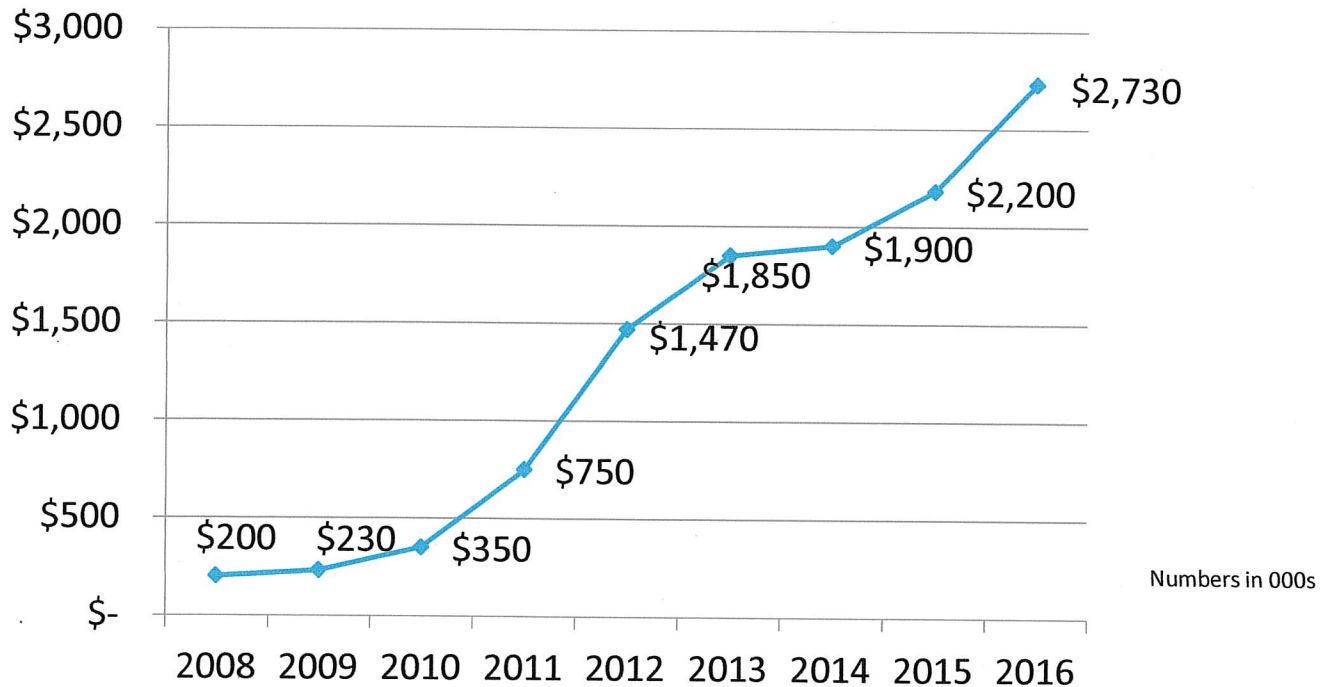
See Disclaimer: Caution regarding forward-looking statements on page 11

