

# SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

November 9, 2017 – 7:00 P.M.

## Solebury Township Hall

### MINUTES

Attendance: Helen Tai, Vice-Chair, Mark Baum Baicker, Paul Cosdon, Noel Barrett, Dennis H. Carney, Township Manager/Secretary, Michele Blood, Finance Director / Treasurer, and Catherine Cataldi, Administrative Assistant. Jordan B. Yeager, Solicitor, was also in attendance  
Absent: Kevin Morrissey, Chair

#### **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. 2017-151 - Upon a motion by Mr. Baum Baicker, seconded by Mr. Cosdon, the list of Bills Payable dated November 2, 2017 were unanimously approved as prepared and posted.**

#### **III. Approval of Minutes - October 17, 2017 Regular Meeting**

**Res. 2017-152 - Upon a motion by Mr. Cosdon, seconded by Mr. Baum Baicker, the Minutes of the October 17, 2017 meeting were unanimously approved.**

#### **IV. Announcements/Resignations/Appointments**

- The Board announced an executive session on November 9, 2017, dealing with personnel issues and land preservation.

#### **V. Supervisors Comment**

- Mr. Cosdon congratulated the outstanding achievement that Solebury High School made this fall sport season. The volleyball team; field hockey; boys' and girls' soccer; and football teams have all qualified for State tournaments in their respective sports. In addition, individuals from both boys and girls cross country teams performed admirably in both the league and district championships. Mr. Cosdon stated that their success had been made possible by a contribution from our Park & Recreation programs: from the volunteer coaches of these programs and the monetary support of the residents by providing fields and maintaining them.

**VI. Public Comment** - no early public comment was offered.

**VII. Presentation** - no presentations were held.

**VIII. Public Hearing**

Conditional Use Application Acknowledgement (Mr. & Mrs. James Magee, 906 Adam Ct,  
TMP# 41-27-383

The public hearing was opened by Jordan B. Yeager, Township Solicitor.

The applicant, James Magee, was present. Party status was established for Dianna Jankousky, Carl Jankousky and the Wilshire Hunt Homeowner's Association. A court stenographer was present to record the testimony.

The applicants were seeking a conditional use approval to install a 16 x 16 shed on the property located at 906 Adam Ct., TMP # 41-27-383. The placement of the shed does not meet setback guidelines due to the property consisting of three (3) front yards (Adams Ct., Wilshire Dr. & Kitchens Ln). Several residents from the Wilshire Hunt development expressed concern regarding the visibility of the shed. Mr. Magee stated that the view will be obscured by fencing and trees. If after construction, the parties feel that it is still too visible, he would be happy to plant additional trees.

Following the testimony the hearing was closed.

**Res. 2017-153 - Upon a motion by Mr. Baum Baicker, seconded by Mr. Cosdon it was unanimously agreed to approve the Conditional Use Application of Mr. and Mrs. James Magee with the following conditions:**

- 1. Applicant will carry out the project and conduct the use in strict conformance with the Application, testimony, evidence and representations of the Applicant and its representatives at the hearing;**
- 2. Applicant agrees to install, plant and maintain additional trees and/or plants that are to be subjected to review by the Township if the shed is visible from the street;**
- 3. Applicant will obtain all permits and approvals from any agencies that have jurisdiction over related matters, including the Township;**
- 4. Any Township expenses that are properly part of the conditional use process will be paid to the extent not already done so;**
- 5. Applicant will comply with the rules, regulations and ordinances of the Township, the Commonwealth of Pennsylvania, and the United States.**

## **IX. Old Business**

### New Hope Shared Services

Ms. Tai provided the following update:

“As announced at prior supervisor meetings, Solebury Township and New Hope share the cost of several services, including Parks & Recreation, Fire, Ambulance/Emergency Services, and the Library. The Solebury Board does not believe that the current cost sharing arrangement is equitable as Solebury is paying \$88.22 per capita while New Hope is paying \$63.84 per

capita. We first brought this to the attention of New Hope in 2014, but they refused to pay more. In the interest of being good neighbors, we chose not to push it. However, the question of a potential large increase in ambulance costs caused us to bring up the issue again. More than three months ago, Solebury made several requests to meet with New Hope to discuss a more equitable approach. New Hope declined.

Without any other recourse, we informed New Hope Borough Council that it was the Board's desire to reach an amicable agreement, but if they refused to meet, they left us no choice but to rescind or modify the Park & Recreation agreement. Finally, more than two months after we first requested a meeting, a joint subcommittee met on October 12.

