

**SOLEBURY TOWNSHIP BOARD OF SUPERVISORS**

January 21, 2020 – 6:00 P.M.

**Solebury Township Hall**

**MEETING MINUTES**

Attendance: Mark Baum Baicker, Chair, Kevin Morrissey, Vice-Chair, Robert McEwan, Noel Barrett, John S. Francis, Dennis H. Carney, Township Manager, Michele Blood, Assistant Manager, and Catherine Cataldi, Secretary. Curt Genner, Engineer and Mark L. Freed, Solicitor 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 – December 12, 2019, January 3, 2020, and January 16, 2020**

**Res. 2020-22 – Upon a motion by Mr. Morrissey, seconded by Mr. McEwan, the list of Bills Payable dated December 12, 2019, January 3, 2020, and January 16, 2020 were unanimously approved as prepared and posted.**

**III. Approval of Minutes – December 10, 2019 Budget Meeting and January 6, 2020 Reorganization Meeting**

**Res. 2020-23 – Upon a motion by Mr. Francis, seconded by Mr. McEwan, the Minutes of the December 10, 2019 Budget meeting and January 6, 2020 Reorganization meeting were unanimously approved as written and posted.**

**IV. Announcements/Resignations/Appointments**

- Executive Session

The Board announced an executive session held on Thursday, January 9, 2020 following the Work Session, dealing with governance and legal.

The Board announced an executive session held on Tuesday, January 14, 2020 dealing with Committee appointments.

The Board announced an executive session held on Tuesday, January 21, 2020 prior to the meeting dealing with land preservation, zoning, and legal.

- Appointment of Douglas Shaw to the Environmental Advisory Council

**Res. 2020-24 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Barrett, it was unanimously agreed to appoint Douglas Shaw, Solebury resident, without compensation, to the Environmental Advisory Council for the term ending December 31, 2022.**

- Appointment of James Mansfield to the Environmental Advisory Council

**Res. 2020-25 – Upon a motion by Mr. Morrissey, seconded by Mr. McEwan, it was unanimously agreed to appoint James Mansfield, Solebury resident, without compensation, to the Environmental Advisory Council for the term ending December 31, 2022.**

- Appointment of Elaine Crooks as Associate Member to the Land Preservation Committee  
**Res. 2020-26 – Upon a motion by Mr. Morrissey, seconded by Mr. McEwan, it was unanimously agreed to appoint Elaine Crooks, Solebury resident, without compensation, as Associate Member to the Land Preservation Committee for the term ending December 31, 2020.**

- Appointment of Lars Crooks to the Deer Management Committee  
**Res. 2020-27 – Upon a motion by Mr. Francis, seconded by Mr. McEwan, it was unanimously agreed to appoint Lars Crooks, Solebury resident, without compensation, to the Deer Management Committee.**

- 2019 Accomplishments  
The Board read highlights of the accomplishments for 2019 (copy of which is attached).

**V. Supervisors Comment – No Supervisors Comment**

**VI. Public Comment**

- Melvin Band, resident, suggested that Solebury Township Board of Supervisors work with New Hope Borough Council and attend School Board meetings. Mr. Baum Baicker asked if Mr. Band expressed his interests to the School Board. Mr. Band informed the Board that he has expressed his interests. Mr. Baum Baicker commented on the New Hope-Solebury Joint Committee which met with the School District and is currently accessing what is going on.

**VII. Public Hearing**

HARB – Certificate of Appropriateness – Susan Annenberg (TMP # 41-030-004, 2620 River Road)

Upon a Motion by Scott Minnucci, seconded by Marnie Newman, it was agreed to recommend issuance of a Certificate of Appropriateness to TMP # 41-030-004, 2620 River Road, to replace existing fencing in disrepair and install a custom made cypress wood fence that will be 48 inches high, 3-3/4 inch wide slats spaced ½ inch apart, gate width to be 3 feet wide, fence post dimensions to be 4" x 4" and not to exceed 53 inches in height and spacing of posts to be 8' to 10'. The fence is proposed to be 43 feet long and run north to south direction from the southeast corner of the house along the canal side. The fence will be painted with Benjamin Moore North Star 288 White. Hardware for the gate will be Everbilt 8" x 5.5" black heavy-duty decorative tee hinge and an Everbilt black heavy-duty gate latch.

