

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

February 20, 2018 – 7:00 P.M.

Solebury Township Hall

MINUTES

Attendance: Helen Tai, Chair, Mark Baum Baicker, Vice-Chair, Noel Barrett, Robert McEwan, Dennis H. Carney, Township Manager, and Catherine Cataldi, Secretary. Jordan Yeager, Solicitor and C. Robert Wynn, Township Engineer were also in attendance

Absent: Kevin Morrissey

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 – February 15, 2018

Res. 2018-30 – Upon a motion by Mr. Baum Baicker, seconded by Mr. McEwan, the list of Bills Payable dated February 15, 2018 was unanimously approved as prepared and posted.

III. Approval of Minutes – February 6, 2018

Res. 2018-31 – Upon a motion by Mr. Baum Baicker, seconded by Mr. McEwan, the Minutes of the February 6, 2018 meeting was unanimously approved.

IV. Announcements/Resignations/Appointments

• Appointment of the Township Labor Counsel

The Board, Administration and Chief Bellizzie reviewed proposals, interviewed applicants and worked together to determine the best Labor Counsel for Solebury Township.

Res. 2018-32 Upon a motion by Mr. Barrett, seconded by Mr. Baum Baicker it was unanimously agreed to appoint John P. McLaughlin, Esquire of Campbell Durrant Beatty Palombo & Miller, P.C. as Township Labor Counsel.

- Ms. Tai made an announcement regarding the extended hunting season. Solebury Township has been working to develop an effective Deer Management Program. With help from Senator McIlhinney, the PA Game Commission approved Solebury Township for the Deer Control Agricultural Red Tag hunting program. The Red Tag program extends the hunting season until September 23, 2018. Hunting is permitted until September 28th. From dawn to dusk with the following exceptions:
 - No hunting is permitted on Sundays
 - No hunting is permitted from May 16th to June 30th inclusive, during fawning season.

Ms. Tai announced that the Deer Management Program is not successful without properties to hunt on. Any resident that is interested in enrolling their property in Solebury Township's Deer Management Program is to contact Catherine Cataldi at ccataldi@soleburytwp.org or 215-297-5656.

V. Supervisors Comment – No Supervisor comment

VI. Public Comment

- Ms. Tai announced that public comment would be heard after the Board executed the agenda.

VII. Presentations - No Presentations

VIII. Public Hearing – No public hearing took place

IX. Old Business

Adopt - Speed Limit on Creamery and Greenhill Roads Ordinance

The proposed ordinance amends the Solebury Township Code of Ordinances, Chapter 15 Section 201 to reduce the speed limit on Creamery Road to 25 mph from 35 mph and on Greenhill Road to 35 mph from 40 mph.

Res. 2018-33 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Barrett, it was unanimously agreed to adopt the Speed Limit Ordinance to reduce the speed limit on Creamery and Greenhill Roads as follows:

- Creamery Road speed limit reduced to 25 mph from 35 mph
- Greenhill Road speed limit reduced to 35 mph from 40 mph

Adopt – Brake Retarders Prohibited on Certain Roads Ordinance

The proposed ordinance amends the Solebury Township Code of Ordinances Chapter 15 to ADD Section 314 to prohibit brake retarders on certain roads; including portions of Lower York Road (State Road 202) North and South bound and establish a fine for violation of the prohibition.

Res. 2018- 34 – Upon a motion by Mr. Barrett, seconded by Mr. Baum Baicker, it was unanimously agreed to adopt the Brake Retarder Prohibited Ordinance to prohibit brake retarders on certain roads; including portions of Lower York Road (State Road 202) North and South bound and establish a fine for violation of the prohibition.

X. New Business

Authorization for the Township Engineer to Submit Notice of Intent

The Municipal Separate Storm Sewer System (MS4) permit requires Solebury Township to submit a Notice of Intent for continued permit coverage of the Stormwater Natural Pollutant Discharge Elimination System program.

Res. 2018-35 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Barrett it was unanimously agreed to authorize the submission of Notice of Intent by the Township Engineer.

Authorization to Bid – Road Program

The Township's Road Program for 2018 included Sugan Road from Phillips Mill Rd to State Road (SR) 202 and Sawmill Road from Aquetong Road to Street Road. The Administration recommended that the Board add Creamery Road from 263 to the S bend, due to the damage it endured with the detour. The Administration also recommended that Sугan Road from Phillips Mill Road to SR 202 be modified to Sугan Road from Phillips Mill Road to Kitchens Lane.

