

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

July 18, 2017 – 7:00 P.M.

Solebury Township Hall

MINUTES

Attendance: Kevin Morrissey, Chair, Helen Tai, Vice-chair, Noel Barrett and Paul Cosdon. Dennis H. Carney, Township Manager / Secretary, Michele K. Blood, Finance Director / Treasurer, Jordan B. Yeager, Solicitor and C. Robert Wynn, Township Engineer, were also in attendance.

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

II. Approval of Bills Payable

Res. 2017-89 – Upon a motion by Ms. Tai, seconded by Mr. Cosdon, the list of Bills Payable dated June 29, 2017, 2017 and July 13, 2017 were unanimously approved as prepared and posted.

III. Approval of Minutes – June 20, 2017 regular meeting

Mr. Morrissey requested that the approval of the Minutes be tabled as they are voluminous and the Board requires more time to review the document.

IV. Announcements/Resignations/Appointments

- The Board announced an executive session held on July 18, 2017, dealing with legal issues and a zoning issue for TMP 41-28-59, 2710 River Road.
- The Board also announced that interviews were held for the Board of Supervisors vacancy. A discussion of the requirements to be a Board member, the interview process, and the qualifications of the candidates ensued, including comments by all the Board members. The Board thanked the candidates, Mark Baum Baicker and Thomas J. Francisco, noting that it was a difficult decision. There were no public comments.

Res. 2017-90 – Upon a motion by Mr. Barrett, and seconded by Ms. Tai, it was unanimously agreed to appoint Mark Baum Baicker to fill the vacancy until December 31, 2017, resulting from the resignation of James Searing.

Chief Dominick Bellizzie provided an update regarding the *Four Missing Men Search* recognizing that many people are looking for closure:

- He expressed his heart felt gratitude to the community, Township and police personnel for the support received in working this case;
- Chief Bellizzie noted the profound sadness and strength the families of the victims showed;
- He thanked the community, businesses and strangers who provided support emotionally as well as providing food and water to the investigators, FBI, and support staff involved in the case;
- He thanked the civilian staff who manned the phone lines into all hours of the night and the uniformed staff for keeping the public safe and maintaining the sanctity of the scene;

- Chief Bellizzie also thanked the surrounding police communities, FBI, the District Attorney Matthew Weintraub and his staff, the Philadelphia Police Department personnel and the cadaver dogs, and all the equipment lent to work the scene (helicopters, all-terrain vehicles, etc.)

Chief Bellizzie also reminded the public that if something appears to be out of the ordinary, call 911 and report it. The Police Department is more than happy to check things out. And the Chief thanked the public, Board of Supervisors and the Township Manager for letting him do his job and provide updates as he felt appropriate. Sergeant Edwards reiterated his thanks to the surrounding businesses and community members for stepping up to support the responders and the victims' families.

PUBLIC COMMENT

Resident Bill Tinsman of Lumberville, stated that the people involved are not residents of Solebury. We owe the Police personnel more than you will ever know. Mr. Tinsman emphasized reporting incidents to the police if you feel something is not right.

Resident Dominic Marano of New Hope, congratulated the Chief and officers for their efforts.

Resident Eleanor Miller of Kurfiss Realty, stated that she remembers when the property was purchased – for hunting and fishing. Atrocities like this do not happen in Solebury. This incident is not reflective of our community.

Andrea de la Flor, Project Director of NHS Cares, stated that they are working on an “All Hands In” campaign calling the community together for action at a time of crisis.

Resident Barbara Zietchick of New Hope, thanked the police and said the incident was motivated by drug use.

Resident Wayne Kenton of Peddler's View, thanked the Chief and his personnel and inquired as to what is the best way to contact the Police Department when something suspicious is noted, not necessarily a 911 emergency. He also suggested that the Chief release an open letter to the public on the process.

Further discussion from the Board ensued declaring their thanks and how proud they were of the police force for their dedication and to the community for stepping forward as they did in such a trying time.

V. Supervisor Comment:

- Mr. Morrissey noted at a prior Board meeting, authorization was given to proceed with a General Obligation Bond Sale for the refinancing of the 2014 bank loan with a remaining balance of approximately \$6 million. The bond auction was held July 13, 2017, and results were better than originally anticipated. The original savings was estimated at approximately \$144,000; the resultant sale anticipates a savings of approximately \$215,000. Mr. Morrissey thanked the Administration for a job well done.

VI. Public Comment – No early public comment was offered.

VII. PRESENTATION – Larry Peseski, HARB Member, Repair or Replacement in Kind Proposal (RRIK)

Mr. Peseski did not have a presentation, but reviewed the *Repair or Replacement in Kind Proposal* and stated he would answer any questions the Board may have. The discussion included, among other topics, how applicants would follow the design guidelines, the HARB process, the fast tracking process, and permit process. Mr. Peseski also stated that there was a packet available for the Township Solicitor that consisted of Ordinance #68 that was marked-up with suggested changes. It was also discussed that a resident could assume the risk of the project by simultaneously applying for the RRIK and building permit.

