

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS
August 15, 2023 – 6:00 P.M.
Solebury Township Hall/Virtual - Hybrid Meeting
MEETING MINUTES

Attendance: Mark Baum Baicker, Chair, Hanna Howe, Vice-Chair, John S. Francis, Kevin Morrissey, Robert McEwan, Christopher Garges, Township Manager, Michele Blood, Assistant Township Manager, and Catherine Cataldi, Secretary. Mark L. Freed, Township Solicitor, and Helen Lam, Township Traffic Engineer were also in attendance.

The recording device was turned on.

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

II. Approval of Bills Payable – July 27, 2023 and August 10, 2023

Res. 2023-109 – Upon a motion by Mr. McEwan, seconded by Mr. Morrissey, the list of Bills Payable dated July 27, 2023 and August 10, 2023, were unanimously approved as prepared and posted.

III. Approval of Meeting Minutes – July 18, 2023 Meeting

Res. 2023-110 – Upon a motion by Ms. Howe, seconded by Mr. McEwan, the Minutes of the July 18, 2023, meeting were unanimously approved as prepared and posted.

IV. Announcements / Resignations / Appointments

Executive Session

Mr. Baum Baicker announced that an Executive Session was held directly prior to the Board of Supervisors meeting discussing a Land Preservation Matter.

Resignation of Jacob Genovay from the Land Preservation Committee and Appointment of Joseph Tartaglia to the Land Preservation Committee

Res. 2023-111 – Upon a motion by Mr. Morrissey, seconded by Mr. Francis, it was unanimously agreed to accept the resignation of Jacob Genovay from the Land Preservation Committee effective immediately and to appoint Joseph Tartaglia, without compensation, to the Land Preservation Committee to fill the vacancy resulting from the resignation of Jacob Genovay for term ending December 31, 2023.

V. Supervisor Comment

- Mr. Baum Baicker expressed gratitude to the Solebury Township Police Department, Public Works and Parks & Recreation for a successful National Night Out.
- Mr. Baum Baicker welcomed Marabella Alfano who joined Township staff as a summer intern.
- Mr. Baum Baicker announced the dedication ceremony of the John A. Miranda Memorial Field at Laurel Park on Sunday, August 20, 2023 at 11:00 a.m.
- Mr. Baum Baicker honored Bill Tinsman with words of remembrance.

VI. Old Business

Flashing Beacons – Silver Tail/Route 202 Discussion

Mr. Baum Baicker gave an overview of the Silver Tail Lane intersection and the efforts made by the Township to address resident safety concerns. At the May 2, 2023 the Board authorized Township Administration to approach Fox Run Homeowners Association (HOA) to discuss their view on solutions for the Route 202 and Silver Tail Lane intersection and funding applications.

Mr. Garges gave an overview of Pennsylvania Department of Transportation's (PennDOT) review and the meeting with representatives of the Fox Run Homeowners Association. The HOA had no interest in contributing financially for the installation or the maintenance but asserted that, even though PennDOT's regulations do not warrant any form of advanced warning, the Township should fully fund the project. The meeting was left with the understanding that the Township would reach out to PennDOT to determine if PennDOT would permit the installation without requiring a loop sensor activation system which added significant costs and maintenance issues. PennDOT responded that while not their preference, they would permit the Township to install signs with permanently flashing beacons. The estimated cost for the signage/permanently flashing beacon's is \$45,000.

Discussion ensued between the Board. Topics of discussion included: Fox Run HOA's involvement in funding; installation costs; yearly costs, PennDOT's requirements and review; and concerns in proceeding.

Mr. McEwan commented on the left turn lane project proposed for the intersection of Route 202 and Lower Mountain Road and the possible changes in traffic flow that may be a result of the project. Mr. McEwan suggested the Township observe any traffic changes prior to making a decision on the flashing beacons.

Mary Sholl, HOA President, commented on the intersection and safety concerns. Ms. Scholl expressed support for the installation of the flashing beacons without financial contribution by the Fox Run HOA.

Mr. Francis questioned if a no left turn was considered for this intersection.

Mr. Baum Baicker questioned the Fox Fun HOA on whether the no left turn would help with the safety concerns.

Mr. Morrissey questioned whether the HOA reached out to the Fox Run community for their opinion on the flashing beacons and associated costs. Ms. Scholl advised that the HOA Board is authorized to make financial decisions on behalf of the community and that the HOA was not interested in fund sharing for the project.

Bill Kenny, resident, commented on the concerns for residents and visitors of the Fox Run community.

Barbara Zietchick, resident, expressed gratitude to Ms. Scholl and the HOA Board. Ms. Zietchick commented on the maintenance of all Township roads.