Res. 2018-36 Upon a motion by Mr. McEwan, seconded by Mr. Baum Baicker the Board authorized to bid the 2018 Road Program as noted below:

- **Sugan Road from Phillips Mill Road to Kitchens Lane**
- **Sawmill Road from Aquetong Road to Street Road**
- **Creamery Road from 263 to the S Bend (Bid Alternate)**

Authorization to Sell on Muncibid – Equipment Trailer

The Administration requested the Board for authorization to sell the 1991 20 Ton Eager Beaver Trailer on Muncibid.

Res. 2018-37 – Upon a motion by Mr. Baum Baicker, seconded by Mr. McEwan, it was unanimously agreed to authorize the Administration to sell the 1991 20 Ton Eager Beaver Trailer, Vin # 112HMY287ML038422, 39119 MG on Muncibid.

Authorization to Sell on Muncibid – Brush Chipper

The Administration requested the Board for authorization to sell the 1988 Morbark Chipper on Muncibid.

Res. 2018-38 – Upon a motion by Mr. McEwan, seconded by Mr. Barrett, it was unanimously agreed to authorize the Administration to sell the 1988 Morbark Chipper, VIN # 4673, 40121 MG on Muncibid.

XI. Subdivisions/Land Developments

XII. Public Comment

Ms. Tai opened the floor to the residents and sports members who attended the meeting to express their concerns and/or agreement with the non-resident fee of \$50.00 per child with a maximum of \$150.00 per family per year for field sports that was adopted at the February 6, 2018 Board of Supervisor Meeting.

Members of the sports organizations and residents expressed concern that the additional fees would create a financial hardship on non-residents, resulting in a decrease in the numbers of participants. A decrease in enrollment would harm the sports programs as there may not be enough participants to form the teams.

Other residents expressed gratitude that the Board of Supervisors are focused on ensuring Solebury Township taxpayers are not paying more than their fair share.

The Board members reiterated their support for Solebury's Park & Recreation program. At the same time, they have a responsibility to safeguard how Solebury Township's taxpayers' money is spent. Solebury Board members remain open to proposals from New Hope and are hopeful that this will be a short-term measure.

Supervisors Mark Baum Baicker and Noel Barrett agreed to meet with the heads of the sports organizations. At the meeting they will go over the information that helped Solebury Township arrive at the updated agreement that was submitted to New Hope Borough Council.

The heads of the sports organizations agreed to ask their members for help to petition the New Hope Borough Council to meet with Solebury Township to come to an equitable resolution.

Res. 2018-39 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Barrett, it was unanimously agreed to waive the non-resident fee for those with financial hardship. The heads of the sports organizations agreed to help ensure that this waiver is not abused.

XIII. Adjournment

Res. 2018-40 –The meeting was adjourned at 8:23 p.m.

Respectfully submitted,
Catherine Cataldi
Secretary

ORDINANCE NO. 2018-002

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA AMENDING THE
SOLEBURY TOWNSHIP CODE OF ORDINANCES
CHAPTER 15 SECTION 201 TO REDUCE THE SPEED
LIMIT ON CREAMERY ROAD AND GREENHILL ROADS**

WHEREAS, Section 1527 (53 P.S. Section 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 and property within the Township;

WHEREAS, the Pennsylvania Vehicle Code provides that altering speed limits is presumed to be a reasonable exercise of police power by local authorities. 75 Pa.C.S.A. § 6109(a)(10);

WHEREAS, the Pennsylvania Department of Transportation conducted an engineering and traffic study on Greenhill Road (also known as State Route 1007) and issued Permit No. 361334 to the Township in connection with lowering the speed limit to 35 miles per hour;

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);

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 Chapter 15 of the Solebury Township Code of Ordinances is **AMENDED** as follows:

I. AMEND Section 15-201 as follows:

A. STRIKE the reference to "35 mph" for Creamery Road Maximum Speed Limit and **REPLACE** it with "25 mph"; and

B. STRIKE the reference to "40 mph" for Greenhill Road Maximum Speed Limit and **REPLACE** it with ""35 mph" so that the entries appear as follows:

Street	Location	Maximum Speed Limit
Creamery Road	Entire Length	25 mph
Greenhill Road	Entire Length	35 mph

II. 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.

III. Severability

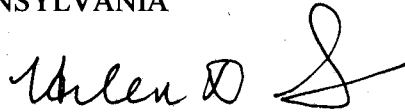
The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, 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.

IV. Effective Date

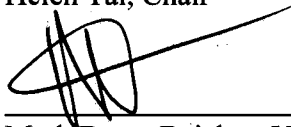
All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

ORDAINED AND ENACTED this 20th day of February, 2018.