PRESENTATION – Deidre Alderfer – Environmental Advisory Council Member – Invasives

Ms. Alderfer delivered a power point presentation (copy of which is attached to this document) identifying the Environmental Advisory Council's (EAC) objective of roadside spraying and the EAC's efforts to curtail the use of herbicides in the Township by both PENNDOT and PECO. The presentation included what roads are being sprayed, the chemical used, and the alternate methods of control and options to opt out of the program with PENNDOT. Ms. Alderfer summed up the presentation with an "outreach" approach stating there is a Vegetative Permit application available on the Township website, as well as informational articles in the *Spring 2017 Solebury Messenger* and *The Intelligencer* article dated July 9, 2017.

Bill Tinsman noted that the Scenic Road Guidelines should be reviewed as part of any spraying process.

VIII. OLD BUSINESS –

New Hope Crushed Stone Quarry – Mr. Morrissey provided the following update:

The Pennsylvania DEP has ordered New Hope Crushed Stone to cease its mining operations until it meets its reclamation obligations at the Phillips Mill Rd quarry.

DEP inspectors determined that the quarry was failing to meet the minimum standards under a revised Corrective Action Plan for the site approved this April.

The quarry was declared a "public nuisance" in a 2014 state Environmental Hearing Board ruling and the DEP has repeatedly sought to bring the mining operation into compliance with plans to abate the nuisance and reclaim the land. The July 10 order to cease operations is the strongest in a series of escalating enforcement actions by the DEP.

New Hope Crushed Stone is required to complete its reclamation activity by mid-2019. The reclamation process is meant to prepare the property for post mining use.

As of yesterday, we have learned that NHCS has requested to return to mining as they are indicating that as a result of halting mining and focusing on reclamation, they have removed the reclamation deficiency. If this is accurate, they are now on track to complete the quarry reclamation by mid-2019. The DEP is evaluating this request.

Medical Marijuana Ordinance – After some discussion by the Board regarding the advertising and approval process, it was determined that the Medical Marijuana Ordinance would be advertised.

Res. 2017-91 – Upon a motion by Mr. Cosdon, and seconded by Mr. Barrett, it was unanimously approved to advertise the Medical Marijuana Ordinance as drafted.

Laurel Park Multi-Purpose Field – Bid Award

The bids for Laurel Park Multi-Purpose Field were received on July 17, 2017. After review by Administration and the Township Engineer, it was determined that the project should be re-bid as costs were not consistent amongst the bidders and the project came in higher than anticipated. The Township Engineer stated that some bid line items will be listed as alternatives. This will afford the Township some flexibility in the cost of the project.

Res. 2017-92 – Upon a motion by Ms. Tai, and seconded by Mr. Morrissey, it was unanimously approved to rebid the Laurel Park Multi-Purpose Field project.

IX. NEW BUSINESS

HARB – Hotel DuVillage (2523 River Road, New Hope, PA; TMP #41-28-20-2) – The application submitted and reviewed by HARB contained a proposal to replace rotted wood trim, paint all trim, paint door enclosure, replace entry doors and paint, install awnings, restore entry vestibule and paint, and hardware.

Res. 2017-93 – Upon a motion by Ms. Tai, and seconded by Mr. Cosdon, it was unanimously agreed to issue a Certificate of Appropriateness to TMP #41-28-20-2 in accordance with the Recommendation of the Historical Architectural Review Board, a copy of which is attached to these Minutes. Issuance of the Certificate of Appropriateness does not relieve the applicant from obtaining any and all other applicable permits.

2017 Bucks County Consortium Fuel Bids – Bucks County Consortium accepted proposals for the following products:

	<u>Riggins, Inc.</u>	<u>Suburban Propane</u>
Unleaded Premium	0.0480	No Bid
#2 Heating Oil	0.1425	0.2006
Ultra-Low Sulfur Diesel	0.1275	No Bid
Propane	No Bid	0.4508

The bid prices above are the delivery costs per gallon for deliveries of less than 6,000 gallons. The product cost is the posted price at the refinery for each of the products and is the same for each supplier.

Res. 2017-94 – Upon a motion by Mr. Barrett, seconded by Ms. Tai, it was unanimously agreed to award the bid for unleaded premium, #2 heating oil and ultra-low sulfur diesel to Riggins, Inc. as submitted and to award the bid for propane to Suburban Propane, as submitted.

Ambulance Service Referendum Discussion - Mr. Cosdon discussed the issue of 24/7 ambulance service for the Township and the request to have a Referendum on the November election.