At this meeting, Solebury suggested that the committee agree to a common approach for calculating cost sharing. The two possibilities were to calculate based on population or by usage of the service. Solebury indicated a preference for calculating by usage and provided a rationale. New Hope stated that they needed to do a more thorough analysis before committing to any approach.

Solebury presented a detailed analysis, including current and proposed cost sharing arrangements. Recognizing that both municipalities contribute to the other in different ways, Solebury also calculated the amount each municipality "loses" in property tax due to public land (parks, schools, fire house, library, etc.). Additionally, Solebury presented an analysis that shows that taxpayers in both New Hope and Solebury save millions in school tax due to Solebury's very successful land preservation program. New Hope residents save approximately \$1.75 million/year and Solebury residents save approximately \$6.2 million - but these savings come at a cost of approximately \$2.65 million year, which is borne entirely by the Solebury taxpayer.

New Hope did not provide any data. When presented with the inequity of the Park & Rec program, whereby per capita costs are \$16 for Solebury residents and 59 cents for New Hope residents, New Hope suggested that rather than increasing their contribution to Solebury, New Hope residents may be better served by joining another Park & Recreation program, such as Upper Makefield. They also stated that it may not be fair to ask New Hope taxpayers who don't participate in the sports programs to pay for those that do.

New Hope mentioned that they provide many services to Solebury that we may not be aware of, including the cost of stationing police in front of the school. We asked them to provide specifics so that it could be considered in the overall approach. New Hope agreed to provide us this as well as a few pieces of additional information, but to date, we have not received anything. New Hope also asked for additional documentation, all of which we provided shortly after the meeting.

Solebury reiterated its desire to complete the discussions in time for the 2018 budget, which meant we would need to meet again by late October. New Hope stated that this was not possible.

Subsequent to the meeting, Solebury Chair Kevin Morrissey and New Hope President Alison Kingsley agreed that the subcommittee should meet again

before the end of October. It took no less than six reminders, phone calls, and emails before New Hope finally agreed and proposed a meeting on November 6.

A day later, Claire Shaw of New Hope Borough Council informed us they were cancelling the meeting. Her email states, "Although we are willing to work toward an amicable agreement, this is not a priority for the Borough at this time." She closed by stating, "You will hear from us after the 1st of the year to reschedule this meeting." New Hope Borough Council was aware that delaying discussions meant that any agreement would not be implemented in time for the 2018 budget.

I am very disappointed that New Hope walked away, unwilling to pay their fair share. This is not how good neighbors treat each other. As previously mentioned, for Park & Rec, Solebury taxpayers are paying \$16 per capita while New Hope is paying 59 cents.

A fair agreement would be for residents of both communities to pay \$12.50 per capita. This would mean that New Hope would contribute \$32,000 annually vs. the current \$1500.

Since New Hope Borough Council is unwilling to discuss the topic, we are once again left with the question of whether to rescind the Park & Recreation agreement and to charge non-resident fees to compensate for the loss in revenue. However, I am loathe to take this step because it puts a very large burden on the New Hope families. In order to compensate for New Hope Borough's refusal to pay their fair share, each New Hope participant would have to pay an average of \$130 more (\$31,172/247).

Therefore, my suggestion is to: 1) immediately rescind the current Park & Rec agreement; and 2) offer New Hope a new agreement that increases their contribution from \$1,500 to \$32,000 with a deadline of December 15. If they do not accept, it provides enough time for us to consider implementing a non-resident fee prior to the start of the spring Park & Rec programs."

The following conversation ensued between members of the Board:

Mr. Baum Baicker commented that as part of the Joint Committee, he is in agreement with everything Ms. Tai stated. Ms. Tai's characterization of everything that has transpired over the last few months is completely accurate. Solebury Township cannot force New Hope Borough to sit down and discuss shared services matter. What the Joint Committee will do is continue to pursue an equitable agreement to the extent it can. Mr. Baum Baicker questioned if the December 15, 2017, deadline was too soon.

Ms. Tai mentioned that a later date was considered but was reevaluated due to the open enrollment date for spring sports starting mid-January. Ms. Tai explained that the communication between Solebury Township and New Hope Borough started in August of 2017. Solebury Township supplied New Hope Borough with all figures and documentation. New Hope has had three months to review and respond to the information presented, but has yet to do so. Ms. Tai is open for ideas and suggestions on this matter.

