

**SOLEBURY TOWNSHIP BOARD OF SUPERVISORS**

July 16, 2019 – 6:00 P.M.

**Solebury Township Hall**

**MEETING MINUTES**

Attendance: Mark Baum Baicker, Chair, Robert McEwan, Kevin Morrissey, Noel Barrett, Michele Blood, Assistant Manager, and Catherine Cataldi, Secretary. Mark L. Freed, Solicitor was also in attendance.  
Absent: John S. Francis, Vice-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 – June 27, 2019 and July 11, 2019**

**Res. 2019-86 – Upon a motion by Mr. McEwan, seconded by Mr. Barrett, the list of Bills Payable dated June 27, 2019 and July 11, 2019 were unanimously approved as prepared and posted.**

**III. Approval of Minutes – June 18, 2019**

**Res. 2019-87 – Upon a motion by Mr. Baum Baicker, seconded by Mr. McEwan, the Minutes of the June 18, 2019 meeting were unanimously approved as written and posted.**

**IV. Announcements/Resignations/Appointments**

- Executive Session  
The Board announced an executive session held on July 16, 2019, prior to the meeting, dealing with Legal Issues.
- Mr. Baum Baicker clarified that the Bucks County Herald article *“Solebury resets 202 plan review for Aug. 20”* was incorrect regarding the following statement: *“However, due to limited time availability in July, the board has rescheduled public comment on the issue for Tuesday, Aug. 20, from 7 to 9 p.m., following the regular 6 p.m. meeting.”* The public forum was never scheduled for July. Mr. Baum Baicker announced that the 202 Public Forum is to be held August 20, 2019 from 7:00 pm to 9:00 pm at the Township Building, 3092 Sungan Road, Solebury Township, PA 18963.

**V. Supervisors Comment**

- Mr. McEwan read a Statement of the Board of Supervisors (copy of which is attached) regarding the Route 202 Corridor Project. Mr. Baum Baicker added that the Board’s goal is protection of the environment. The presented plan was not proposed nor voted on. Mr. Morrissey explained that the plan was a way to open up the discussion. Mr. Barrett made a comment about the need to be proactive.

## **VI. Public Comment**

- Larry Peseski, resident, commented on the positive feedback he received from prospected buyers regarding the 202 project plans that were presented at the June 18, 2019 Board meeting. Some positive elements included: uniformity, look, and setback.
- Helen Tai, resident, expressed gratitude that the Board is not pursuing the 202 project plans that were presented at the June 18, 2019 Board meeting. Ms. Tai expressed interest in the inclusion of resident participation and feedback.
- Barbara Zietchick, resident, commented about the Board working with New Hope regarding any changes to Route 179 as it will impact both New Hope Borough and Solebury Township.
- Charles Silver, resident, questioned the inevitability of the project on 202. Mr. Silver inquired about what allows a builder to build on farm land. Mr. Baum Baicker and Mr. Freed explained that the 202 corridor is zoned Traditional Neighborhood Commercial District and that every Zoning District has development by right.

**Mr. Baum Baicker announced a change in the agenda order. The Environmental Advisory Committee Presentation was moved to after New Business.**

## **VII. Presentations**

### Farm Committee – Annual Report

Kaitlin Farbotnik, Committee Chair, and Tim Luccaro, Committee Vice-Chair, reviewed the Committee's annual report with the Board. A copy of the Annual Report is on file at the Township administrative offices.

The Board thanked Ms. Farbotnik and Mr. Luccaro for presenting the Farm Committee's Annual Report. Mr. Morrissey thanked the Farm Committee for their work throughout the year.

Mr. Morrissey announced that the Farm Committee Forum is to be held October 3, 2019 from 6:00 pm to 7:30 pm at the Solebury Township Building.

### Environmental Advisory Committee (EAC) – Annual Report

Eric Allen, EAC Chair, reviewed the committee's annual report with the Board. A copy of the Annual Report is on file at the Township administrative offices.

The Board thanked Mr. Allen for presenting the EAC's Annual Report. Mr. Morrissey thanked the EAC for their work throughout the year.

## **VIII. New Business**

### Fuel Bid Award

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

**Res. 2019-88 – Upon a motion by Mr. McEwan, seconded by Mr. Barrett it was unanimously agreed to award the bid for Premium Unleaded Gasoline to PAPCO, Inc.; to award the bid for Ultra Low Sulfur Diesel Fuel to East River Energy; and to award the bid for Propane to Suburban Propane, Inc. as reflected in their respective bids submitted to the Bucks County Consortium.**

Resolution in Support of Comprehensive Nondiscrimination Legislation

The proposed resolution was drafted and posted to the Solebury Township website on June 27, 2019. Resident feedback was encouraged.