Ed McGahan, resident, commented on PennDOT's responsibility to maintain State Roads, not the Township. Mr. McGahan expressed gratitude for the Solebury Township meeting with PennDOT regarding maintenance on State Roads within the Township.

Ms. Scholl questioned if grants could pay for the flashing beacons. Mr. Garges gave an overview of the grant process.

Ms. Zietchick questioned if there are any advantages with being a Senior Community.

This topic is ongoing.

VII. New Business

Environmental Advisory Council (EAC) – Request for Authorization to Add Two (2) Student Associate Members

This topic was removed from the agenda as it is to be discussed at a future meeting.

Environmental Advisory Council – Request to Authorize Township Staff to Draft a Request for Proposal - Single Waste Hauler

Scott Blank, EAC member, presented a Power Point presentation (copy of which is attached) on the Single Hauler Trash Collection Project. Highlights of the presentation included: Why EAC has been exploring trash collection; benefits of utilizing a single hauler; Carbon Dioxide and fuel reductions; general trends in residential waste and recycling collection; contractual benefits; and the next steps.

The Board thanked Mr. Blank for his research and time spent on this project.

Mr. McEwan and Mr. Francis expressed support for the single waste hauler and commented on the Energy Transition Plan.

Ms. Howe suggested that the Township proceed cautiously and in the best interest of the residents.

Mr. Morrissey and Mr. Baum Baicker expressed support for the initiative to get a better understanding of the associated costs.

Edward McGahan, resident, expressed opposition for a single waste hauler. Mr. McGahan questioned the financial aspects.

Raul Arrazcaeta, resident, expressed opposition for a single waste hauler. Mr. Arrazcaeta commented on the option to choose his own hauler and to suspend service.

John DeAndrea, resident, questioned whether taxes would be raised to fund the single waste hauler. Mr. DeAndrea commented on Homeowner Associations exemption and potential burden on Township staff.

Res. 2023-112 – Upon a motion by Mr. McEwan, seconded by Mr. Francis, it was unanimously agreed to authorize the Township Administration and the Township Solicitor to work on drafting a Request for Bid (RFB) for the residential collection, transport and disposal of solid waste and recycling material by a single hauler in consultation with the EAC.

Request to Review Building Plans Prior to Plan Recording – Heritage Senior Living

The applicant is proposing to construct a care facility and mixed-use commercial building.

Mr. Garges presented an overview of the Subdivision / Land Development application and Building Permit processes. Mr. Freed gave an overview of the request by One Solebury Properties, LP.

Res. 2023-113 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to authorize the staff to accept the building permit applications and commence reviews of

same prior to recording land development plans, conditioned on (a) this review of the building permit applications is at the applicant's risk, (b) no building permits will be issued until the land development plans and documents are executed by the Township and recorded with the Bucks County Recorder of Deeds, (c) no building permits will be issued until applicant secures all needed flood plain permits, and (d) all time for the Township's building inspectors to review the permit package / architectural plans will be paid by applicant from the land development professional services agreement which will continue to be funded. Any fees paid out of the professional services agreement in advance of permit issuances will be deducted from the permit fees.

Land Preservation – Property # 166 – Inclusion into the Program

Property # 166 consists of 12.98 acres located on Phillips Mill Road. The Land Preservation Committee recommended the inclusion of property # 166 into the Land Preservation Program.

Upon a Motion made by Phil Johnson, seconded by Michael Miernicki, the Solebury Township Land Preservation Committee recommended inclusion of property #166.

Res. 2023-114 – Upon a motion by Ms. Howe, seconded by Mr. Morrissey, it was unanimously agreed to acknowledge the eligibility of Property # 166 into the Solebury Township Land Preservation Program.

2023 Budget Amendment No. 1

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

- General Fund – Increase of \$49,935 to Reserve Balance
- Park & Recreation Fund – Decrease of \$10,000 from Reserve Balance
- Liquid Fuels Fund – Decrease of \$4,879 from Reserve Balance
- Natural Resources Fund – Decrease of \$11,000 from Reserve Balance
- Sustainability Fund – Decrease of \$25,000 from Reserve Balance
- Capital Projects Fund – No effect on Reserve Balance
- Capital Reserve Fund – Increase of \$1,285,000 to Reserve Balance
- Capital Equipment Fund – Decrease of \$102,510 from Reserve Balance
- Roads & Bridges Fund – Decrease of \$35,000 from Reserve Balance
- Park & Rec Capital Fund – Decrease of \$10,000 from Reserve Balance

Mr. Baum Baicker questioned the Township's financial stance. Ms. Blood advised that the Township is in a good financial situation but heading back to status quo of where the Township was prior to Covid.