Solebury's Financial Position Remains Strong

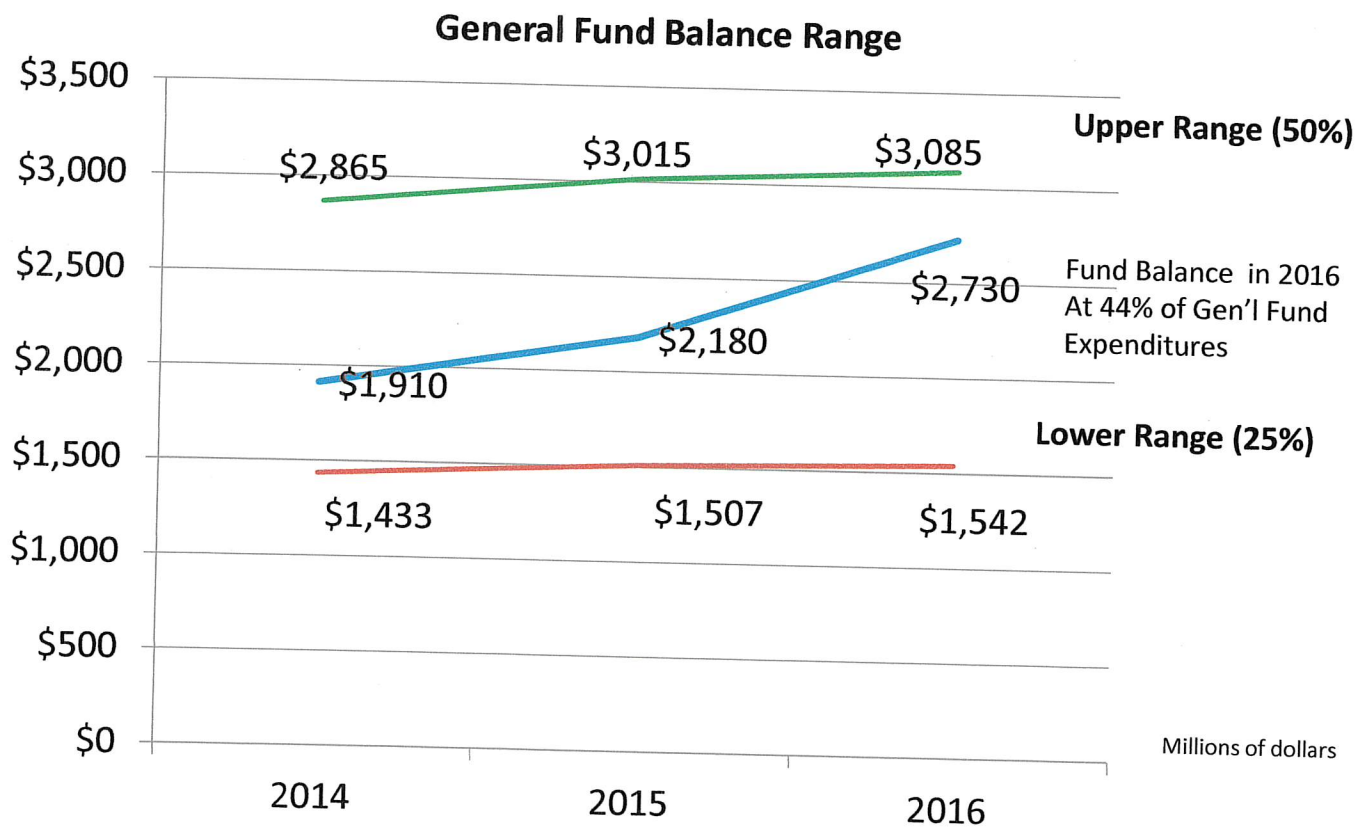
- 2016 General Fund surplus: \$550,000
- 2016 Fund Balance is \$2.73 million
- Capital reserve of \$1.2 million
- Stable tax rate in 2016, 2017
- Higher than expected revenues
 - Earned Income Tax +\$150,000
 - RE Transfer Tax +\$100,000
- Expenses were under budget by \$375,000
- Moody's reaffirmed our Aa2 bond rating

