

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

March 1, 2016 – 7:00 P.M.

Solebury Township Hall

MINUTES

Attendance: Helen Tai, Chair, James Searing, Vice-chair, Paul Cosdon and Kevin Morrissey. Dennis H. Carney, Manager, Gretchen K. Rice, Assistant Manager, Michele Blood, Finance Director and Jordan B. Yeager, Solicitor were also in attendance.

Absent: Noel Barrett

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

Approval of Bills Payable

Res. 2016-44 – Upon a motion by Mr. Cosdon, seconded by Ms. Tai, the list of Bills Payable dated February 25, 2016 was unanimously approved as prepared and posted.

Approval of Minutes –The approval of the February 16, 2016 Minutes was tabled until the March 16, 2016 meeting.

Announcements/Resignations/Appointments

- The Chair announced an executive session held prior to the meeting regarding personnel and litigation and announced an additional executive session would follow the regular meeting also related to personnel and litigation.

Res. 2016-45 – Upon a motion by Mr. Cosdon, seconded by Mr. Searing, it was unanimously agreed to reappoint the Township Manager as the Solebury Township Police Pension Administrator.

- Mr. Morrissey congratulated the NHS Varsity Wrestling team for their performance in the PIAA District 1AA Championships, specifically noting Igor and Max Lupisella for winning their individual championship matches, noting that the brothers were part of the first group of wrestlers in the P&R Wrestling Program that began in 2006. Igor Lupisella will now compete in the upcoming Southwest Class AA regionals.

- Mr. Morrissey congratulated the NHS Varsity Girls Basketball team for winning the PIAA District 1A title during last Saturday's match, again noting that this particular group of girls was the first group to play in the Township Park and Recreation travel basketball program for girls when they were in elementary school. The girls continued to play as a group when they transitioned to the NHS school team in 9th grade.

- Mr. Carney announced that Mr. Rice, the P&R Director, has been successful in obtaining a grant through the Bucks County TreeVitalize Grant Program, and the Township will be receiving 200 trees and tubes for planting at Aquetong Spring Park. The Township is also in discussion with Brandywine Conservancy about the potential for obtaining additional trees through another program.

- The Chair announced that the Township, the NHS School District and New Hope Borough have formed an informal committee to identify areas of common interest, such as cooperative purchasing, finances, playing fields and emergency services. The committee will meet on a bi-monthly basis. The Chair thanked Dr. Steven Yanni, Superintendent, Mark Cowell, President of the NHS Board of Directors, Bill Scandone, President of New Hope Borough Council and Alison Kingsley, Vice-President of New Hope Borough Council for their participation.

Supervisor Comment – No additional Supervisor Comment was offered.

Public Comment

- Myrna Coon of Solebury addressed the Board regarding the structure of the Township's Police Pension Plan.
- Abhay Joshi of Solebury addressed the Board regarding bamboo on his neighbor's property.

PRESENTATION

EAC Annual Report – Ron Moule, EAC Chair, provided the Board and audience with power-point presentations that included recommendations for expanding Solebury's leaf collection program, and observations and practices including short and long term recommendations related to land stewardship of Township open space areas. A copy of the power point presentations are attached to these Minutes.

The following items were among the issues discussed related to the recommendation for an expanded leaf collection:

- Selecting a pilot program for an expanded leaf collection in an area of the Township on properties less than two acres in size, such as the Sunset Drive area;
- Costs associated with expanding the program;
- Continued education encouraging individual homeowners to compost.

Mr. Carney commented that if the Board wanted to select a pilot location, he would recommend the Sunset Drive area because of the mature trees, however, he added that the Township already collects leaves on every road in the Township utilizing current personnel and equipment, including the Sunset Drive area.

Short-term recommendations discussed involving open space owned by the Township not used for active recreation included:

- * Defining property boundaries;
- * Installation of signage identifying the properties on Cuttalossa and Laurel Roads;
- * Posting rules for use of the open space;
- * Posting parking regulations;
- * Posting 'no fishing' on the Lower Cuttalossa Road open space.