Mr. Garges commented on the grant received for the Nissan Leaf.

Mr. McGahan questioned the amount of the Whistleblower award and Township's Capital Reserve.

Ben Miller, resident, questioned the overall variance in budget expense for the Township.

Res. 2023-115 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to approve the 2023 Budget Amendment No. 1 as documented.

Act 91 Firefighter Tax Credit – Authorization for Township Manager to Execute Letter to Bucks County Board of Commissioners

Res. 2023-116 – Upon a motion by Mr. Morrissey, seconded by Ms. Howe, it was unanimously agreed to authorize the Township Manager to execute a multi-municipal letter to Bucks County Board of

Commissioners requesting that the County consider offering the Act 91 Fire Property Tax Rebate to Volunteer Firefighters.

Bid Award – Fuel Bids

Bids for fuel have been received by the Bucks County Consortium and reviewed by Solebury Township Administration.

Res. 2023-117 – Upon a motion by Mr. Baum Baicker, seconded by Mr. McEwan, it was unanimously agreed to award the bid for Premium Unleaded Gasoline and Ultra Low Sulfur Diesel Fuel to Riggins, Inc, as reflected in their respective bids submitted to the Bucks County Consortium.

Discuss Additional Library Funding for 2023

Mr. Baum Baicker gave an overview on the funding for the Free Library of New Hope and Solebury. Discussion ensued between the Board. Topics discussed included: Data usage, Library millage and decrease of General Fund for extra contribution.

Mr. McGahan gave an overview on the history of the Library contribution and commented on tax breaks for seniors.

Joanna Reszka and Stacy Smith, Solebury Township Library Board representatives, expressed interest in helping to collect the data usage and thanked the Board for the contribution. Ms. Reszka gave an overview of the Library’s budget and financial burdens faced this year.

Res. 2023-118 – Upon a motion by Mr. McEwan, seconded by Ms. Howe, it was unanimously agreed to increase the contribution to the Free Library of New Hope and Solebury by \$5,000 for this fiscal year.

VIII. Public Comment

- Ed McGahan, resident, commented on the pot holes along Aquetong Road.

IX. Adjournment

The meeting was adjourned at 7:51 pm.

Respectfully submitted,
Catherine Cataldi
Secretary

Environmental Advisory Council Single Hauler Trash Collection Project August 15, 2023



Environmental Advisory Council

Solebury Township

Why Has the EAC Been Exploring Trash Collection?

- The Solebury Township Energy Transition Plan (ETP) proposes strategies to be examined and developed in more detail. Strategy #1 is to “Reduce energy consumption through energy efficiency and conservation.”
- One proposed action under Section 7.2.5.1 of Strategy #1 of the ETP is to “consider development of a plan to increase to overall efficiency trash and recyclables collection within the Township” with a follow-on issue to “explore the possibility of negotiating a township-wide trash collector to reduce trip redundancy.”

What Benefits Can Be Achieved by Reducing Trip Redundancy by Utilizing a Single Hauler?

- **Eliminating the number of fuel inefficient trash trucks on the roads**
 - Trash trucks travel on average 25,000 miles per year but only get 2.5 mpg on gas/2.8 mpg on diesel fuel
- **Lowering CO₂ emissions**
 - Diesel trash trucks emit 100 metric tons of eCO₂ annually
- **Reducing road wear and tear**
 - Trash trucks because of their stop and go operation and weight (typically 25 to 35 tons when full) cause stress on roads as much as 10,000 times a passenger car
- **Decreasing noise and off-hours of service**
- **Increasing route efficiency and pick up reliability**
- **Improving recycling practices**
 - Each hauler has different recycling rules and practices. With a single set of rules, the township can better communicate what should be recycled and increase recycling but reduce “over-recycling”
- **Creating additional homeowner programs to reduce landfill waste and to facilitate disposal of certain types of waste**
 - yard waste, e-waste, Fall and Spring cleanups, etc.
- **Reducing the number of days when trash cans are on street**
- **Improving communications to homeowners**
 - Text messages and e-mails can be sent to homeowners about special collections, delays in service, reminders about holiday schedule changes, etc.
- **Increasing traffic related safety**
 - Fewer occasions of stop-and-go driving and road congestion by trash trucks/greater vehicular and pedestrian safety

Carbon Dioxide and Fuel Reductions for Solebury if Redundant Trash Trucks are Eliminated

- The average trash truck gets 2.5 mpg on gas/2.8 mpg on diesel fuel
- A refuse truck that travels 25,000 annually using conventional diesel emits roughly 100 metric tons of eCO₂
- Solebury Township has about 100 miles of public roads. Assuming refuse trucks work each side of the street separately, a refuse truck may travel a minimum of 200 miles per week or 10,400 miles for the year. Since trash and recycling are separate, each hauler may travel 20,800 miles per year (excluding separate trips for bulk items)

