

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

August 14, 2018 – 7:00 P.M.

Solebury Township Hall

MINUTES

Attendance: Mark Baum Baicker, Chair, Kevin Morrissey, Vice-Chair, Robert McEwan, Noel Barrett, John S. Francis, Dennis H. Carney, Township Manager, Michele Blood, Finance Director/Treasurer, and Catherine Cataldi, Secretary. Jordan Yeager, Solicitor and Curt Genner, Township Engineer were also in attendance.

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

Audio recording device was then turned on.

II. Approval of Bills Payable – August 2, 2018

Res. 2018-97 – Upon a motion by Mr. Morrissey, seconded by Mr. McEwan, the list of Bills Payable dated August 2, 2018, were unanimously approved as prepared and posted.

III. Announcements/Resignations/Appointments

• Executive Session

The Board announced an executive session held on August 14, 2018, prior to the meeting, dealing with Laborer Issues.

• Resignation of Jacqui Griffith from Land Preservation Committee

Mr. Baum Baicker announced the Resignation of Jacqui Griffith from the Land Preservation Committee.

Res. 2018-98 – Upon a motion by Mr. Barrett, seconded by Mr. McEwan, the resignation of Jacqui Griffith from the Land Preservation Committee was unanimously accepted.

• Resignation of Art Ross from Land Preservation Committee

Mr. Baum Baicker announced the Resignation of Art Ross from the Land Preservation Committee.

Res. 2018-99 – Upon a motion by Mr. Barrett, seconded by Mr. McEwan, the resignation of Art Ross from the Land Preservation Committee was unanimously accepted.

• Resignation of Edward Benson from Zoning Hearing Board

Mr. Baum Baicker announced the Resignation of Edward Benson from the Zoning Hearing Board.

Res. 2018-100 – Upon a motion by Mr. Francis, seconded by Mr. McEwan, the resignation of Edward Benson from the Zoning Hearing Board was unanimously accepted.

Mr. Yeager informed Ms. Zietchick that the property needs to be a minimum of 10 acres to be considered a farm.

Res. 2018-102 – Upon a motion by Mr. Morrissey, seconded by Mr. McEwan, it was unanimously agreed to send the Agricultural Use Ordinance to the Solebury Township and Bucks County Planning Commissions.

2018 Budget Amendment

In accordance with the Second Class Township Code, Section 3202(f), Township Administration recommended that the Board approve the proposed budget amendment as detailed below:

1. Increase in General Fund revenues by \$101,996 and increase expenses by \$116,668; the net result is a \$14,672 decrease in the General Fund Reserve Balance. The additional expense is a minor draw down on the reserve balance.
2. The balance of the budget amendments are either decreases to a fund balance, or no net change; just changes to certain line items that create a wash. Funds are listed below:

○ Park & Recreation Fund – 03	\$ 2,100
○ Capital Projects – 20	\$205,273
○ Capital Equipment – 22	\$ 11,050
○ Park Capital – 24	\$ 8,802
○ Land Preservation – 25	\$ 3,290
○ Debt Service – 31	(\$7,000)

Res. 2018-103 – Upon a motion by Mr. McEwan, seconded by Mr. Morrissey, it was unanimously agreed to approve the 2018 Budget Amendment as documented.

Discussion on Ash Trees at Aquetong Park – Discussion to Add Removal Costs to the 2019 Budget

Curt Genner provided an update on the diseased Ash and Walnut trees at Aquetong Spring Park. Mr. Genner reviewed the Forester's report for the entire park and outlined the recommendations. Part of the Forester's recommendation is to remove 1230 diseased trees consisting of diseased Ash, Walnut and non-native trees. This will leave only healthy trees to seed for long term replanting. The Board and Residents inquired about: preventing erosion; evaluation of chemical treatment; grants the Township has or may apply for; and uses for the trees being removed.

The Administration is to get a summary of the 200 page report to share with residents.