Our General Fund Balance Creates a Sound Financial Base

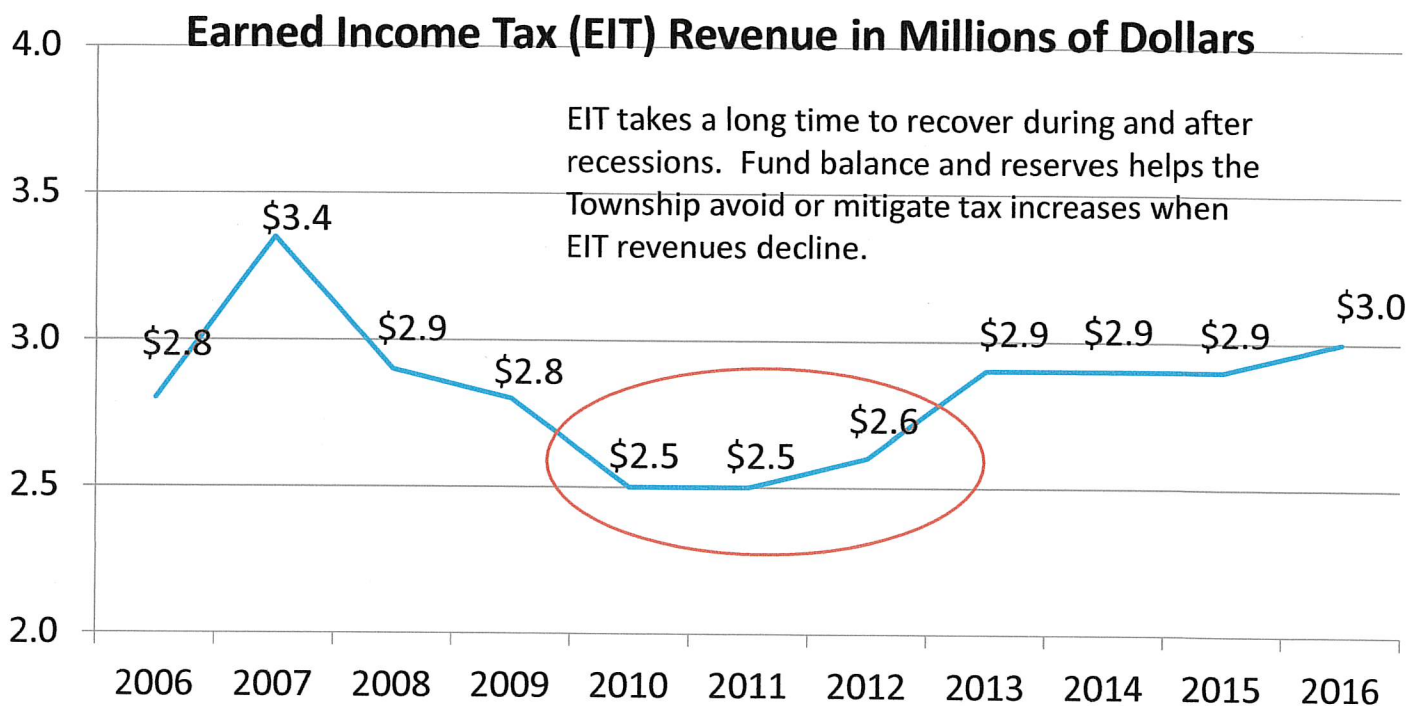
General Fund Balance by Year (in millions)