Long term recommendations included:

- * Engaging a forester;
- * Working with nature non-profits;
- * Developing a formal stewardship plan;
- * Taking additional measures regarding the deer population and invasive plants;
- * Working toward interconnecting the Laurel Road property with state game lands.

PennDOT's roadside spraying program was also discussed. The Township Manager will continue to reach out to PennDOT to determine what is being sprayed and what if any ability the Township has to regulate spraying along state roads within the Township, adding that State Representative Petri is also looking into this issue at the request of the Township.

Mr. Moule also presented a list of EAC 2016 priorities for the Board's consideration.

Ed McGahan of Solebury commented that he would not support installing additional signage along the Cuttalossa or Laurel Road open space properties opining that the areas should remain natural which is what makes them beautiful.

HARB Annual Report – Larry Peseski, HARB Chair, addressed the Board and reviewed the 2015 Annual Report and the Annual Activity Report noting key accomplishments including the development and formatting of revisions to the Guidelines & History Maintenance Manual; development of a Repair and Replacement In-Kind proposal and implementation of improvements to the HARB application itself. A copy of the report is attached to these Minutes.

Mr. Peseski also presented the Chairman's Goals and Objectives for 2016 that places emphasis on encouraging and supporting property owner's efforts for preservation. The release of modified Design Guidelines and Maintenance Manual, fixing the HARB motion process, developing a procedure for emergency 'on-site material substitution' during the construction phase of a project and development of a HARB recognition award were among the topics included. A copy of the document is attached to these Minutes.

OLD BUSINESS

New Hope Crushed Stone Quarry – Mr. Morrissey provided a chronologic list of events and actions taken from October 1, 2014 to the present time. Noting that the Quarry had withdrawn its appeal that was the subject of the Township's intervention, but has now filed another appeal. The Township is reviewing the issue to determine what if any actions need to be taken related to the most recent appeal.

Mr. Morrissey noted that the repair and stabilization of sinkholes within Primrose Creek as authorized by Emergency Permit No. 7974SM3 continues.

The Chair added that New Hope Crushed Stone Quarry may become a standing agenda item going forward.

NEW BUSINESS

Plowing Bids – The administration has requested authorization to advertise a bid for snow removal to cover the period of November 1, 2016 to April 30, 2019.

Res. 2016-46 – Upon a motion by Mr. Cosdon, seconded by Mr. Morrissey, it was unanimously agreed to authorize the Township Administration to advertise a bid for snow plowing covering a contract period beginning November 1, 2016 and ending April 30, 2019.

2016 Road Program – The administration has requested authorization to advertise the 2016 Road Program for bid. Roads to be involved include Short Road, Laurel Road, Old Windy Bush Road, Hillside Drive, Old Mill Lane and a portion of Old Carversville Road.

Res. 2016-47 – Upon a motion by Mr. Searing, seconded by Mr. Cosdon, it was unanimously agreed to authorize the Township Administration to advertise the 2016 Road Program for bid as requested.

Public Works Facility – The administration has requested the Board to approve the second and final draw of \$819,811 on the loan for the Public Works Facility. The target completion for the project is May of 2016.

Res. 2016-48 – Upon a motion by Mr. Searing, seconded by Ms. Tai, it was unanimously agreed to authorize the Township Administration to take the necessary steps to initiate the second and final draw on the loan from First Savings Bank of Perkasi in the amount of \$819,811.

SR 32 Trail – PennDOT requires adoption of a Resolution Establishing Policy & Procedures for Consultant Selection for construction inspections associated with the SR 32 Trail Project. The selection committee to be appointed includes Stephanie Butler, Lead Engineer with McMahon Associates, C. Robert Wynn, Township Engineer, Dennis H. Carney, Township Manager and Gretchen K. Rice, Assistant Township Manager.