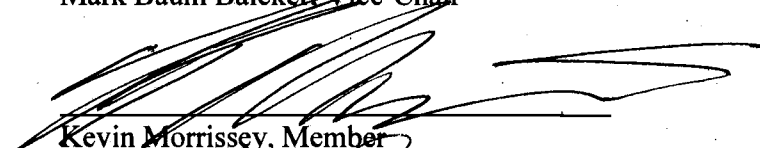
BOARD OF SUPERVISORS OF SOLEBURY
TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA



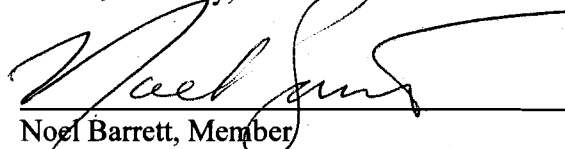
Helen Tai, Chair



Mark Baum Baicker, Vice-Chair



Kevin Morrissey, Member



Noel Barrett, Member



Robert McEwan, Member

Attest:

Catherine Cataldi
Catherine Cataldi, Township Secretary

ORDINANCE NO. 2018-003

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA AMENDING THE
SOLEBURY TOWNSHIP CODE OF ORDINANCES
CHAPTER 15 TO ADD SECTION 314 TO PROHIBIT
BRAKE RETARDERS ON CERTAIN STREETS,
INCLUDING PORTIONS OF LOWER YORK ROAD
NORTH AND SOUTHBOUND AND ESTABLISH A FINE
FOR VIOLATION OF THE PROHIBITION**

WHEREAS, Section 1527 (53 P.S. Section 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, the Pennsylvania Vehicle Code at Title 75, Section 4103 provides the Pennsylvania Department of Transportation has the authority to regulate vehicle equipment and any municipality seeking to prohibit engine brake retarders must obtain Pennsylvania Department of Transportation approval to enact such a prohibition by ordinance;

WHEREAS, the Pennsylvania Department of Transportation conducted an on-site survey and approved a request for a brake retarders prohibition and signage on portions of Lower York Road;

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 Chapter 15 of the Solebury Township Code of Ordinances is **AMENDED** as follows:

I. ADD to Chapter 15, Motor Vehicles, a new section, Section 15-314 as follows:

§ 15-314. Brake Retarders Prohibited on Certain Streets

It shall be unlawful for any person to use brake retarders while operating any truck, which shall mean a motor vehicle designed, used or maintained primarily for the transportation of property, freight or merchandise, upon any of the following streets, or portions thereof, as herein designated:

Street	Between	Direction of Travel
Lower York Road (SR 202)	Street Road and a point 1120 feet north of the intersection with Arboresque Drive	Northbound
Lower York Road (SR 202)	The point beginning 200 feet south of the intersection with Upper Mountain Road and continuing southbound for 670 feet after Rodeo Drive	Southbound

Any person who shall violate any provision of this section, shall, upon conviction thereof, be sentenced to pay a \$25 fine, together with the costs of prosecution. In addition, Solebury Township may institute an action for injunctive relief to prohibit or abate any activity in violation of the provisions of this article when repeated violations by the same person, firm, corporation or organization occur.

II. 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.

III. Severability

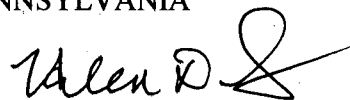
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IV. Effective Date

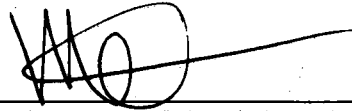
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ORDAINED AND ENACTED this 20th day of February, 2018.

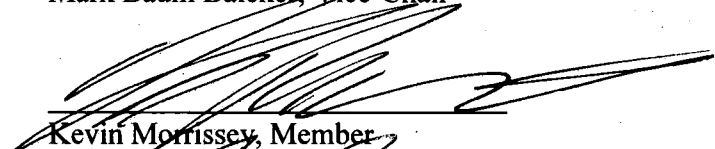
BOARD OF SUPERVISORS OF SOLEBURY
TOWNSHIP, BUCKS COUNTY,
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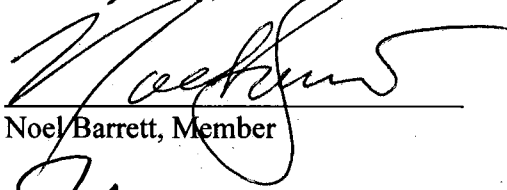
Helen Tai, Chair



Mark Baum Baicker, Vice-Chair



Kevin Morrissey, Member



Noel Barrett, Member



Robert McEwan, Member

Attest:



Catherine Cataldi, Township Secretary