**Res. 2020-28 – Upon a motion by Mr. Morrissey, seconded by Mr. McEwan, it was unanimously agreed to issue a Certificate of Appropriateness to TMP # 41-030-004, 2620 River Road as recommended by the Historical Architectural Review Board. Issuance of the Certificate of Appropriateness does not relieve the applicant from obtaining any and all applicable permits prior to commencement of work.**

HARB – Certificate of Appropriateness – Robert Stein (TMP # 41-004-003, 6151 Carversville Road)

Upon a Motion by Larry Peseski, seconded by Marnie Newman, it was agreed to recommend issuance of a Certificate of Appropriateness to TMP # 41-004-003, 6151 Carversville Road, for the installation of hand railings on the property. Two hand railings to be installed on either side of the front entry way to the house; one hand railing to be installed at the stairs leading down to the patio; one hand railing to be installed at the lower school house stairs and then one hand railing to be installed at the upper school house stairs as per submitted drawings. The railings will be 1-1/2" round steel with a natural oil finish.

**Res. 2020-29 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Barrett, it was unanimously agreed to issue a Certificate of Appropriateness to TMP # 41-004-003, 6151 Carversville Road as recommended by the Historical Architectural Review Board. Issuance of the Certificate of Appropriateness does not relieve the applicant from obtaining any and all applicable permits prior to commencement of work.**

#### **VIII. Subdivision/Conditional Uses/Land Developments**

Planning Commission – Minor Subdivision Application – Farbotnik Tract (TMP # 41-001-027-001 & 41-001-027-002, 3447 Street Road)

The applicant is proposing a minor two (2) lot subdivision on tax map parcel numbers 41-001-027-001 and 41-001-027-002.

**Res. 2020-30 – Upon a motion by Mr. Baum Baicker, seconded by Mr. McEwan, it was unanimously agreed to approve a conditional approval of the Farbotnik Minor Subdivision Plan (Plan No. 19-604) dated November 8, 2019, and prepared by Gilmore and Associates, Inc. The approval is conditional upon full compliance with comments and recommendations (unless modified herein) as identified by:**

- 1. Items 3 thru 24 of C. Robert Wynn Associates (Township Engineer) review memorandum (dated December 24, 2019).**
- 2. McMahan Associates, Inc. (Traffic Engineer) review memorandum (dated December 19, 2019).**
- 3. Simone Collins (Landscape Consultant) review memorandum (dated January 7, 2020).**
- 4. Items 1, 3, and 6 thru 9 of Tackett Planning, Inc. (Zoning Officer) review memorandum (dated December 31, 2019).**
- 5. Dudley Rice (Director of Parks and Recreation) review memorandum (dated January 7, 2020).**

**Res. 2020-31 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to approve the modification/waiver items 1A thru 1C (excluding structures/pipes in the right-of-way) and Item 2, as indicated in December 24, 2019 memorandum from C. Robert Wynn Associates, Inc.**

#### **IX. Old Business**

Land Preservation – Amendment to Settlement Stipulation and Conservation Easement – Scannapieco Holding Company, LLC (TMP # 41-036-115, 41-036-116, 41-036-117, and 41-036-117-001, 600 South River Road)

**Res. 2020-32 – Upon a motion by Mr. Francis, seconded by Mr. McEwan, it was unanimously agreed to execute the First Amendment to Settlement Stipulations and Grant of Conservation Easement and Declaration of Covenants for Scannapieco Holding Company, LLC (TMP # 41-036-115, 41-036-116, 41-036-117, and 41-036-117-001, 600 South River Road).**

Library – Discussion on Funding

Discussion ensued between the Board. Topics discussed include: support of an increase in funding; the Library's Bylaws; feedback from residents; lack of written agreement between the Township and the Library; Township contributions made to date; the Library's Management Plan; and the development of a Library Task Force for Solebury Township.

