

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

October 17, 2017 – 7:00 P.M.

Solebury Township Hall

MINUTES

Attendance: Kevin Morrissey, Chair, Helen Tai, Vice-Chair, Mark Baum Baicker, Paul Cosdon, Noel Barrett, Dennis H. Carney, Township Manager/Secretary, and Catherine Cataldi, Administrative Assistant, and Jordan B. Yeager, Solicitor.

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

Res. 2017-141 – Upon a motion by Mr. Cosdon, seconded by Mr. Baum Baicker, the list of Bills Payable dated October 12, 2017 were unanimously approved as prepared and posted.

III. Approval of Minutes – October 3, 2017 Budget Meeting – Ms. Tai and Mr. Cosdon requested minor revisions to the draft Minutes, all of which were agreed to by the Board.

Res. 2017-142 – Upon a motion by Ms. Tai, seconded by Mr. Cosdon, the Minutes of the October 3, 2017 meeting were unanimously approved with revisions.

IV. Announcements/Resignations/Appointments

- The Board announced an executive session on October 17, 2017, dealing with personnel issues.

V. Supervisors Comment

- Mr. Baum Baicker stated the following:

“We are pleased to announce that representatives of the Borough of New Hope and Solebury Township met last week to discuss how best to share costs of certain services that currently are delivered jointly or shared by our two communities. The areas of shared services are Parks & Recreation, Fire, Ambulance/Emergency Services, and the Library.

The initial meeting was very productive—a great deal of data and analyses were reviewed—and both New Hope and Solebury affirmed that they are committed to reaching an equitable approach to cost-sharing in these areas at the earliest possible date. The next steps in the process are a further exchange of financial information over the coming days and a follow-up meeting by the end of October.

Also discussed was the possibility that additional cost efficiencies could be obtained by both governments by expense-sharing in other areas. A further goal is that through this process, the two communities can forge an even closer working relationship to benefit our residents by coordinating our constituent service efforts and improving lines of communication”.

- Mr. Cosdon commented that he appreciates everyone in the room standing for the Pledge of Allegiance.

VI. Public Comment

- Stan Marcus addressed an issue with the ambulance referendum. The 24 hour ambulance service is a good thing but raising taxes to fund it is not. Mr. Marcus plans to vote “no” due to Solebury Township’s ability to fund the ambulance using reserve funds instead of raising taxes.
- Ed McGahan inquired about the progress of negotiations made between New Hope Borough and Solebury Township in regards to shared service. Mr. McGahan also inquired if the deadline will be met.
- Larry Peseski addressed the Board about the treatment for Ash trees and the importance of notifying residents of the seriousness of the disease affecting the tress. Mr. Peseski inquired if Solebury Township has taken any action in assessing the damage to the Ash trees along the streets of the Township.
- Barbara Zietchick inquired about the allocation of funds to the ambulance service.

Mr. Morrissey announced the change in order of the agenda. HARB items would be heard first.

VII. Presentation – No presentations were held.

VIII. Public Hearing – No public hearings were held.

IX. New Business

HARB -Simon Howells (3764 Aquetong Rd, Carversville, PA; TMP # 41-004-045)

The application submitted and reviewed by the Historic Architectural Review Board (HARB) contained a proposal to install a wood picket fence on the property as depicted in a site drawing, date stamped September 25, 2017.

Res. 2017-143 – Upon a motion by Mr. Baum Baicker, seconded by Ms. Tai, it was unanimously agreed to issue a Certificate of Appropriateness to TMP # 41-004-045 to install a wood picket fence on the property as depicted in a site drawing, date stamped September 25, 2017. The fence will be no higher than 4’ high, using 1-inch x 4-inch boards spaced no less than 2.5 inches apart, with a spear shaped tip design top, painted white with 4-inch x 4-inch posts to be slightly shorter than the top of the picket, roughly 8’ apart. Posts are to be facing the inside of the yard around entire perimeter. There will be no finials on the top of the post, or post caps. There will be three gates, all of the same material, spacing, color and height as fence and positioned as depicted on the site drawing. One gate will be at the patio entrance to be 4’ wide; second gate will be along the front fence of the property to be 6’ wide (two 3’ sections); a third gate to be 6’ wide (two 3’ sections) will be in the rear section of the fence by the barn. All hardware, strap hinges, thumb latches will be black and per the application sample as presented.

HARB – Repair and Replace In-Kind (RRIK) - Public Notice Ordinance – Authorization to Advertise

The proposed ordinance is amending **Chapter 1, Part 6**, of the Solebury Township Code of Ordinances regarding Public Notice.

Amendment to Chapter 1, Part 6

- I. Add the following to Section 1-601
 2. This part shall not apply to any application to the Solebury Township Historic Architectural Review Board that the Township determines qualifies as an in-kind repair or in-kind replacement, as defined by Section 11-202 of the Township's Code of Ordinances.