Highlights of the resolution include:

1. The Township endorses the introduction and passage of comprehensive non-discrimination state and federal legislation that:
  - a. expressly includes sexual orientation, gender identity, and gender expression as protected classes from discrimination in employment, housing, and public accommodations;
  - b. prohibits conversion therapy as to minors; and
  - c. maintains federal, state, and local authority to prohibit and remedy invidious discrimination.
2. The Township supports the introduction and passage of such legislation promptly and urges state and federal legislators to work together to make passage of such legislation a reality.

Lois Bach, resident, expressed concerns about the bans and limits the resolution sets for parents and medical professionals.

Penny Armagost, resident, inquired about the reasoning behind the Supervisors enacting the resolution. Mr. McEwan commented that this was brought to him by concerned residents.

Mr. Freed explained that this is only a resolution which expresses the Board's opinion to higher government. This is not a Township ordinance that would be regulated.

**Res. 2019-89 – Upon a motion by Mr. Morrissey, seconded by Mr. Baum Backer, it was unanimously agreed to approve the Resolution in Support of Comprehensive Nondiscrimination Legislation. The executed resolution is to be sent to State Senator Steve Santarsiero, State Representative Wendi Thomas, Pennsylvania Governor Tom Wolf, U.S. Representative Brian Fitzpatrick, and U.S. Senators Bob Casey and Patrick Toomey.**

Resolution in Support of Plastic Regulation

The resolution endorses the Commonwealth of Pennsylvania to enact a law which regulates and reduces the use of single-use plastics, reusable plastics, auxiliary containers, wrappings or polystyrene containers state-wide and/or which permits municipalities to regulate such materials. The proposed resolution was drafted and posted to the Solebury Township website on July 9, 2019. Resident feedback was encouraged.

Barbara Zietchick, resident, offered the suggestion of businesses charging for bags.

Tim Luccaro commented that this would be an opportunity to partner with business owners to promote environmental friendly businesses.

Brian Keyes, Aquetong Spring Watershed, commented about the number of plastic bags and Styrofoam cups from local businesses that are cleaned up along the watershed.

**Res. 2019-90 – Upon a motion by Mr. Morrissey, seconded by Mr. Baum Backer, it was unanimously agreed to approve the Resolution in Support of Plastic Regulation. The executed resolution is to be sent to State Senator Steve Santarsiero, State Representative Wendi Thomas, and Pennsylvania Governor Tom Wolf.**

Zoning Hearing Board Applications – Authorization for Solicitor to Attend – Thomas Oliver  
**Res. 2019-91 – Upon a motion by Mr. Baum Baicker, seconded by Mr. McEwan, it was unanimously agreed to authorize the Township Solicitor to attend the Zoning hearings on behalf of the Township in opposition to the Thomas Oliver application for appeal from the Zoning Officer's May 31, 2019 Enforcement Notice.**

**IX. Public Comment**

Dennis Mansfield, resident, thanked the Board for their responsiveness to the comments and concerns of the community regarding 202.

Brian Keyes, Aquetong Spring Watershed, commented about the professionalism of the Environmental Advisory Council and the receptiveness of the Board of Supervisors.

**X. Adjournment**

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

Respectfully submitted,  
Catherine Cataldi  
Secretary

## **STATEMENT OF THE BOARD OF SUPERVISORS 7/16/19**

Before we open up for questions and comments about the Route 202 corridor project, we wanted to make a statement to explain more fully what was presented at the June 18th meeting by our consultants.

As some of you are aware, outside developers are working on a number of proposals for building in the Logan Square area, so for better or worse, Logan Square will not remain "as is" forever. Our objective at the meeting on June 18th was and remains to "get out in front" of the pending development proposals, pro-actively manage what happens on Route 202, and lay out what we would like see in the forthcoming proposals to improve the current situation.

At our meeting in June, our consultants presented a "vision" for the Route 202 corridor, including ideas to ensure that the traffic flow improves or, at least, does not become worse. That required some assumptions as to the possible extent of building on the lots that are the most likely targets for development.

It was not then and is not now the recommendation of the Board of Supervisors that what was shown in June actually be built. Legally, we cannot dictate that because we are discussing land that is private property.

