

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

November 1, 2022 – 6:00 P.M.

Hybrid Budget Meeting

MEETING MINUTES

Attendance: Mark Baum Baicker, Chair, John S. Francis, Vice-Chair, Hanna Howe, Robert McEwan, Kevin Morrissey, Christopher Garges, Township Manager, Michele Blood, Assistant Manager, and Catherine Cataldi, Secretary. Mark L. Freed, Township Solicitor was 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 – October 27, 2022

Res.2022-147 – Upon a motion by Mr. Morrissey, seconded by Mr. Francis, the list of Bills Payable dated October 27, 2022 was unanimously approved as prepared and posted.

III. Approval of Meeting Minutes – October 18, 2022

Res.2022-148 – Upon a motion by Mr. McEwan, seconded by Mr. Morrissey, the Minutes of the October 18, 2022 Meeting were unanimously approved as prepared and posted.

IV. Announcements/Resignation/Appointments

Executive Session

The Board announced an Executive Session held October 20, 2022 dealing with Personnel Matters.

The Board announced an Executive Session held October 27, 2022 dealing with Personnel Matters.

Appointments to the Human Relations Commission

Res.2022-149 – Upon a motion by Mr. Francis, seconded by Mr. Morrissey, it was unanimously agreed to make the following appointments to the Human Relations Commission:

- 1. Thomas F. Lyon, M.D., resident, without compensation, to the Human Relations Commission for term ending December 31, 2025.**
- 2. Susan Hollander Whitman MSW, LCSW, ACSW, resident, without compensation, to the Human Relations Commission for term ending December 31, 2025.**
- 3. Cynthia Baum-Baicker, Ph.D., resident, without compensation, to the Human Relations Commission for term ending December 31, 2024.**
- 4. Paul Barnes, resident, without compensation, to the Human Relations Commission for term ending December 31, 2024.**
- 5. Donald R. Bentivoglio, resident, without compensation, to the Human Relations Commission for term ending December 31, 2023.**

V. Supervisor Comment

- Ms. Howe commented on the Delaware Canal 21 - Feasibility Study. Additional information on the study can be found on the Delaware Canal 21 website: <https://www.delawarecanal21.org/>

- Mr. Baum Baicker commented on the fifty thousand-dollar (\$50,000) check presented by Senator Steve Santarsiero to be used toward the Carversville Flood Control Project.

VI. New Business

Authorization to Execute Land Development Agreement and Record Plan – Solebury School (TMP # 41-018-079, 6832 Phillips Mill Road)

Ms. Howe recused herself from the agenda item.

Res.2022-150 – Upon a motion by Mr. Francis, seconded by Mr. McEwan, it was unanimously agreed to authorize the Board Chair to execute the land development agreement, financial security agreement and record plan for Solebury School, TMP # 41-018-079, 6832 Phillips Mill Road once those documents are reviewed and approved by the Township Solicitor, Township Engineer and Township Staff. Approval of the documents requires compliance by the applicant with the conditions in the Land Development approval letter.

Act 57 Tax Penalty Waiver Resolution

Act 57 of 2022 requires all municipalities that levy real estate taxes to adopt a resolution or ordinance directing their tax collector to implement its provisions. Act 57 allows taxpayers who fail to receive a tax notice during their first year of occupancy to apply for a waiver from penalties and additional costs from the tax collector.

Res.2022-151 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to adopt the resolution (copy of which is attached) to implement Act 57 of 2022.

Resolution Establishing the 202 Property Advisory Committee

Mr. Morrissey gave an overview of the 202 Property Advisory Committee. The need for the Committee is to be reviewed yearly.

John DeAndrea, resident, questioned the policy for recommendations made by the Committee. Mr. Francis advised that the policy is to be similar to the Aquetong Spring Advisory Committee.

Barbara Zietchick, resident, commented on usage options and expressed gratitude to the Board.

Res.2022-152 – Upon a motion by Mr. Morrissey, seconded by Mr. Baum Baicker, it was unanimously agreed to adopt the resolution (copy of which is attached) to establish the 202 Property Advisory Committee.