Barbara Zietchick, resident, expressed gratitude to the Board of Supervisors. Ms. Zietchick commented on the Library's parking and safety issues at the existing location. Mr. Zietchick expressed interest in a new location.

Melvin Band, resident, questioned what the status was regarding a property located across from the School, that was previously discussed as a new location for the Library. Mr. Baum Baicker advised Mr. Band that he would have to discuss that with the Library. Mr. Band commented on his experiences at the Library and the Library staff.

Louis Muzekari, resident, questioned the length of time set for the Library Task Force. Mr. Baum Baicker commented that the task force has until June 30, 2020.

Mr. McEwan commented on the State Statute regarding the Library's reporting requirements.

**Res. 2020-33 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to establish the Library Task Force, to be made up of an undetermined number of Board members and residents, to approach the structure of the relationship between the Library and Solebury Township, and make recommendations for what should be incorporated into a written agreement. The committee term expiration date is June 30, 2020.**

#### Sign Ordinance – Discussion

Discussion ensued between the Board, Mr. Carney, and Mr. Freed. Topics of discussion included: Types of signs; size limits; enforcement; changes to the existing ordinance; and a timeframe for the new ordinance.

Ms. Zietchick questioned if the Township is able to regulate where a sign can be placed. Mr. Freed stated yes. Ms. Zietchick questioned who removes non-compliant signs and the associated penalties.

Keith Deussing, resident, expressed interest in enforcement regulations being determined and incorporated in the new ordinance. Mr. Deussing commented on political signs that block the intersections.

Mr. Zietchick questioned if Pennsylvania's new sign law was a freedom of speech issue. Mr. Baum Baicker and Mr. Freed stated yes.

**Res. 2020-34 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to send the draft ordinance, in its current form, to the Planning Commission for input prior to it going back to the Township Solicitor for further work.**

#### Groundwater Study – Discussion

Discussion ensued between the Board regarding the groundwater along the 202 Corridor. Topics of discussion include: the concerns expressed by residents; studies previously conducted; data received; analysis of data; and future studies.

**Res. 2020-35 – Upon a motion by Mr. Morrissey, seconded by Mr. Baum Baicker, it was unanimously agreed to authorize the Township Manager to implement the UHL & Associates October 31, 2019 proposal.**

**Motion Passed 3-2**

**In Favor: Mr. Baum Baicker, Mr. Morrissey, and Mr. Barrett**

**Opposed: Mr. McEwan and Mr. Francis**

#### **X. New Business**

Zoning Hearing Board Application – Authorization for Solicitor to Attend – Kenneth J & Kathryn A Dominski

**Res. 2020-36 – Upon a motion by Mr. Baum Baicker, seconded by Mr. McEwan, it was unanimously agreed to authorize the Township Solicitor to attend the Zoning Hearing Board hearings to represent the Board of Supervisors’ interests regarding Kenneth J & Kathryn A Dominski’s application for appeal from the Zoning Officers zoning determination dated December 16, 2019 and requested variance from Section 27-2510.5 B (3).**

Resolution to Authorize Dennis H. Carney and Michele Blood to sign Aquetong Spring Park Trail Documents

The resolution (copy of which is attached) authorizes Dennis H. Carney, Township Manager and Michele Blood, Assistant Manager to sign documents associated with the Aquetong Spring Park Trail Grant.

**Res. 2020-37 – Upon a motion by Mr. Morrisey, seconded by Mr. McEwan, it was unanimously agreed to approve the resolution to authorize Dennis H. Carney and Michele Blood to sign Aquetong Spring Park Trail grant documents.**

Authorization to File Suit and Any Other Required Actions

**Res. 2020-38 – Upon a motion by Mr. McEwan, seconded by Mr. Francis, it was unanimously agreed to authorize the Township Solicitor to file suit and take any other required actions associated with damage done to McNeil Road Bridge.**

**XI. Public Comment – No Public Comment**

**XII. Adjournment**

The meeting was adjourned at 7:56 p.m.