Rather, the goal of the Board is to elicit input from the community as to what you would and would not like to see along 202. In that sense, our goal is being met through the input we are getting.... some positive about particular elements (for example, extension of hiking and biking trails, senior housing, and fixing the Giant/Shire Drive intersection) and much critical—particularly about project scale, style, and environmental concerns.

Be assured that we are not going ahead with what was presented in June. In fact, we want to continue hearing all of the wishes and concerns of the community. To that end, we have scheduled the first in a series of community meetings to discuss the future of the 202 corridor on Tuesday, August 20th at 7:00pm.

In addition, those here tonight will have an opportunity to present their views on this most important subject. We hope you will keep your comments constructive and remember that we will not move ahead in any way without adequate public notice and community support.

**SOLEBURY TOWNSHIP BOARD OF SUPERVISORS**

**RESOLUTION IN SUPPORT OF COMPREHENSIVE  
STATEWIDE AND FEDERAL NONDISCRIMINATION LEGISLATION**

**RESOLUTION 2019- 89**

**WHEREAS**, Solebury Township prides itself on being an inclusive community and a community that respects the equal rights and freedoms of all residents and visitors;

**WHEREAS**, the freedom to be who a person is and the ability to access the means to build a life of one's own choosing, including an equal opportunity at success, are fundamental values of our society;

**WHEREAS**, such equal opportunity and freedom is meaningless when a good job, housing, or participation in other aspects of society can be denied to a person or taken away simply because of who that person is, who they love, and/or prejudice as to how a person looks, acts, or preconceptions about how a person should look or act;

**WHEREAS**, the effects of discrimination extend to a person's physical and mental well-being, their ability to access necessary healthcare, their relationships with others, and their ability to feel safe and at home not only in our society, but also in their own bodies;

**WHEREAS**, minors are particularly at risk of harm from discrimination, especially during crucial developmental years in which they are exploring and becoming comfortable with themselves and who they are;

**WHEREAS**, these risks and harms are compounded the more marginalized a person is based simply on who they are, including their skin color, identity, outward appearance, and who they love;

**WHEREAS**, federal and Pennsylvania antidiscrimination statutes do not expressly prohibit discrimination in employment, housing, and public accommodations based on sexual orientation, gender identity, and gender expression;

**WHEREAS**, federal judicial decisions have begun to more fully recognize that discrimination on the basis of sexual orientation and gender identity/expression is a prohibited type of discrimination called "sex stereotyping;"

**WHEREAS**, the Pennsylvania Human Relations Commission recently followed the trend of federal judicial decisions in accepting certain kinds of discrimination claims based on sexual orientation and gender identity/expression;

**WHEREAS**, protections for basic human dignity, freedom, and ability to access jobs, housing, and other services crucial to being full participants in society should be enshrined in state and federal law;

**WHEREAS**, there have been consistent federal and Pennsylvania efforts over recent years to expressly include sexual orientation, gender identity, and gender expression under anti-discrimination laws, but none to date have been enacted into law;

**WHEREAS**, 15 states (including New York, New Jersey, Delaware, and Maryland), the District of Columbia, and some Pennsylvania municipalities have prohibited conversion therapy in order to protect minors, including Doylestown Borough, which expressly classified conversion therapy as a prohibited form of discrimination under its nondiscrimination ordinance;

**WHEREAS**, the Pennsylvania General Assembly has pending legislation, SB 56, SB244, SB 614, HB 1293 and HB 1404, which would prohibit “sexual orientation change efforts” or “conversion therapy” as to individuals under 18 years of age, including efforts to change such a person’s gender identity, and would expressly include sexual orientation and gender identity or expression under state anti-discrimination laws; and

**WHEREAS**, the 116<sup>th</sup> United States Congress has re-introduced the federal Equality Act (H.R. 5 and S.788), which would expressly include sexual orientation and gender identity under federal anti-discrimination laws and restore balance in federal law between protecting equal opportunity for all and respect for religious freedom;

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

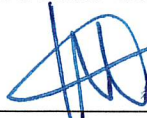
1. The Township endorses the introduction and passage of comprehensive non-discrimination state and federal legislation that:
  - a. expressly includes sexual orientation, gender identity, and gender expression as protected classes from discrimination in employment, housing, and public accommodations;
  - b. prohibits conversion therapy as to minors; and
  - c. maintains federal, state, and local authority to prohibit and remedy invidious discrimination.
  