Res. 2016-49 – Upon a motion by Mr. Cosdon, seconded by Mr. Searing, it was unanimously agreed to adopt a Resolution Establishing Policy and Procedure for Consultant Selection (Small Projects) ECMS associated with the Solebury Township SR 32 Trail Project, as presented.

Todd Molgat Zoning Hearing Board Application – The applicant is requesting a variance to allow for an accessory dwelling on a property in the RB Zoning District containing less than seven acres as required under Article 5 of the Zoning Ordinance.

Res. 2016-50 – Upon a motion by Mr. Morrissey, seconded by Mr. Cosdon, it was unanimously agreed to authorize the Township Solicitor to attend the hearing on the Molgat Zoning Hearing Board application to oppose the request.

Fiscal Matters – Mr. Searing provided the Board with an overview of the 2015 year-end financial condition of the Township. The Township had a financially sound year, with a General Fund ending balance of \$2.455 million, approximately \$266,000 over and above the expected ending reserve balance of \$2.189 million. The Capital Reserve Fund ended the year with approximately \$916,000 in reserve.

To continue the Township's ability to demonstrate healthy progress in increasing both its General and Capital Reserve balances, Mr. Searing recommended that \$275,000 be transferred from the General Fund to the Capital Reserve Fund effective December 31, 2015. The General Fund's reserve balance will be \$2.18 million and Capital Reserve, \$1.19 million.

Ed McGahan of Solebury suggested that Board consider increasing the amount to be transferred, noting that if additional funds are needed in the General Fund, the Board always has the discretion of taking funds out of Capital Reserve.

Res. 2016-51 – Upon a motion by Mr. Searing, seconded by Mr. Cosdon, it was unanimously agreed to authorize the transfer of \$275,000 from the General Fund to the Capital Reserve fund effective December 31, 2015 as recommended.

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

Public Comment

- Ed McGahan addressed the Board regarding the growth of multiflora rose in open areas within the Township.

Adjournment

Res.2016-52 – Upon a motion by Mr. Cosdon, seconded by Mr. Searing, the meeting adjourned at 9:05 p.m.

Respectfully submitted
Gretchen K. Rice
Assistant Manager
Secretary/Treasurer

SOLEBURY TOWNSHIP HISTORICAL ARCHITECTURAL REVIEW
BOARD 2015 ANNUAL REPORT

Regular Meetings – 7
Special Meeting – 1
Workshops – 0
Pre-Application Reviews – 0
Number of Applications – 13
Number of Applications Withdrawn – 0
Applications Deemed No Action Necessary/"Repair In Kind" – 0
Recommendation for Certificate of Appropriateness to Board of Supervisors – 11

Election of Officers: Larry Peseski elected Chairman for 2015
 Nancy Ruddle elected Vice Chair for 2015

APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS REVIEWED:

January, 2015 – No meeting

February, 2015 – No meeting

March, 2015

Appointment of Chair and Vice Chair positions for 2015
Review and approval of Annual Report for 2014

April, 2015

TMP#41-028-020-002 (2535 River Road Property, LLC)

HARB Plan #2015-03-A

Partially approved recommendation

May, 2015

TMP#41-028-020-002 (2535 River Road Property, LLC)

HARB Plan #2015-03-A

Partially approved recommendation

TMP#41-028-031 (Phillips Mill Community Association)

HARB Plan #2015-04-B

Approval recommended

June, 2015 – No meeting

July, 2015 – No meeting

July, 2015 – Special Meeting
TMP#41-002-093 (Frank & Theresa Whitcomb)
Approval recommended

August, 2015
TMP#41-002-042 (Marc & Ellen Stiefel)
HARB Plan #2015-07-D
Approval recommended
TMP#41-002-042-003 (Jerry & Nancy Ruddle)
HARB Plan #2015-07-G
Approval recommended