Mr. Cosdon noted that he is not sure that this is a decision to be made by Solebury Township and New Hope Borough council members with terms that are expiring at

the end of the year. Mr. Cosdon believes that the new council members should participate in that decision. The deadline date should be postponed until the first of the year. However, due to the scheduling of New Hope meetings, the decision date of December 15, 2017, should be held off until February 15, 2018. Meanwhile, if Park & Recreation begins taking sports enrollments, Mr. Cosdon suggested that only Solebury residents' enrollments be accepted until a decision is made.

Mr. Baum Baicker inquired as to what impact this would have on the kids. Mr. Cosdon noted no impact due to the registration being for the spring season.

Mr. Barrett inquired if the registration could be postponed and if it would be a burden to do so. Mr. Cosdon noted that 10 % of participants would be held-off until a decision was made.

Mr. Baum Baicker inquired about the enrollment timeframe. Mr. Cosdon noted that the timeframe continues from open enrollment in mid-January until opening day of the sport.

Mr. Barrett inquired as to the cap on sports registrations. Mr. Cosdon noted there is no cap.

Mr. Baum Baicker expressed his disappointment that Solebury Township has to be having this conversation. When it comes to kids it is very unfortunate. Solebury Township is in a situation where it needs to do the right for Solebury residents.

Ms. Tai then stated that the suggested date of February 15, 2018, be changed to January 31, 2018. Ms. Tai will send the shared services analysis to the 2018 Solebury Township Board members and New Hope Borough Council members for review.

Mr. Baum Baicker agreed with the date.

**Res. 2017-154 - Upon a motion by Ms. Tai, seconded by Mr. Baum Baicker, it was unanimously agreed to rescind the Park and Recreation agreement with New Hope Borough and authorize Solebury Township Administration to give New Hope Borough the required 30 day notification of rescindment as well as offer New Hope Borough a new agreement that increases the contribution from \$1500 to \$32000 with the deadline of January 31, 2018.**

Barbara Zietchick inquired if a fee schedule would be developed by Solebury Township. The Board will approach this after the deadline date of January 31, 2018.

Ms. Zietchick asked how Solebury Township will contact New Hope residents with the fee increase. The Board noted that if this is the route that has to be taken, it will be on the registration forms.

## **X. New Business**

### Budget - Discussion

Ms. Tai opened the discussion with the following comment:

“As you may have heard the Ambulance Referendum passed overwhelmingly in both New Hope and Solebury, 69.5% and 73.3% respectively. That is great news; it is something our Board was interested in having happen. In 2018

our contribution for EMS will be \$229,000 which is an increase of \$129,000. We are pleased to let you know the total average increase per household will be \$35.75 which is 21% less than the maximum average of \$45.00 we had previously estimated. We were able to accomplish this by negotiating a fair agreement with Central Bucks EMS and by reducing some other costs.”

Ms. Blood and Mr. Carney presented the 2018 Budget highlighting the millage increase due to referendum passing and the removal of the \$1500 “Contribution from Other” under Park and Recreation revenue line item. Conversation ensued.

Ms. Zietchick asked how Solebury Township knows what New Hope Borough’s contribution will be. The Board explained that Central Bucks EMS is responsible to notify New Hope of their portion.

Budget-Authorization to Advertise

**Res. 2017-155 - Upon a motion by Mr. Cosdon, seconded by Mr. Baum Baicker, it was unanimously agreed to authorize advertising of the proposed 2018 budget for adoption at the December 2017 regular Board meeting.**

LPC - Property #148 - Authorization for Offer

The Land Preservation Committee recommended the Board authorize the offer for Property # 148. The property consists of 16 acres; current use is a horse farm in Zoning RA District with a 1 ½ acre buildable lot size.

**Res. 2017-156 - Upon a motion by Mr. Cosdon, seconded by Mr. Baum Baicker, it was unanimously agreed to authorize the offer for LPC Property #148.**

LPC - Property #152 - Inclusion into the Program

The Land Preservation Committee recommended the Board approve Property # 152 inclusion into the Solebury Township Land Preservation program. The property consists of 11.83 acres.

**Res. 2017-157 - Upon a motion by Ms. Tai, seconded by Mr. Cosdon, it was unanimously agreed to include Property # 152 into the Solebury Township Land Preservation Program.**

**XI. Subdivisions/Land Developments**

**XII. Public Comment**

**XIII. Adjournment**

**Res. 2017-158 - Upon a motion by Mr. Cosdon, seconded by Mr. Baum Baicker, the meeting was adjourned at 8:10 p.m.**

Respectfully submitted,

Catherine Cataldi  
Administrative Assistant