2. The Township supports the introduction and passage of such legislation promptly and urges state and federal legislators to work together to make passage of such legislation a reality.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to State Senator Steve Santarsiero, State Representative Wendi Thomas, Pennsylvania Governor Tom Wolf, U.S. Representative Brian Fitzpatrick, and U.S. Senators Bob Casey and Patrick Toomey.



**RESOLVED, ADOPTED and APPROVED**, on the 16th day of July, 2019, at a regular public meeting of the Board of Supervisors of Solebury Township.

**SOLEBURY TOWNSHIP  
BOARD OF SUPERVISORS**

  
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Mark Baum Baicker, Chair


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John Francis, Vice-Chair

  
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Noel Barrett, Member

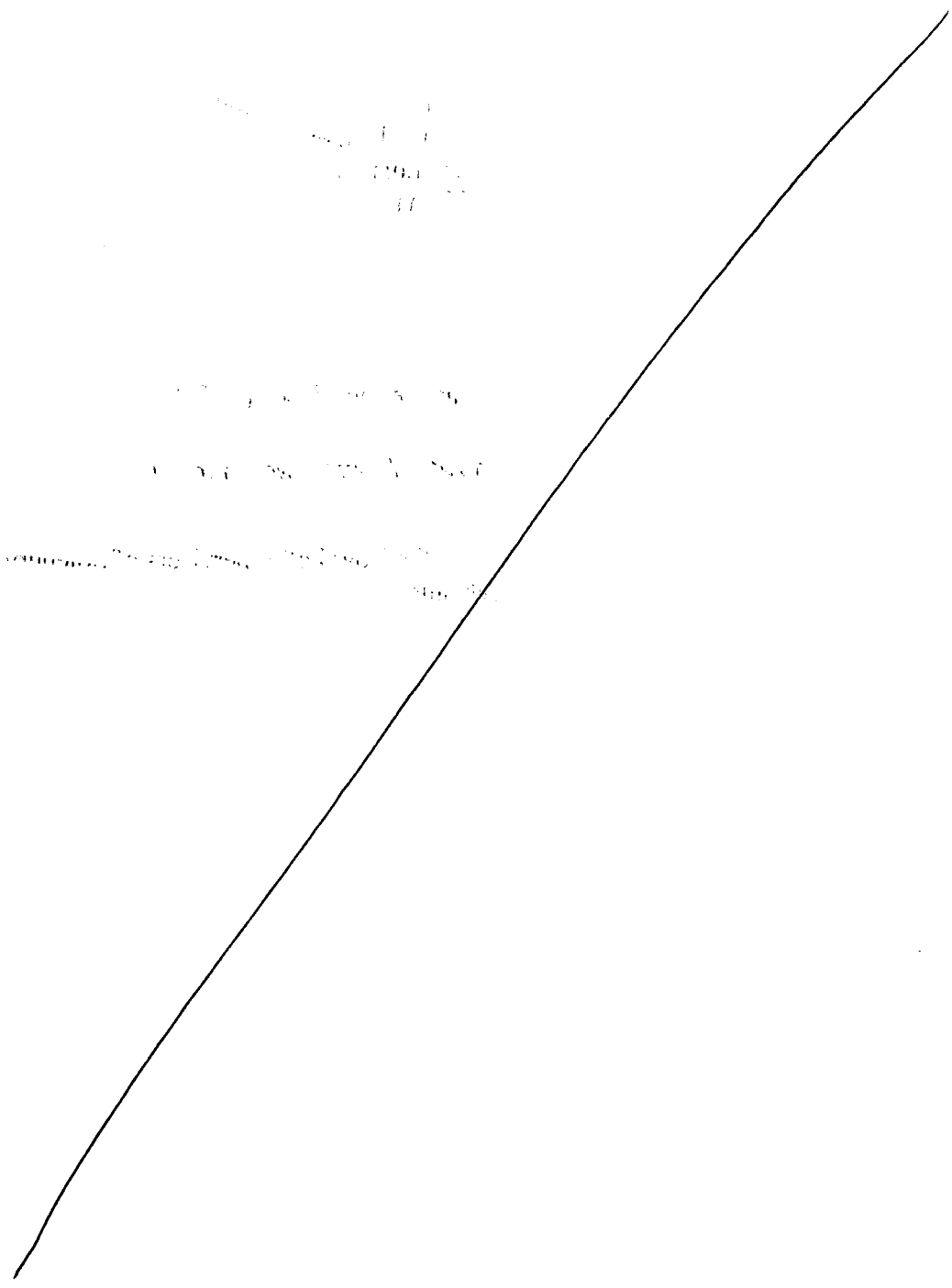
  
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Robert A. McEwan, Member

  
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Kevin Morrissey, Member

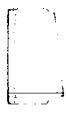
Attest:

  
\_\_\_\_\_  
Catherine Cataldi, Township Secretary

July 16, 2019  
\_\_\_\_\_  
Date



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## SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

### RESOLUTION ENDORSING STATE AND MUNICIPAL REGULATION OF SINGLE USE PLASTIC BAGS, REUSABLE PLASTICS, AND POLYSTYRENE CONTAINERS

RESOLUTION 2019 - 90

**WHEREAS** Pennsylvania Second Class Township Boards of Supervisors are charged with the responsibility to ensure the sound health, safety and welfare of the citizens of the township. (Article VI, Section 602, Act of May. 1, 1933, P.L. 103, No. 69, Second Class Township Code);

**WHEREAS** Pennsylvania Second Class Township Boards of Supervisors are authorized to make and adopt ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth necessary and proper for the health and welfare of the township and its citizens. (Article XV, Section 1506, Act of May. 1, 1933, P.L. 103, No. 69, Second Class Township Code);

**WHEREAS** on June 28, 2019, Governor Wolf signed into law PA Senate Bill 712, which includes the following clause "...The Independent Fiscal Office shall evaluate the economic impact to the Commonwealth, its industry partners and consumers for any regulation impacting single-use plastics, reusable plastics, auxiliary containers, wrappings or polystyrene containers and submit a full report of its findings to the General Assembly no later than July 1, 2020." (Sub article I/Recycling Fund, Section 1706-E, (a), Senate Bill No. 712, Session of 2019, Printer's no. 1085);

**WHEREAS**, PA Senate Bill 712 also restricts local governmental bodies from enacting any ordinance or regulation that relates to the use, disposition, sale, prohibition or restriction of single-use plastics, reusable plastics, auxiliary containers, wrappings or polystyrene containers during the referenced interim period;

**WHEREAS** Article I, Section 27 of the Pennsylvania Constitution states that "The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people." (Environmental Rights Amendment (ERA), (Article I, Section 27 of the Pennsylvania Constitution);

**WHEREAS**, there is a preponderance of research indicating concern for potential effects of use and disposal of plastic materials upon human health;

**WHEREAS**, use and distribution of single-use plastic bags, plastic straws and polystyrene cups and polystyrene food containers have a negative impact on the natural environment in Solebury Township;

**WHEREAS**, single-use plastic bags, plastic straws and polystyrene food containers have the potential to pollute the environment, harm wildlife and natural landscapes, clog storm drains and drainage systems, and enter into the waters of the Commonwealth creating further damage to aquatic life and ecosystems;

**WHEREAS**, plastic film from single-use plastic bags bind and clog sorting equipment and become an operational and financial burden on recycling facilities and polystyrene containers do not biodegrade;

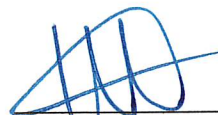
**WHEREAS**, reusable bags and containers and paper straws are readily available alternative to single-use plastic bags, polystyrene food containers and plastic straws and are both cost effective and help to preserve the natural environment;

**WHEREAS**, it is in the public interest of the residents of Solebury Township to reduce the use of single-use plastic bags and plastic straws and polystyrene food containers to protect the public health and natural environment of the surrounding area;

**NOW, THEREFORE, BE IT RESOLVED**, that the Solebury Township Board of Supervisors endorses the Commonwealth of Pennsylvania enacting a law which regulates and reduces the use of single-use plastics, reusable plastics, auxiliary containers, wrappings or polystyrene containers state-wide and/or which permits municipalities to regulate such materials.

**RESOLVED, ADOPTED and APPROVED**, on the 16th day of July, 2019, at a regular public meeting of the Board of Supervisors of Solebury Township.