Resolution to Adopt Initiatives to Continue to be Recognized as a Bird Town

Res.2022-153 – Upon a motion by Mr. Francis, seconded by Mr. Morrissey, it was unanimously agreed to adopt the resolution (Copy of which is attached) to adopt initiatives to continue to be recognized as a Pennsylvania Audubon Council Bird Town Pennsylvania community.

Authorization to Prepare an Amendment to Chapter 1, Part 2.B to Provide for Associate Membership on the Environmental Advisory Council

Res.2022-154 – Upon a motion by Mr. Francis, seconded by Mr. McEwan, it was unanimously agreed to authorize the Township Solicitor to prepare an amendment to Chapter 1, Part 2.B to provide for five (5) Associate Memberships on the Environmental Advisory Council.

VII. Budget

2023 Budget – Authorization to Advertise

Mr. Garges presented the Preliminary 2023 Budget. Highlights of this presentations include: Revenue Overview; Expenditure Overview; and projects.

Stan Marcus, resident, expressed disappointment that the draft budget was not online for the public to review. Mr. Marcus questioned why the Solar Panel project was in the budget as a placeholder.

John DeAndrea, resident, commented on the BSEG Report.

Barbara Zietchick, resident, suggested the Board work with the Audubon Society to determine the affect less mowing has on the birds. Ms. Zietchick commented on the access to the Free Library of New Hope and Solebury and suggested constructing a small Library at the Route 202 property location.

Res.2022-155 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to advertise the proposed 2023 Budget for adoption at the regular meeting of the Board of Supervisors scheduled for December 13, 2022.

VIII. Public Comment – No Public Comment

IX. Adjournment

The meeting was adjourned at 7:10 p.m.

Respectfully submitted,
Catherine Cataldi
Secretary

RESOLUTION NO. 2022 - 151

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF
SOLEBURY TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA TO IMPLEMENT ACT 57 OF 2022**

WHEREAS, Pennsylvania Act 57 of 2022, amending the Local Tax Collection Law, was signed by Governor Wolf on July 11, 2022 and took effect on October 10, 2022; and

WHEREAS, Act 57 of 2022 requires taxing districts that impose taxes on the assessed value of real estate to adopt a resolution or ordinance within 90 days of the effective date of the Act, or not later than January 9, 2023, directing the Tax Collector to waive Additional Charges for real estate taxes under certain specific circumstances beginning in the first tax year after the effective date of Act 57 of 2022;

WHEREAS, the Board of Supervisors of Solebury Township, by Resolution, hereby requires the Tax Collector to waive Additional Charges for real estate taxes following the transfer of real property where such taxes were not received; and

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania ("Board"), as follows:

1. The Tax Collector shall waive Additional Charges for real estate taxes in the then current tax year, if the taxpayer does all of the following:
 - A. Provides a waiver request of Additional Charges to the Tax Collector in possession of the claim within twelve months of a Qualifying Event;
 - B. Attests that a notice was not received;
 - C. Provides the Tax Collector in possession of the claim with either of the following:
 - i. A copy of the deed showing the date of real property transfer; or
 - ii. A copy of the title following the acquisition of a mobile or manufactured home subject to taxation as real estate showing the date of issuance or a copy of an executed lease agreement between the owner of a mobile or manufactured home and the owner of a parcel of land on which the mobile or manufactured home will be situated showing the date the lease commences; and
 - D. Pays the face value amount of the tax notice for the real estate tax with the waiver request.
2. A form providing for the waiver of Additional Charges will be made available by the Tax Collector and available at the Solebury Township Municipal Building.

3. The taxpayer granted a waiver and paying real estate tax as provided in this subsection shall not be subject to an action at law or in equity for an Additional Charge, and any claim existing or lien filed for an Additional Charge shall be deemed satisfied.
4. The Tax Collector accepting a waiver and payment in good faith in accordance with this resolution and Act 57 of 2022 shall not be personally liable for any amount due or arising from the real estate tax that is subject in the waiver.
5. As used in this Resolution, the following words and phrases shall have the following meanings given to them unless the context clearly indicates otherwise:

ADDITIONAL CHARGE – Any interest, fee, penalty, or charge accruing to and in excess of the face amount of the real estate tax as provided in the real estate tax notice.