September, 2015
TMP#41-002-016 (Carversville Associates/Will Mathias)
HARB Plan #2015-08-L
Approval recommended
TMP#41-002-090 (Steve Young)
HARB Plan #2015-07-F
Approval recommended
TMP#41-004-022 (William & Rhonda Heffern)
HARB Plan #2015-08-K
Approval recommended
TMP#41-028-033-001 (Scott Minnucci)
HARB Plan #2015-07-J
Approval recommended

October, 2015
TMP#41-002-044 (Kenneth Wiseman)
HARB Plan #2015-07-H
Approval recommended

November, 2015 – No meeting

December, 2015
TMP#41-002-051-004 (Thomas Godley)
HARB Plan #2015-11-N
Approval recommended

The Historical Architectural Review Board is appreciative of the cooperation and assistance of the following people:

Township Solicitor, Jonathan J. Reiss
Solebury Township Board of Supervisors
Township Administration and Staff

Larry Peseski, Chairman 2015

Annual Activity Report

HARB

Solebury Township, PA

- Calendar 2015 -

	<u>2015</u>	2014	2013	2012	2011	2010
• Regular Meetings	7	7	12	11	8	8
• Workshops	1	0	1	0	0	1
• Pre-Application reviews	7 ³	0	3	1	0	0
• Applications Reviewed	13	9	2	16	11	4
• Applications Withdrawn	0	0	1 ²	2 ¹	0	0
• Recommendations for COA	11	9	26	10	11	4

¹ withdrawn after HARB review

² withdrawn before HARB review

3. Included Leads review of applications

Key Accomplishments - 2015

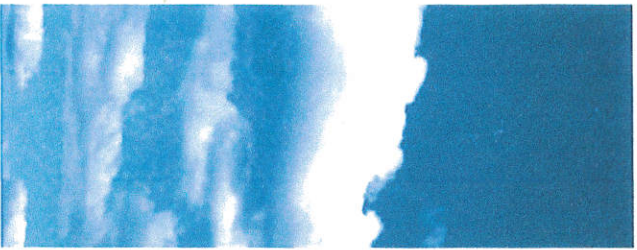
- Developed and formatted revisions to the Guidelines & History and Maintenance Manual.
- Developed and formatted Repair and Replacement In-Kind"
 - Developed and formatted Window inventory system
 - Implemented improvements to the HARB application

Chairman's Goals and Objectives

∞∞ Calendar 2016 ∞∞

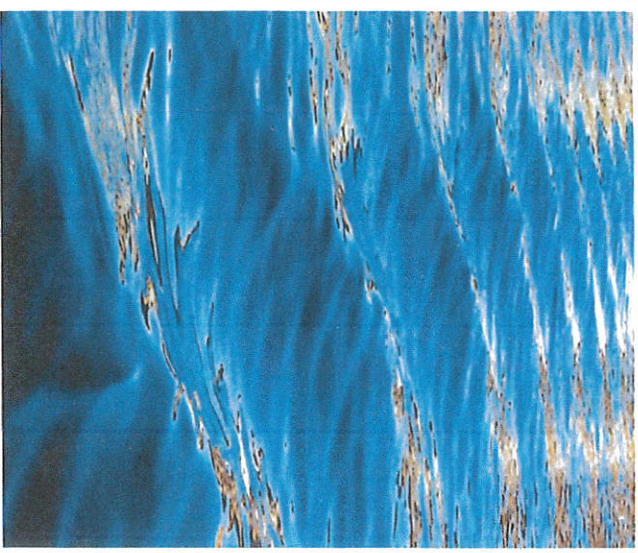
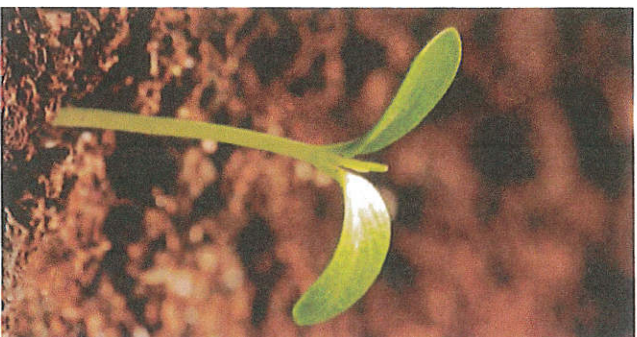
Emphasis on encouraging and supporting property owners efforts for preservation