**SOLEBURY TOWNSHIP  
BOARD OF SUPERVISORS**

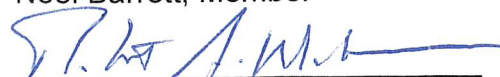


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Mark Baum Baicker, Chair

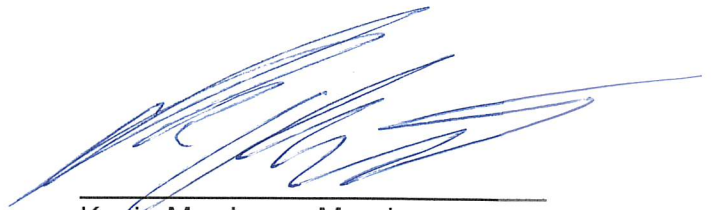
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John Francis, Vice-Chair



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Noel Barrett, Member

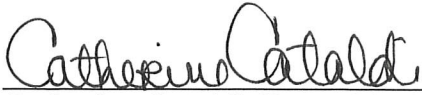


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Robert A. McEwan, Member



Kevin Morrissey, Member

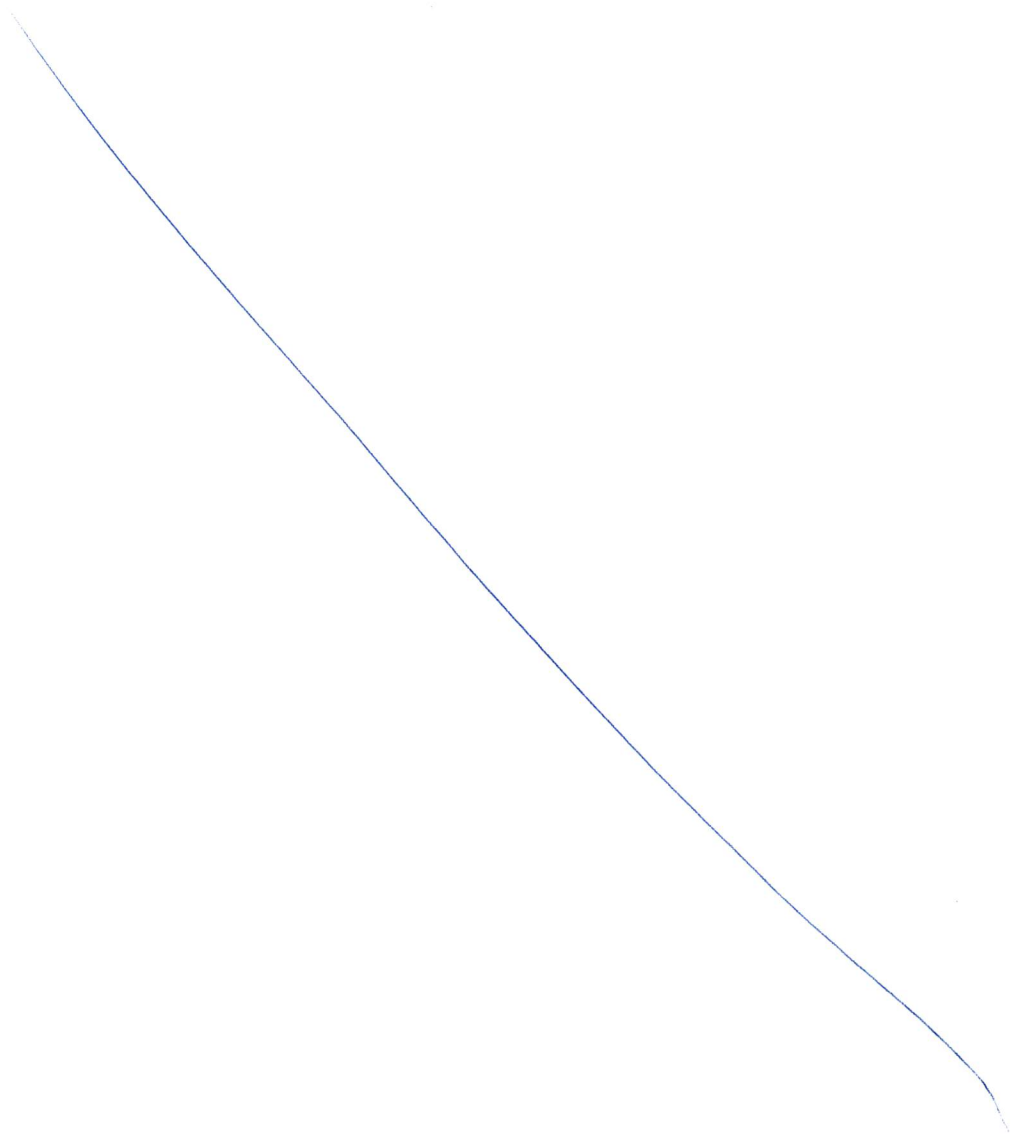
Attest:



Catherine Cataldi, Township Secretary

Date: July 16, 2019

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