Res. 2018-104 – Upon a motion by Mr. Morrissey, seconded by Mr. McEwan, it was unanimously agreed to add the tree removal costs to the 2019 Budget.

X. Subdivisions/Land Developments

Wolk Construction Escrow Release

The Township Engineer has reviewed the requested release and has confirmed that the improvements required in connection with the subdivision known as Giuliano Subdivision Lot 5 have been completed to the extent that Thirty Thousand One Hundred Sixty-Nine 68/100 Dollars (\$30,169.68) can be released from the escrow fund held by the Township.

Res. 2018-105 – Upon a motion by Mr. McEwan, seconded by Mr. Barrett, it was unanimously agreed to authorize the release of escrow funds in the amount of Thirty Thousand One Hundred Sixty-Nine 68/100 Dollars \$30,169.68 as approved by the Township Engineer for costs associated with the Giuliano Subdivision Lot 5.

XI. Public Comment

- Andrea Hansen, resident, expressed concerns about the propane tank installed at 3764 Aquetong Road. Mr. Carney and Mr. Yeager are to look into the concerns and make sure all requirements were met.

XII. Adjournment

The meeting was adjourned at 7:47 p.m.

Respectfully submitted,
Catherine Cataldi
Secretary

ORDINANCE NO. ⁰⁰⁷~~2018-066~~

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA AMENDING THE
SOLEBURY TOWNSHIP CODE OF ORDINANCES TO
ADD ASSOCIATE COMMITTEE MEMBERS TO THE
PLANNING COMMISSION, PARKS AND RECREATION
BOARD, HISTORICAL ARCHITECTURAL REVIEW
BOARD AND THE FARM COMMITTEE**

WHEREAS, the Municipalities Planning Code (“MPC”) at Section 201 provides that Solebury Township may establish a Planning Commission (53 P.S. §10201) and Solebury Township Code at Section 1-201, provides for a Planning Commission in accordance with the MPC;

WHEREAS, Section 203(e) of the Municipalities Planning Code authorizes the Township to appoint alternative members to the Planning Commission (53 P.S. §10203);

WHEREAS, Section 1527 (53 P.S. §66527) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Solebury Township (the “Board of Supervisors”) include the ability to secure the safety of persons or property within the Township;

WHEREAS, Section 67204 of the Pennsylvania Second Class Township Code provides that the Board of Supervisors may establish a Parks and Recreation Board; and

WHEREAS, Solebury Township established a Parks and Recreation Board with nine (9) members pursuant to Chapter 1, Part 2.C of the Solebury Township Code of Ordinances;

WHEREAS, Solebury Township established a Farm Committee pursuant to Chapter 1, Part 2.D of the Solebury Township Code of Ordinances to provide, among others things, information to local farmers, residents and the Township committees about the benefits of balancing agricultural and other uses;

WHEREAS the Township established a Historical Architectural Review Board pursuant to Chapter 11 of the Solebury Township Code of Ordinances, which is to include members with a demonstrated interest in and knowledge of historic preservation;

WHEREAS, the Township desires to establish nonvoting associate committee members for the Parks and Recreation Board, the Farm Committee and the Historical Architectural Review Board and alternate members of the Planning Commission;

WHEREAS, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. §66601); and

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Pennsylvania law;

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, that the Solebury Township Code of Ordinances is **AMENDED** as follows:

I. In Chapter 1, Part 2, 1-ADD to §1-201 the following subsection:

- C. The Board of Supervisors may appoint up to three (3) alternate members of the Planning Commission in accordance with the requirements of Article II of the Municipalities Planning Code, 53 P.S. §10203(e).

II. In Chapter 1, Part 2.C:

A. ADD to Section 1-223 a Subsection Heading "A" before the existing paragraph and ADD the following Subsection B:

B. Associate members. The Board of Supervisors may appoint up to three (3) nonvoting associate members to the committee to serve a one-year term. Associate members shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law, but shall not have the right to vote. Associate members shall serve their full term unless voluntarily resigned or removed by the Board of Supervisors and may be reappointed at the Board's discretion to additional terms. Associate members shall not count as members of the Parks and Recreation Board for purposes of meeting the nine-person requirement in 53 P.S. §67204 and Section 1-221 of this Part. Associate members shall abide by the Township's Ethics Policy.