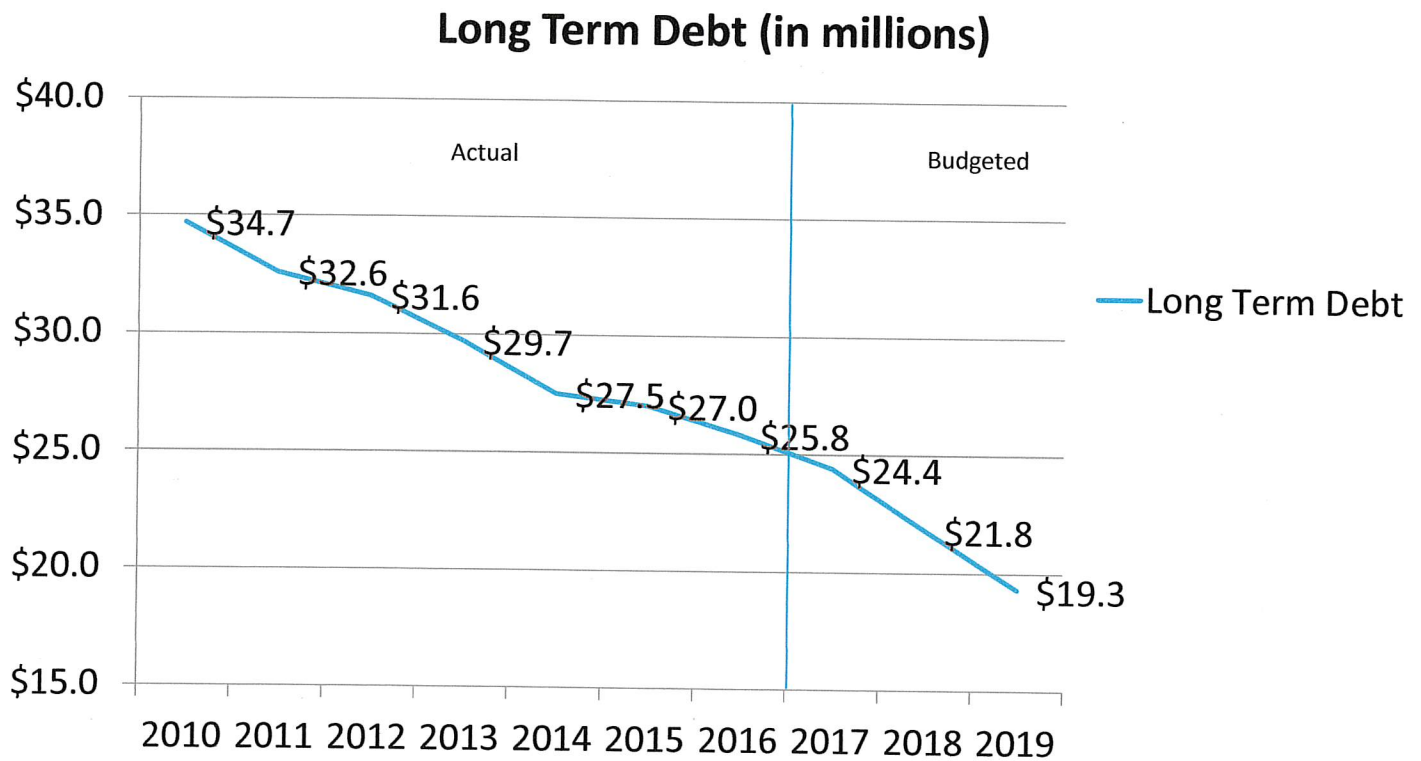
New General Fund Balance Policy Helps Ensure Longer Term Stability