1. **Release modified "Design Guidelines and Maintenance Manual."**
Make final inclusions and get final approval for release of modified "Design Guidelines" and the "Maintenance Manual".
2. **Fix the HARB motion process.** Revise HARB application and recommendation form.
3. **Develop procedure for emergency "on-site material substitution" during work construction phase.** Allow applicant reasonable latitude to deal with issues once construction commences.
4. **Develop and introduce HARB recognition award(s).**



Solebury Twp EAC 2015 Review & Looking ahead to 2016

Ron Moule



2015 Accomplishments

- Exploring Expansion of Leaf Composting Program
- Wild Area Stewardship
- Roadside Spraying

Expanding Leaf Collection Program - Background

- In August 2015 the EAC defined composting as an area of focus
- We looked at the current practices within Solebury Township
- Reviewed DEP-funded reports and programs employed by other townships
- Considered partnership opportunities
- Formulated recommendations to township

Expanding Leaf Collection Program - Recommendations

- Continue current program of leaf collection with distribution to local farms and orchards
- Encourage landowners to compost leaves and reuse on their properties, particularly on those over 2 acres
 - Create a list of sources for composting kits
 - Hand-out materials at township building
 - Publish article in Solebury Messenger
- Encourage farms to reach out to local landscapers for additional opportunities to source leaves
- Develop a pilot program to pick up leaves in one neighborhood, measure results

Pilot Program

Pilot a program to pick up leaves in one neighborhood, measure results

- Work with local homeowners or HOA
- Decide whether to use bags, rake to curb or temporary 'pen' structure

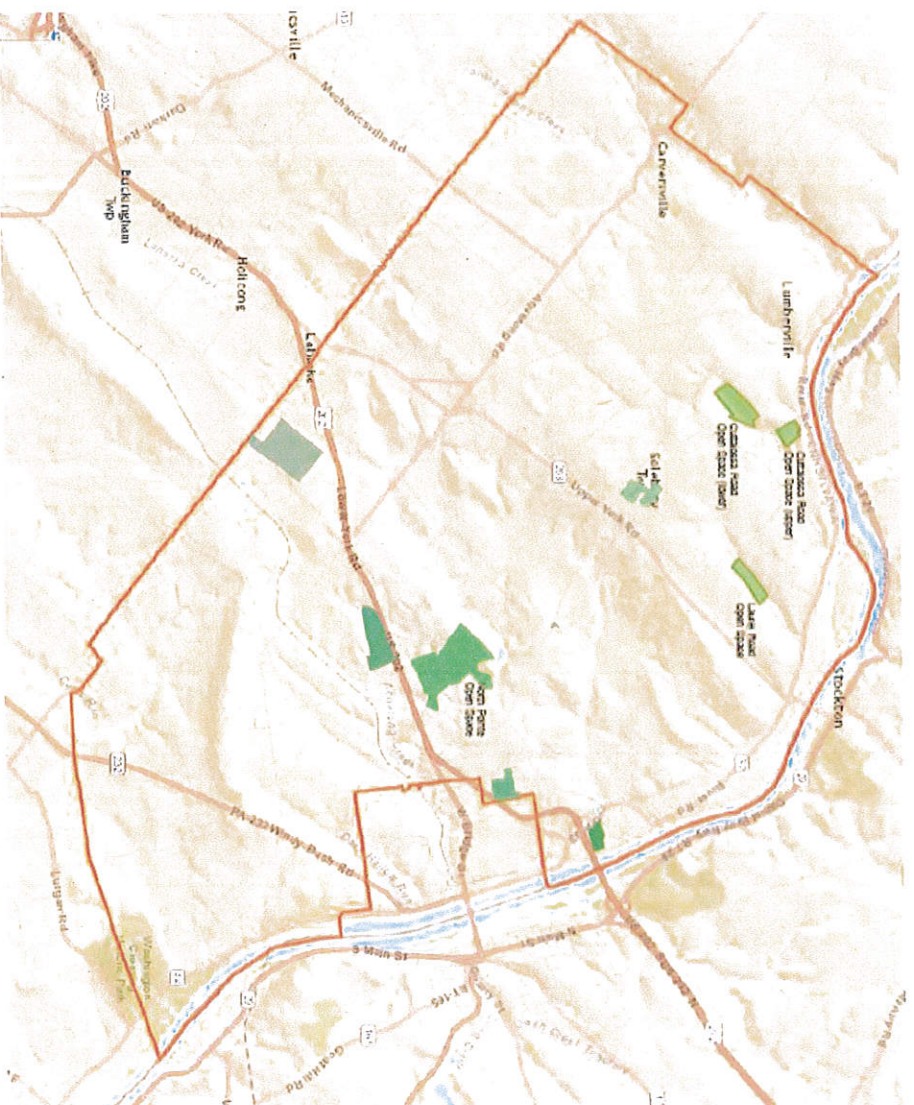
Potential Areas with Single Family Residents on lots <2 acres:

• Sunset	100 homes
• Chapel Road	20
• North Pointe	230
• Lumberville	50
• Carversville	30
• Hillside Drive	40
• Canal Walk	30



Wild Area Stewardship - Background

- The Township owns four properties that are designated as public open space preserves, depicted on the map below as the northern most properties (in green), as follows:
- Cuttalossa Road (upper) 22.95 acres
- Cuttalossa Road (lower) 17.68 acres
- Laurel Road 7.34 acres
- North Pointe 104.00 acres (Not evaluated due to hunting season)
- *Solebury Township Open Spaces and Parks (in green)*



Wild Area Stewardship – Background

Why Do Anything?

- The preserves are a natural resource to the community that were acquired using township funds but are not promoted or clearly designated by the township.
- The community may not be getting the most out of these open space properties.
- Without proper management the preserves will deteriorate and may become a hazard.
- Without an adopted management policy the preserves will be left to the vagaries of tactical decisions when issues arise.



Cuttalousa Road (Lower) Open Space

Wild Area Stewardship - Recommendations

ShortTerm

- Signage
 - Signs Identifying Preserve Name, Maps, Rules & Regulations, No Hunting, No Fishing.
- Property markers
- Guidelines for People Visiting Preserves
 - Rules & Regulations
 - Education & Historical Info
- Parking
- Interconnecting with State Game Lands
- Stream Naming
- Hazard trees
- Parks & Rec Mapping

Wild Area Stewardship - Recommendations

Towards A Longer Term Stewardship Program

We recommend that township consider a long term program of stewardship based on the Natural Lands Trust handbook, using either one of the properties as a pilot, or, due to their close proximity, for all three. This would include:

- Engage a forester (e.g. state forester), NRCS, and/or the Bucks County Conservation District
- Work with Bowman's Hill Wildflower Preserve to perform a plant stewardship index evaluation
- Work with Bucks County Audubon to seek ways to encourage and protect the migratory bird, insect and bat populations
- Seek partners (e.g. government agencies, non-profits such as watershed associations, Trout Unlimited, BCCD, Delaware Riverkeepers) to help study the properties, access grants for planting new trees with deer protection, clear invasive plants, restore native plant communities and establish a maintenance program to protect the plantings.
- Using Natural Lands Trust guidance, develop a formal stewardship plan and budget using insights gained from the experts noted above.
- Consider additional measures to control the deer population's impact on the forests, in cooperation with neighboring property owners.
- Consider whether additional stormwater management and agricultural best practice measures are needed within the respective watershed areas to reduce the impact of runoff.
- Adopt a policy to guide decisions for hazard tree removal, tree preservation and retention of trees with cavities and large, old trees.