B. Section 1-222, ADD after the existing paragraph, the following sentence:
"Associate members are not entitled to be reimbursed for expenses incurred in performing their duties."

III. In Chapter 1, Part 2. D:

A. In Section 1-232 ADD a Subsection Heading "A" before the existing paragraph and ADD the following Subsection B:

B. Associate members. The Board of Supervisors may appoint up to three (3) nonvoting associate members to the committee to serve a one-year term. Associate members shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law, but shall not have the right to vote. Associate members shall serve their full term unless voluntarily resigned or removed by the Board of Supervisors and may be reappointed at the Board's discretion to additional terms. Associate members shall not count as members of the Farm Committee for purposes of the seven-person maximum. The

majority of associate members shall be involved in agriculture. Associate members shall abide by the Township's Ethics Policy.

B. Section 1-222, ADD after the existing paragraph, the following sentence:
"Associate members are not entitled to be reimbursed for expenses incurred in performing their duties."

IV. ADD to Chapter 11, Section 11-104.1 regarding the Historical Architectural Review Board the following:

E. The Board of Supervisors may appoint up to three (3) nonvoting associate members to the Board to serve a one-year term. The associate members shall be entitled to participate in all proceedings and discussions of the Board to the same and full extent as provided by law, but shall not have the right to vote. Associate members shall either be registered architects, licensed real estate brokers, building inspectors, reside in a historic district, or otherwise qualified as determined by the Board of Supervisors. Associate members may not serve as HARB designees for purposes of the fast-track applications.

F. Associate members shall serve their full term unless voluntarily resigned or removed by the Board of Supervisors. Associate members may be reappointed to additional terms at the discretion of the Board. The position of any associate member of the Board residing in Solebury Township at the time of his appointment who thereafter moves his residence from the Township shall automatically be vacant.

V. Partial Repealer

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

VI. Severability

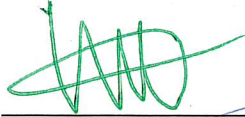
The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Township Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

VII. Effective Date

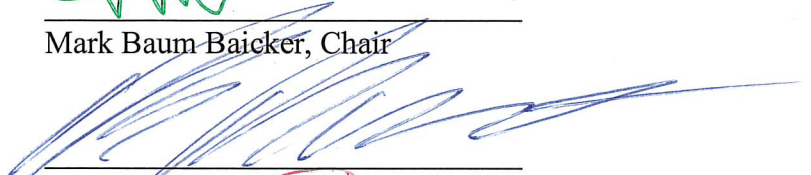
All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

ORDAINED AND ENACTED this 14th day of August, 2018.

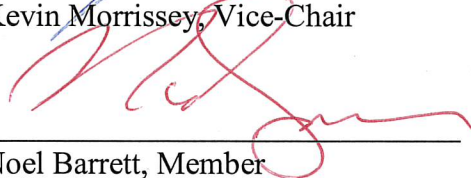
BOARD OF SUPERVISORS OF SOLEBURY
TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA



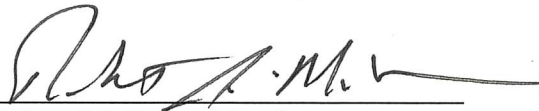
Mark Baum Baicker, Chair



Kevin Morrissey, Vice-Chair



Noel Barrett, Member

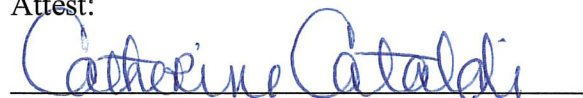


Robert McEwan, Member



John S. Francis, Member

Attest:



Catherine Cataldi, Township Secretary