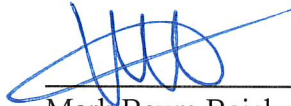
QUALIFYING EVENT – For the purposes of real property, the date of transfer of ownership. For the purposes of manufactured or mobile homes, the date of transfer of ownership or the date a lease agreement commences for the original location or relocation of a mobile or manufactured home on a parcel of land not owned by the owner of the mobile or manufactured home. The term does not include the renewal of a lease for the same location.

TAX COLLECTOR – The elected tax collector for Solebury Township, Bucks County, any authorized or designated delinquent tax collector, the Bucks County Tax Claim Bureau, or any alternative collector of taxes as provided for in the Act of July 7, 1947 (P.L.1368, No.542), known as the “Real Estate Tax Sale Law,” an employee, agent, or assignee authorized to collect the tax, a purchaser of claim for the tax or any other person authorized by law or contract to secure collection of, or take any action at law or in equity against, the person or property of the taxpayer for the real estate tax or amounts, liens or claims derived from the real estate tax.

6. All resolutions or parts of resolutions that are inconsistent herewith are hereby repealed.

RESOLVED, ADOPTED, and APPROVED, this 1st day of November 2022, at a regular public meeting of the Board of Supervisors of Solebury Township.

BOARD OF SUPERVISORS OF
SOLEBURY TOWNSHIP,
BUCKS COUNTY,
PENNSYLVANIA

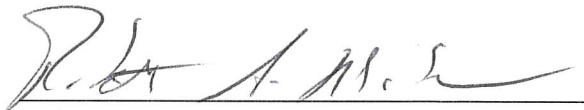


Mark Baum Baicker, Chair



John Francis, Vice-Chair

Hanna Howe, Member



Robert A. McEwan, Member



Kevin Morrissey, Member

ATTEST:


Catherine Cataldi, Township Secretary

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

RESOLUTION CREATING AND AUTHORIZING THE 202 PROPERTY ADVISORY COMMITTEE

SUBJECT: SOLEBURY TOWNSHIP 202 PROPERTY ADVISORY COMMITTEE

RESOLUTION 2022-152

WHEREAS, the Solebury Township Board of Supervisors desires to create an advisory committee to make recommendations to the Board of Supervisors and the Township Manager in developing the Township Owned property located along Lower York Road/Route 202, near Shire Drive and Reeder Road, TMP #41-022-135-001 and #41-022-137 (“The Property”).

WHEREAS, the Board of Supervisors also desires to establish the qualifications and terms of the members of the 202 Property Advisory Committee; and

WHEREAS, the Board of Supervisors carried out a survey (The Survey) of Solebury residents during the course of 2022 and published the results on the township web site; and

WHEREAS, the Solebury Township Board of Supervisors desires to take action to create the 202 Property Advisory Committee.

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Solebury Township, Bucks County, Commonwealth of Pennsylvania:

1. The 202 Property Advisory Committee (the “Committee”) shall act in an advisory role only. The purpose of the Committee is to make recommendations to the Board of Supervisors and the Township Manager concerning the future purposes and uses of The Property. Such recommendations will be compatible with the 202 Township Property survey of Solebury Township residents in 2022 (“The Survey”).
2. The Committee shall consist of a minimum of five and maximum of seven people who are residents of the Township. Each member shall be appointed by the Solebury Township Board of Supervisors to a twelve-month term. The Committee shall exist for twelve months from the date of its first meeting, unless extended by subsequent Resolution of the Board of Supervisors.
3. The Committee at its first meeting shall organize and elect a Chair, Vice-Chair and Secretary.
4. The Committee shall meet as often as it desires at times and dates selected by the Committee; however, the Committee shall meet at least four times in the twelve-month term. All meetings of the Committee shall be advertised in accordance with Pennsylvania law.
5. All meetings of the Committee shall be open to the public. In order for the Committee to deliberate, take action or make recommendations at a meeting, a quorum of the Committee must be present. A quorum shall consist of a majority

of members of the Committee. All action and recommendations of the Committee must be decided by a majority of the Committee as a whole, regardless of the number of members present. Under the advice of the Solebury Township Solicitor, the Committee may convene into Executive Session when appropriate pursuant to Pennsylvania law. No minutes shall be recorded for the Executive Session.