Roadside Spraying - Background

- Residents have raised concerns about chemicals being sprayed along roadsides and utility lines.
- The product sprayed along the PECO ROW was reported to be **Garlon 3A**.
- The township followed up with Asplundh and they agreed to not spray near the firehouse or the well head for Bucks County Water and Sewer Authority. In addition, the township agreed to mow some of the area near the walking trail.
- Garlon 3A's warning label raises questions about whether this material should be sprayed in our community.

Roadside Spraying - Recommendations

What Actions Can Solebury Take?

- Ensure that residents are aware of the PA Hypersensitivity Registry and how to sign up.
- Work with the utilities and PennDOT to designate DO NOT SPRAY zones near schools, public buildings, waterways and other sensitive areas. We could look into some form of marker to ensure that spraying does not go near sensitive areas.
- Ensure that the township is given sufficient notice of spraying, and notify residents that the spraying will take place.
- Meet with Leslie Richards, Secretary of PennDOT, to see if Solebury could pilot alternatives to chemical herbicides.
- Experiment with Avenger or other non-toxic substances on township property.

2016 Priorities

- Derived from the Township's Comprehensive Plan
- Listed/ranked according to the priority voting of Board of Supervisors
- Items outside the purview of the EAC have been omitted
- Major issues and those that are politically sensitive will be "Board Lead," meaning EAC will consider specific recommendations under direct request from the Board.

Action Plan

Objective: What is the objective that this action plan addresses?	Address negative effects of deer overpopulation
Action Step/ Method What is the action that must be taken (e.g., Deploy team to reduce time for XYZ)	<ol style="list-style-type: none"> Determine appropriate goals for deer population (e.g., # deer / square mile for year 1, year 2, etc.) Review all current township deer study data, including meeting with Michael Kennerley Evaluate/research alternative approaches Investigate partnering opportunities, e.g., neighboring municipalities, county, PA game commission Develop recommendations with <u>multiple options</u> including pros & cons for each method as well as costs and funding sources Present recommendations to BOS
Targets: numerical targets, if applicable (e.g., from 9 weeks to 3 weeks)	Potential Measures <ul style="list-style-type: none"> Increase numbers of properties that participate in township program matching individual hunters with properties from X to Y Reduce deer population from X to Y / square mile Reduce deer-related auto accidents from X to Y Reduce deer-related agriculture losses from X to Y *actual numbers TBD
Responsible: Who is responsible for ensuring this item is completed?	BOS Sponsor: Helen? Lead: EAC Member
Support: What support is needed to complete this? (e.g., \$, people)	Michael Kennerley (he has already offered to help) to share previous learnings \$ for long-term solution How much will it cost?
Start (circle one)	Q1 Q2 Q3 Q4
Time to Complete (circle one)	30. Days 60 days 90 days >90 days

2016 Priorities

- Support Land Preservation efforts and promote sustainable agriculture (e.g. farmer's market)
- Quarry (BL)
- Fracking (BL)
- Deer
- Promote Renewable Energy
- Stormwater Outreach & Education
- Encourage Bicycling & Walking including infrastructure
- Reduce solid waste and encourage recycling
- Encourage no mow, native plantings, basin maintenance, scenic & riparian buffers
- Road salt alternatives

2016 Priorities

Create an EAC Facebook page – pending board approval

- Increase public awareness of environmental issues and events in and around Solebury.
- Advertise events such as Solebury Day, community clean-up efforts, etc.
- Garner public feedback and opinion to inform our future priorities.
- Content would be restricted to informational posts and questions, both to the public and from the public (polls, etc.)
- Someone from the EAC would monitor and maintain the page to provide content, respond to inquiries, approve posts from third parties and police the comments for inappropriate content.