Respectfully submitted,  
Catherine Cataldi  
Secretary

## Solebury Township Achievement Summary – 2019

During 2019, the Solebury Board of Supervisors addressed over 160 issues. Many of these topics required extensive meetings and analysis. In addition, all Supervisors are liaison to one or more Township Committees which in total meet at least 60 times a year. Lastly, the Township Administration provides the valuable service of addressing many communities matters daily as well as coordinating the decisions made by the Board of Supervisors.

The following list is a highlight of these activities for 2019.

**New Hope Crushed Stone Quarry** – Mining has ceased. Reclamation is continuing in areas regarding the water inlet and outlet of the raising lake, berms are being sloped and foliage is being planted. Primrose Creek restoration is nearing completion. Eventual lake water level is to be determined.

**Farming Forum** – The Solebury Farm Committee developed “Cultivating a Sustainable Community: Agriculture’s Role in Achieving Solebury Township’s Community Goals” forum. Local farmers, as well as other farm experts presented and coordinated a discussion regarding this important topic.

**Farms** – Through the Farm Committee, the Township continues to review approaches to support farms in the community including streamlining the process to review the appropriateness of passive green houses on farms. An ongoing project is to develop a program to introduce farmers to land owners interested to have a portion of their acreage farmed.

**Plastics** – The Township through the Environmental Advisory Council has continued to review the use of single use plastics in the community. Their analysis and extensive community communications addressed a variety of issues including the temporary State ban on regulating such activity. The BOS has encouraged state representatives to be involved with this issue. The Township will continue to evaluate options regarding this matter.

**Roads** – The Township continued the roadway upgrade schedule, for 2019 the following roads were repaved: Sugan Road from Mechanicsville Road to Kitchens Lane, Shetland Road, Sheffield Road, High Ridge Circle. This amounts to 3 miles of improved roadways. One of our Supervisors, our Township manager, State Rep. Wendi Thomas and representatives from State Sen. Steve Santarsiero’s office met with several PennDOT officials to discuss improving the condition of State roads in Solebury. This has resulted in expedited repairs on Route 202.

**Land Preservation Forum** – The Township hosted a community meeting where land preservation issues/information were presented by experts. Additionally, through a lengthy Q&A session this was an opportunity for the Township government to obtain resident feedback concerning this topic. The Land Preservation Committee coordinated this event.

**Land Preservation Referendum** – After exhausting all funds authorized by our last open space referendum (in 2005), the Township conducted a referendum concerning the authorization of the Township to spend an additional \$12mil toward preserving acreage over the coming years. The referendum was approved by 75% of the voters.

**Land Preservation** – 60 additional acres have been accepted into the land preservation program. This increases total Solebury Township preserved land to 39% of total Township acreage. Solebury Township continues to be a leader in preserved land, an issue the community has prioritized.

**E-Waste Event** – The Township hosted an E-Waste Event on June 22, where residents were able to recycle electronic devices. Approximately 34,100 lbs. of electronics and metal waste was recycled from the Township event.

**Solebury Park & Recreation Dept.** – The following activities were coordinated with the significant assistance of volunteers: Baseball/Softball - 230 participants / 74 vols. Basketball - 254 participants / 68 vols., Soccer - 263 participants / 54 vols., Lacrosse - 88 participants / 8 vols., Wrestling - 34 participants / 10 vols. and Summer camp - 200 participants. In addition, the annual winter Festival with 3,000-4,000 attendees was conducted by Solebury, New Hope, and Lambertville P&R depts. The Solebury profit of \$9,000 was to benefit the Parks and Rec. dept and other local charities. Solebury P&R sponsors and volunteers at the annual St Baldrick's community event to raise money for Pediatric Cancer Research.