Board and public discussion ensued on the topics of ambulance funding and the extent of services. Chief Jason Strauss of the LNH Ambulance Squad described ambulance services provided today and the costs involved.

Chief Strauss explained some concerns with dropping LNH Ambulance Squad and retaining Central Bucks Emergency Medical Services (CBEMS) with one ambulance at Eagle Fire Company. Currently LNH provides Basic Life Support (BLS) and transport while CBEMS provides Advanced Life Support (ALS). Under the proposed change, LNH would be dropped and CBEMS would provide BLS, ALS and transport. If CBEMS were out on a call and a second emergency occurred, CBEMS would have to deploy an ambulance from Doylestown or Wycombe, which would increase response times significantly, especially in the eastern part of the township. Under the current model, CBEMS would have more availability for ALS calls since they are not responding to BLS calls and not providing transport. Additionally, because LNH has 2 staffed ambulances and 2 on call, they are able to handle multiple emergencies.

Resident Patrick Pastella and a few other residents expressed desire to have redundancy in order to be able to handle more than one emergency at a time.

24/7 ALS and ambulance service with CBEMS would cost approximately \$280,000, an increase of \$180,000 from current. In the past, Solebury Township and New Hope boro have shared the cost of ambulance service.

Ms. Tai noted that it was not yet clear whether New Hope Borough was supporting an increase from 12/7 to 24/7, which would require a similar referendum to pass in New Hope. She also expressed concern with not having redundancy in the event of multiple emergencies. She suggested a work session with New Hope Boro and the two ambulance companies to determine a common path forward. Ms. Tai suggested a delay in the vote on the referendum until the August meeting, which would still allow enough time to meet the Board of Elections deadline of September 7 for the draft referendum.

Res. 2017-95 – Upon a motion by Mr. Cosdon, and seconded by Mr. Morrissey, a motion was made to authorize a ballot referendum question: “Do you authorize the Township of Solebury to levy a tax of up to one and two-tenths (1.20) mills to fund 24 hour advanced life support ambulance services beginning in 2018?”

In favor: Mr. Cosdon and Mr. Morrissey

Opposed: Ms. Tai and Mr. Barrett

Motion Fails.

Further Board discussion ensued regarding the topic of 24 hours advanced life support services and New Hope Borough’s anticipated contribution and referendum question, and joint meeting with Solebury Township and the ambulance squads to discuss such services and funding.

Res. 2017-96 – Upon a motion by Ms. Tai, and seconded by Mr. Barrett, it was agreed to hold a public work session with the Lambertville- New Hope and Central Bucks Ambulance Services, and New Hope Borough and Solebury Township to discuss 24/7 ambulance service, contribution levels and a November Referendum question on the ballot. Those in favor: Ms. Tai, Mr. Barrett, Mr. Morrissey. Opposed: Mr. Cosdon.

Omnibus Ordinance – Authorization to Advertise – The proposed Ordinance is amending *the Solebury Township Zoning Ordinance* to clarify certain definitions to reflect updates in Chapter 8 on Floodplains, and add definitions to Base Flood, Base Flood Evaluation, and Automobile Service Stations; to clarify regulations for recreational use of livestock and horses; to update zoning permit provisions to include compliance with the uniform commercial code; to provide an additional general use permitted by conditional use in Part 17 in the Light Industrial area; to correct certain tables and provisions to include the Carversville Residential and Carversville Village Commercial Districts; and to correct certain cross-referenced sections. Board discussion ensued .

Res. 2017-97 – Upon a motion by Mr. Barrett, and seconded by Ms. Tai, it unanimously agreed to authorize the advertisement of the Omnibus Ordinance.

ZHB Application – 2710 River Road, New Hope, TMP# 41-18-45 – The Board reviewed the application submitted to the Zoning Hearing Board to demolish an existing home and build a new home in the same location. The variances being sought are relief from the expansion limitations on non-conforming buildings and steep slope setback of 50 feet.

Res. 2017-98 – Upon a motion by Mr. Cosdon, and seconded by Mr. Barrett, it was unanimously agreed to send the Township Solicitor to the ZHB meeting to represent the Township’s interests.

X. SUBDIVISIONS/LAND DEVELOPMENTS/CONDITIONAL USES – No application came before the Board.

XI. Public Comment –

Barbara Zietchick of Fox Run Preserve thanked the Board for accepting the community comments at the June 20, 2017 meeting and asked for an update from counsel on the proposed options for removing the designation of “active recreation” from the park.

XII. Adjournment

Res. 2017-99 – Upon a motion by Mr. Cosdon, seconded by Ms. Tai, the meeting was adjourned at 9:35 p.m.

Respectfully submitted
Dennis H. Carney
Township Manager / Secretary