

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS
January 19, 2016 – 7:00 P.M.
Solebury Township Hall

MINUTES

Attendance: Helen Tai, Chair, James Searing, Vice-chair, Noel Barrett, Paul Cosdon and Kevin Morrissey. Dennis H. Carney, Township Manager, Gretchen K. Rice, Assistant Manager, Jordan B. Yeager, Solicitor and C. Robert Wynn, Township Engineer, were also in attendance.

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

Approval of Bills Payable

Mr. Cosdon noted a contradiction in the description labeled as basketball expenses under the Soccer Fund. The Secretary will have the description corrected.

Res. 2016-22 – Upon a motion by Mr. Barrett, seconded by Mr. Cosdon, the list of Bills Payable dated December 22, 2015, December 31, 2015 and January 14, 2016, were unanimously approved with correction as noted.

Approval of Minutes

Res. 2016-23 – Upon a motion by Mr. Cosdon, seconded by Mr. Searing, the Minutes of December 15, 2015 were approved as written and posted.

Voting in Favor: Ms. Tai, Mr. Cosdon and Mr. Searing

Abstaining: Mr. Barrett and Mr. Morrissey did not take office until January of 2016

Res.2016-24 – Upon a motion by Mr. Cosdon, seconded by Mr. Searing, the Minutes of January 4, 2016 were unanimously approved as written and posted.

Announcements/Resignations/Appointments

- The Chair announced executive sessions held on January 4th regarding litigation and January 19th regarding personnel and litigation.
- The Chair noted a public work session held at 2:00 p.m. prior to the Board meeting devoted to 2016 goals and priorities.
- The Chair announced that the 2016 Winter Festival was scheduled to begin on Saturday, January 23rd, adding that pamphlets listing activities and locations were available at the back of the meeting room for anyone interested.

Res. 2016-25 – Upon a motion by Mr. Cosdon, seconded by Mr. Morrissey, the following appointments were made:

Patrick Pastella to the Historical Architectural Review Board for a five year term to expire 12/31/2020;

Mark Baumbaicker to the Historical Architectural Review Board for a one year term to expire 12/31/2016;

Peter Brussock to the Solebury Township Planning Commission for a two year term to expire 12/31/2017.

PRESENTATIONS

Representative Scott A. Petri – Prior to the meeting Representative Petri’s office advised that he would not be attending this evening’s meeting.

Mr. Cosdon stated that the Township would attempt to reschedule at some future meeting.

Free Library of New Hope – Solebury – Carroll Taylor, Vice President of the Board of Directors, along with Jacqui Griffith provided the Board with a status update on the renovations taking place at the library, noting that the operations are being temporarily housed at St. Martins. The library hopes to move back to its original location in March of this year. Ms. Taylor stated that the library will be coming back for more funding.

PUBLIC HEARING – HARB – Thomas Godley, 3698 Aquetong Road, TMP 41-002-051-004 – The Chair opened the hearing.

Mr. Godley and Mr. Gleba, owners of 3698 Aquetong Road, were present to address the Board. The application had been reviewed by the Historical Architectural Review Board and a recommendation for issuance of a Certificate of Appropriateness was provided to the Board, a copy of which is attached to these Minutes. Following comment from the owners, the hearing was closed.

Res. 2016-26 – Upon a motion by Mr. Cosdon, seconded by Mr. Barrett, it was unanimously agreed to issue a Certificate of Appropriateness to TMP 41-002-051-004 in accordance with the recommendation as contained in the Historical Architectural Review Board Minutes of December 7, 2015, a copy of which is attached hereto and made a part hereof.

The applicant was reminded that permits still have to be obtained.

OLD BUSINESS – New Hope Crushed Stone Quarry – The Chair opened the discussion by providing the history of the case, including the ruling issued in 2014 by the Environmental Hearing Board that declared the quarry operation a “public nuisance”.

For the past eighteen months DEP has been trying to enforce the conditions attached to the 2014 ruling but the quarry continues to mine and the public nuisance has not been addressed. DEP has issued numerous notices have been provided to the Quarry that the revisions to its permits and the reclamation plan as submitted were inadequate.

On October 1, 2015, DEP issued a Compliance Order, stating that “This inspection report is being generated to issue a violation.” It further states that “the Department required NHCS to submit permit revisions to both the mining permit and NPDES permit that brings both permits into compliance with the EHB adjudication.” Lastly it states, “...the information submitted to the Department failed to provide the information requested by the Department...” On October 29, NHCS appeal the compliance order, asking the EHB to find that it does not have to comply.

The discussion before the Board is whether or not the Township should intervene in the appeal.

Each Supervisor offered comment in support of the Township moving forward with a petition to intervene.

Numerous residents, including David Benner, Eleanor Miller, John Winterbottom, Dennis Mankin, Chris Caputo, CeCe Brillman, Peter Grover, Peter Ammirati, Hope Blaythorne, and Kurt Miller encouraged the Board to intervene.

Ed McGahan asked what budget has been provided, and suggested that the only real way to control the property would be to purchase it and encouraged the Board to look into that possibility.

Tom Wilschutz, Head of Solebury School, commented that the real enemy is DEP who has taken no action other than to issue notices to the quarry for the past eighteen months.

Res. 2016-27 - Upon a motion by Mr. Morrissey, seconded by Mr. Barrett, it was unanimously agreed to submit a Petition to Intervene on behalf of Solebury Township in Case No. 2015-161-L in the matter of the New Hope Crushed Stone Quarry vs. the Commonwealth of Pennsylvania, Department of Environmental Protection, and authorize the Township Solicitor to take all appropriate actions necessary to intervene.

NEW BUSINESS – No new business came before the Board.

SUBDIVISIONS/CONDITIONAL USES/LAND DEVELOPMENTS

Giuliano Tract – Escrow Release Authorization Voucher #7

Res. 2016-28 - Upon a Motion by Mr. Searing, seconded by Mr. Barrett, it was unanimously agreed to approve the escrow release in the amount of \$1,847.73 (Authorization Voucher No. 7) to reimburse the Township for legal, engineering and administrative fees from the Giuliano Letter of Credit.

Public Comment – No additional public comment was offered.

Adjournment

Res. 2016-29 – Upon a motion by Mr. Cosdon, seconded by Mr. Barrett, the meeting adjourned at 8:00 P.M.

Respectfully submitted
Gretchen K. Rice
Assistant Manager
Secretary/Treasurer