**Police Dept.** – To address staff turnover and Solebury Police Dept. improvement, Officers Gina Ferzetti, Megan Klosterman, Brendan Murphy and Patrick Dorsey were sworn in as Solebury Police Officers. This was the first hiring of full-time female officers in Solebury. This represents a net increase of 2 officers to the Solebury Police Dept. The increased forces allow for improved staffing per shift. They also allow for increased routine patrols of neighborhoods and businesses. One of the officers is bilingual which enhances the department ability to interact with the Hispanic community.

**2020 Budget** – The BOS approved the 2020 budget which maintains a balanced budget at the current tax level.

**202 Corridor Review** – Coordinated community discussions and email exchanges as to the preference for the future for the route 202 corridor zoned as TNC/Traditional Neighborhood Commercial District. The clear feedback received was community concern for over development.

**TNC Zone/202 Corridor Development Proposal** – Coordinated discussions with the Planning Commission with the developers of a proposed emergency care and assisted living project to be in the 202 Corridor/TNC zone. Since only a sketch plan was provided to start discussions for the project, a formal application will be required to proceed through the formal process.

**Comprehensive Nondiscrimination Legislation** – A resolution was approved in support of statewide and federal nondiscrimination legislation.

**Bond Rating Upgrade** – Moody's Investor Services has upgraded Solebury Township's rating to Aa1. "The Township's fiscal management is strong," Moody's analysts wrote in the agency's credit opinion, "as illustrated by its history of conservative budgeting and careful management of expenditures, which often result in positive budget-to-actual results." This provided immediate benefits to the Township, as we successfully refinanced \$6.1 million of existing debt and established \$1.3 million of new borrowing at 1.59%. the restructured debts will save our residents upwards of \$200,000 in interest payments.

**Diseased Ash Trees** - Over 1,000 diseased ash trees have been removed from Aquetong Spring Park. Replanting is scheduled to begin in 2020.

**Grants** – Implementing the Aquetong Spring Park projects funded by grants amounting to \$610,000. This includes developing the plan to plant \$110,000 worth of trees in 2020, most of which will be in Aquetong Spring park to replace the removed diseased Ash trees. Another portion of these funds involve the work to create trails for the Park.

**Deer Management** – Nate Spence has been hired from the US Department of Agriculture to coordinate our deer management program. We expect this hiring to result in greater participation in our deer management program by landowners and hunters alike.

**Malcolm Crooks** – The Township honored Malcolm Crooks with words of remembrance, accepting a donated painting, "HOW TO MAKE A HAYROLL" and rededicating the pedestrian bridge at Canal Park.

**Racism** – The Township BOS renewed the Township’s concern for the issue of racism and inclusion. A resolution was endorsed, and a copy was sent to state and federal representatives as encouragement to be involved with this important issue.

**Recycle Forum** – Industry as well as county representatives presented a variety of rapidly changing recycling issues. The EAC coordinated this informative event.



**SOLEBURY TOWNSHIP  
BUCKS COUNTY, PA  
BOARD OF SUPERVISORS  
RESOLUTION 2020 –**

**BE IT RESOLVED**, that the Board of Supervisors of Solebury Township, Bucks County, hereby designate Dennis H. Carney, Township Manager and Michele Blood, Assistant Manager as the officials to sign all documents associated with the Aquetong Spring Park Trail project.

I, Catherine Cataldi, duly qualified secretary of Solebury Township, Bucks County Pennsylvania, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Board of Supervisors at a regular meeting held the 21st day of January, 2020 and said resolution has been recorded in the Minutes of the Board of Supervisors and remains in effect as of this date.

IN WITNESS THEREOF, I affix by hand and attach the seal of the Township of Solebury this 21st day of January, 2020.

**ATTEST:**



Catherine Cataldi, Secretary

**BOARD OF SUPERVISORS OF  
SOLEBURY TOWNSHIP**

  
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Mark Baum Baicker, Chair  
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Kevin Morrissey, Vice-Chair  
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Noel Barrett, Member  
\_\_\_\_\_  
John S. Francis, Member  
\_\_\_\_\_  
Robert A. McEwan, Member