Back-of-the-Envelope calculation on how many metric tons of eCO₂ and gallons of fuel that may be reduced per year for each trash truck eliminated from servicing Solebury based on the above assumptions:

- 83.2 metric tons of eCO₂. This is the equivalent of
 - (i) eliminating 18.5 gas powered passenger cars for one year,
 - (ii) sequestering of carbon by almost 100 acres of U.S. forests in one year, or
 - (iii) burning over 46 tons of coal.
- 8,320 gallons of gasoline/7,428 gallons of diesel

General Trends in Residential Solid Waste & Recycling Collection

- Aside from being highly regulated, the trash industry has been affected by increased operating expenses, including fuel, labor and equipment costs.
- Solebury differs demographically from most municipalities in Bucks County due to its large size (26.6 square miles), low density (327 pops/square mile), and approximately 100 miles of public roads.
- Since it is more expensive for a hauler to operate in a market such as Solebury's, homeowners who individually contract for service have seen multiple price increases, changes in collection frequency, and/or the withdrawal of haulers willing to do individual subscriptions in the township.

What Contractual Benefits Can be Achieved by Utilizing a Township-wide Single Hauler Contract

- The township can define the level and scope of trash collection and recycling services
- Fixed rates for service over an extended period. Contracts are typically 3 to 5 years. Sometimes there are multiple one-year options to extend in the sole discretion of the township so, for example, a three-year contract can become a five-year contract. Generally, over the term of the contract, the pricing should be less than for an individual subscription given the economies of scale.
- The Township will receive periodic reports relating to performance. The Township will also have a designated contact at the hauler who is responsible for the account.
- The contract will specify what types of trucks can be used (including age and condition of trucks), where materials will be disposed, and other matters relating to how service is to be performed (what hours trash can be collected, etc.).
- If the hauler fails to fulfill its obligations in the contract, there is a payment bond (typically the amount of the contract that would be paid to the hauler for a year's worth of service) posted by a highly rated surety on behalf of the hauler, to assure compliance. If a municipality declares a default, the municipality typically has the right to require the surety to undertake the completion of the contract, provide financial assistance to the municipality to remedy the default and/or pay the full amount of the bond. As a consequence, unlike a homeowner, the township will have written, legally binding, enforceable commitments from the hauler backed by a creditworthy third party.

What Contractual Benefits Can be Achieved by Utilizing a Township-wide Single Hauler Contract (continued)

A single hauler municipal contract has built into it the obligations the hauler is required to provide, including how services are to be performed. For violations, there are monetary penalties that the township can impose upon the hauler (for example, set forth below are types of penalties and amounts that can be charged under Northampton Township's contract with Whitetail Disposal that started January 1, 2023).

Examples of Penalties (per occurrence):

- Failure to clean up spilled material (\$200)
- Failure to resolve missed collections within 8 working hours (\$200)
- Missed collections 3 or more times at the same address within 6-month period (\$400)
- Changing the collection day without notifying the township (\$1,000)
- Failure to properly separate recyclable materials from solid waste (\$1,000)
- Failure to collect bulk items (\$100)
- Employee misconduct (\$100)
- Failure to have a supervisor on the street or to have mobile phone service (\$200)
- Starting collections before 6 a.m. (\$500) or collecting after 6 p.m. (\$300)
- Violations of manner of collection (not minimizing noise, not putting carts in same location, blocking driveways or streets with carts, etc.) (\$500)

Next Steps

- The EAC requests that the Board of Supervisors authorizes the township administration and the township solicitor to work on drafting a Request for Bid (RFB) for the residential collection, transport and disposal of solid waste and recycling material by a single hauler in consultation with the EAC.
- Once a draft is prepared, it is proposed that the draft RFB would then be presented to the EAC for its review and, if the EAC so recommends, the RFB would be presented to the Board of Supervisors in order to obtain approval to release the RFB for bidding. At this time, the Board of Supervisors can decide how it wants to proceed: send it back to be redrafted, release it for bidding, and/or decide not to proceed.
- If the Board of Supervisors approves releasing the RFB and bids are received, the township will identify the “lowest responsible bidder.”
- Following the determination of the lowest responsible bidder, it is contemplated that there will be a public meeting so that the specific terms of the bid can be presented to the public along with an opportunity for the public to ask questions and make public comments. Thereafter, the Board of Supervisors can decide whether to (i) accept the bid from the lowest responsible bidder or (ii) reject all bids.
- The EAC will communicate with the public at appropriate junctures in this process