Res. 2017-144 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Cosdon, it was unanimously agreed to advertise the RRIK Public Notice Ordinance.

HARB – Repair and Replace In-Kind (RRIK) – Review Process Ordinance – Authorization to Advertise

The proposed ordinance is amending **Chapter 11** of the Solebury Township Code of Ordinances to create a streamlined review process for in-kind repair and in-kind replacement projects in the Township historic districts.

Outline of Amendments to Chapter 11 of the Township's Code of Ordinances:

- I. ADD a new Part 2 to Chapter 11 of the Township's Code of Ordinances as follows:
 - Part 2. Fast-Track Procedures for In-Kind Repairs and In-Kind Replacements
 - Section 11-201. Purpose
 - Section 11-202. Definitions and Examples
 - Section 11-203. Fast-Trak Process for In-Kind Repairs or In-Kind Replacements
- II. Amend the Title of Part I of Chapter 11 of the Township's Code of Ordinances to add "and Standard HARB Review Procedures" after "Historic Districts and Standard HARB Review Procedures."
- III. Amend existing Section 11-109 as follows:
 - A. Designate all existing language in Section 11-109 as 11-109.A.
 - B. ADD the following as Section 11-109.B.:
 - B. Exemption from Meeting Requirements. This section shall not apply to any application that the Township, in accordance with Part II, determines is an in-kind repair or in-kind replacement project.

Res. 2017-145 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Cosdon, it was unanimously agreed to advertise the RRIK Review Process Ordinance.

North Wales Water Authority Agreement

Negotiations with North Wales Water Authority (NWWA) resulted in an agreement being drafted to memorialize the understanding that they will not export water out of Solebury Township. Conversation ensued between Mr. Cosdon and Mr. Yeager pertaining to NWWA rights and requirements to take water from Solebury Township. Solebury Township's legal rights were also discussed.

Mr. McGahan asked what authority Solebury Township has to take someone's personal property. Mr. McGahan also inquired about the recourses the Township would have if someone bought this operation and decided to negate this agreement? Mr. Yeager explained the recourses Solebury Township has are legal actions through the court. Mr. Yeager noted that the Township is not trying to export water from residents and the reason for the agreement is to try to limit North Wales Water Authority from being able to export water from Solebury Township.

Res. 2017-146 – Upon a motion by Ms. Tai, seconded by Mr. Barrett, it was unanimously agreed to approve the agreement with North Wales Water Authority.

X. Old Business

New Hope Crushed Stone Quarry Update

Mr. Morrissey provided the following update:

Last year New Hope Crushed Stone (NHCS) appealed the Department of Environmental Protection's (DEP) compliance order, requiring the quarry to complete reclamation by mid-2019, to the PA Environmental Hearing Board (EHB). On September 7, 2017, the EHB ruled in favor of the position held by Solebury School, Solebury Township and the DEP supporting the reclamation completion date of mid-2019 and dismissed the NHCS appeal. On Sept 29, 2017, NHCS filed an appeal from the EHB decision to the Commonwealth Court of PA. The quarry is requesting the court reverse the rulings of the DEP and the EHB. The appeal process is underway. Meanwhile the DEP's plan concerning the quarry stays in affect. This includes the completion of reclamation for mid-2019 and pumping 500,000 gallons a day. Due to the pumping requirements the quarry water levels have risen from 110 feet below sea level in September 2016, to 47 feet below sea level in August 2017.

E-Waste Discussion

Mr. Morrissey provided an update on the research done on an E-Waste event. Due to cost associated with hosting an event and local retailers supporting their own recycling programs, it was determined that Solebury Township would not host a recycling event. Conversation ensued; recycling E-Waste and Hazardous Waste information will be posted on the website and sent to residents in an email.

Resident noted that it would be helpful if Solebury Township provided a list of drop-off locations for E-Waste and Hazardous waste.

XI. Subdivisions/Land Developments/Conditional Uses

SNW-Doan Grading Permit – Escrow Release #1

C. Robert Wynn, Township Engineer, reviewed the applicants requested escrow release and recommended that the Board release \$67,150.60 from the escrow for construction items.

Res. 2017-149 - Upon a Motion by Ms. Tai, seconded by Mr. Barrett, it was unanimously agreed to release from the escrow in the amount of \$67,150.60 to the applicant in regards to SNW-Doan grading permit.

XII. Public Comment

- Ms. Zietchick asked when Solebury Township plans to inform the residents of the referendum. Mr. Morrissey advised that a letter has been prepared and will be mailed out the week before elections.

XIII. Adjournment

Res. 2017-150 – Upon a motion by Mr. Barret, seconded by Ms. Tai, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,
Catherine Cataldi
Administrative Assistant