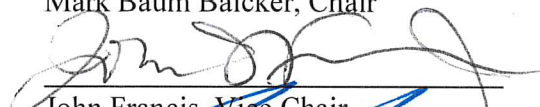
6. The Chair shall conduct the meetings. In the absence of the Chair, the Vice-Chair shall conduct the meetings. The Secretary shall record the minutes of the meetings. Once the minutes of a meeting are approved by the Committee, the approved minutes shall be filed with the Solebury Township Secretary.
7. The Committee shall report to the Board of Supervisors at a minimum two times during its first year and each subsequent year; the first report shall be within six months of the Committee's first meeting and the last report shall be given prior to the conclusion of the Committee's annual term.

RESOLVED, ADOPTED, and APPROVED, this 1st day of November, 2022 at a regular public meeting of the Board of Supervisors of Solebury Township.

BOARD OF SUPERVISORS OF SOLEBURY
TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA



Mark Baum Baicker, Chair



John Francis, Vice Chair



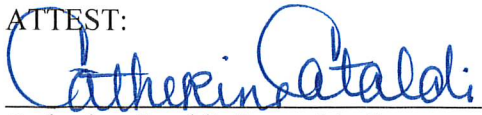
Kevin Morrissey, Member



Robert A. McEwan, Member

Hanna Howe, Member

ATTEST:



Catherine Cataldi, Township Secretary

A RESOLUTION OF SOLEBURY TOWNSHIP TO ADOPT INITIATIVES TO CONTINUE
TO BE RECOGNIZED AS A PENNSYLVANIA AUDUBON COUNCIL BIRD TOWN
PENNSYLVANIA
“BIRD TOWN”

WHEREAS, Solebury Township recognizes that birds are indicators of environmental health and pledges to provide resources for them.

WHEREAS, Pennsylvania Audubon Council, owner of the “Bird Town” and “Bird Town Pennsylvania” service and design marks, and offeror of the Bird Town Pennsylvania programs and services, will work with municipalities to engage and educate their residents, schools and businesses about conservation actions they can take to create a healthier, more sustainable environment for birds, wildlife and people.

WHEREAS, Solebury Township recognizes that these programs and services are powerful tools to increase “green living, promote a culture of conservation in our community and provide positive social, economic and ecological outcomes.”

WHEREAS, Solebury Township recognizes that using native plants, reducing stormwater runoff and energy use can help restore natural systems and ecological integrity


WHEREAS, as elected representatives of Solebury Township, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community, increase property values, and

THEREFORE, BE IT RESOLVED, that to engage in continued efforts to live lighter on the land and provide a healthier environment for the people and birds of our town, Solebury Township wishes to continue to commit to ecological initiatives and by doing so, continue to be recognized as a Bird Town Pennsylvania community

BE IT FURTHER RESOLVED by the Board of Supervisors of Solebury Township, that we do hereby authorize the Environmental Advisory Council to serve as the township’s agent for the Bird Town Pennsylvania processes.

RESOLVED, ADOPTED, and APPROVED, this 1st day of November, 2022 at a regular public meeting of the Board of Supervisors of Solebury Township.

BOARD OF SUPERVISORS OF SOLEBURY
TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA



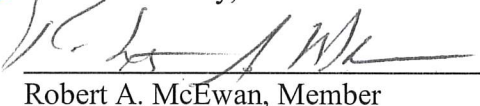
Mark Baum Baicker, Chair



John Francis, Vice Chair

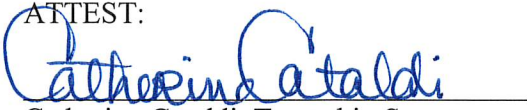


Kevin Morrissey, Member



Robert A. McEwan, Member

Hanna Howe, Member

ATTEST:


Catherine Cataldi, Township Secretary