Fund Balance and Reserves Buffer Township During Economic Cycles

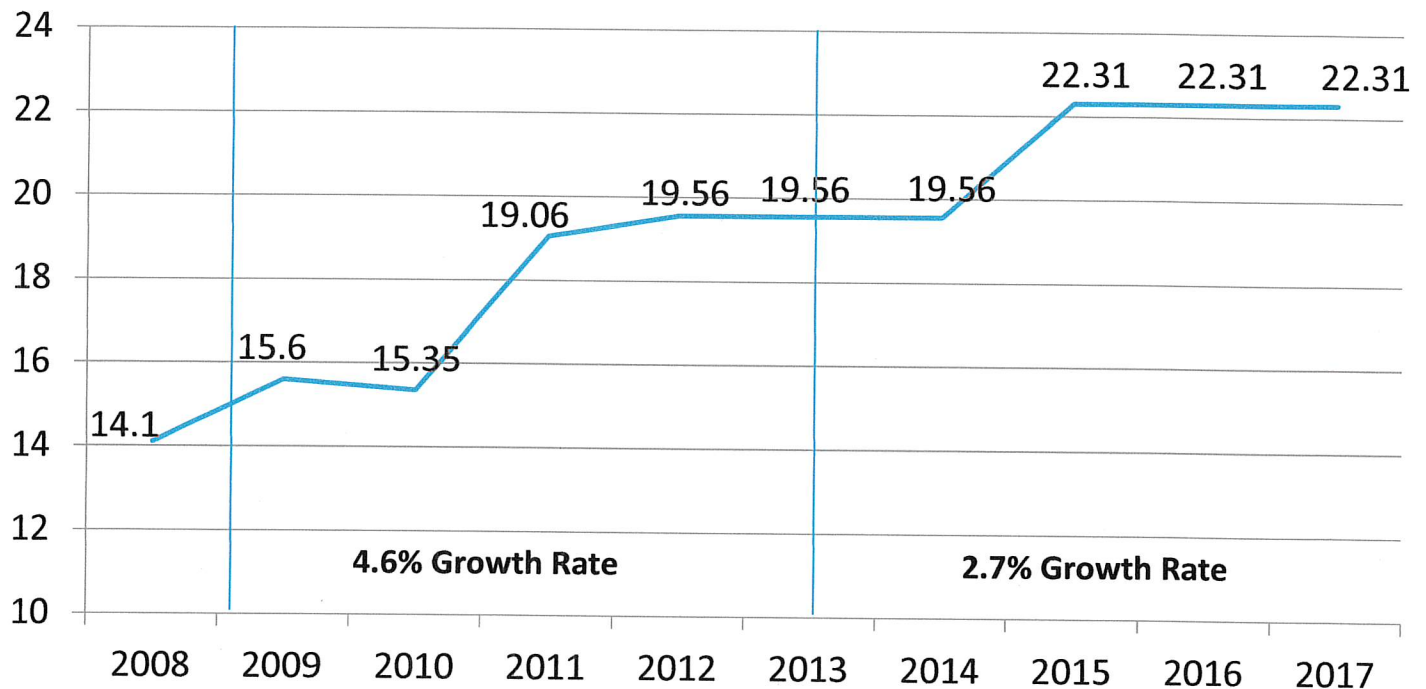


Long Term Debt Levels Continue to Decline



Our Approach Seeks Stability and Avoiding 'Ramps' in Tax Rates

Total Township Tax Millage Rates



Update on Defined Benefit Police Pension Plan

- Net pension liability declined from \$1.55 million to \$800,000
- Plan is now 85% funded
- Plan benefited from a 8.1% ROI on the investment portfolio and a forfeiture
- Township should continue its policy to make additional contributions to close the gap.

Projected Change in 5 Year Fund Balances Assuming No Change in Real Estate Taxes

	2017	2018	2019	2020	2021	Total
Budgeted General Fund Balance Changes	\$ 90	\$ 90	\$ 250	\$ 350	\$ 500	\$1,100
Capital Reserve Addition*	100	100	100	100	100	500
Total potential surplus or deficit without a change in RE taxes	\$ 190	\$ 10	\$ 150	\$ 250	\$ 400	\$ 600

* Budgeted addition to Capital Reserve is made at the discretion of the BOS depending on actual results, capital expenditure plans, and economic conditions.

This schedule is based on a 2017 budget; **Green** is projected surplus; **red** is projected deficit; numbers are sensitive to change due to economic conditions, tax collections and changes in costs.

See Disclaimer: Caution regarding forward-looking statements on page 14.

Moody's Rating Report in late 2016

“The township's financial position is strong and is expected to remain so given a history of positive operations, a trend driven by conservative fiscal management.”

Disclaimer: Caution Concerning Forward-Looking Statements

Statements in this presentation that are not historical facts are forward-looking statements based on current expectations of future events and are subject to known and unknown risks and uncertainties that could cause actual results to differ materially from those expressed or implied by such statements. Forward-looking statements can be identified by words such as "anticipates," "plans," "believes," "estimates," "projects," "projection," "expects," and similar references to future periods.

All of these forward-looking statements are subject to risks and uncertainties that may change at any time, and, therefore, our actual results may differ materially from those we expected.

We therefore caution against relying on any of these forward-looking statements. They are neither statements of historical fact nor guarantees or assurances of future performance. Any forward-looking statements included in this presentation are made only as of the date of this presentation. Factors or events that could cause our actual results to differ may emerge from time to time, and it is not possible for us to predict all of them. We assume no obligation to, and expressly disclaim any obligation to, publicly update or alter any written or verbal forward-looking statements made by us or on our behalf, whether as a result of new information, future developments or otherwise. Forward-looking statements in this presentation are made pursuant to the safe harbor provisions contained in the Private Securities Litigation Reform Act of 1995.

Citizens can access Solebury's audited financial statements by visiting the Township building, or by accessing this link on the Township website:

<http://www.soleburytwp.org/resources/documents-forms/category/3-finance>