

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS
October 7, 2014 – 7:00 P.M.
Solebury Township Hall

MINUTES

Attendance: James Searing, Chair, Paul Cosdon, Vice-chair, Robert Heath, Jr., Edward McGahan, Jr. and Helen Tai. Dennis H. Carney, Manager, Gretchen K. Rice, Assistant Manager, Michele Blood, Finance Director and Jonathan J. Reiss, Solicitor, were also in attendance.

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

Approval of Bills Payable – October 3, 2014

Res. 2014-140 – Upon a motion by Mr. Cosdon, seconded by Ms. Tai, the list of Bills Payable dated October 3, 2014 was unanimously approved as prepared and posted.

Approval of Minutes – September 16, 2014 & September 16, 2014

Res. 2014-141 – Upon a motion by Ms. Tai, seconded by Mr. Cosdon, the Minutes of the September 16, 2014 Work Session were unanimously approved as written and posted.

Res. 2014-142 – Upon a motion by Mr. Heath, seconded by Mr. McGahan, the Minutes of the September 16, 2014 regular meeting were unanimously approved as written and posted.

Announcements

- The Board announced an executive session held before the meeting to address issues related to legal and personnel issues.

- The Board noted that a public work session was held at 4:30 related to budget discussions.

Public Comment – No early public comment was offered.

NEW BUSINESS

Worth-Trayer Settlement Agreement – The proposed Settlement Agreement deals with Lots 1 and 2 of the former Roeser property on Street Road and a violation of the terms of the Conservation Easements placed on the lots by Solebury Township and Bedminster Regional Land Conservancy prior to their sale to Richard & Kimberly Worth.

This matter has been pending in the Court of Common Pleas under a Civil Action brought by the Township and Bedminster Regional Land Conservancy against Richard and Kimberly Worth and Jill E. Trayer and Robert S. Strand, owners of Lots 1 and 2 respectively. The parties have come to a verbal mutual agreement that the existing easement violation will be removed thereby preserving the integrity of the Township's Conservation Easement.

In response to question about why this topic did not appear on the published Agenda, the Solicitor responded that the discussions and the verbal agreement were reached over the weekend and communicated by Special Counsel to the Township after the Agenda had been posted. Since the matter was scheduled in Court for this week, it is necessary to address the issue at this meeting.

Res. 2014-143 – Upon a motion by Mr. McGahan, seconded by Mr. Heath, it was agreed to authorize Dennis H. Carney, Township Manager, and Land Preservation Counsel, Terry Clemons, to execute the Settlement Agreement on behalf of Solebury Township in the Worth/Trayer easement violation matter scheduled for trial this week, resulting in the easement violation being removed and the integrity of the Conservation Easement being preserved.

In Favor: Mr. Searing, Mr. Heath, Mr. McGahan and Ms. Tai

Opposed: Mr. Cosdon

At this time Mr. Heath excused himself from the meeting.

OLD BUSINESS

2015 Budget – The Chair provided an overview of the preliminary 2015 Budget with an explanation of how information was gathered over the past months from all Township departments, and three public sessions to date specifically dealing with projected budget numbers including revenue projections and areas of potential cost savings.

The Township's current financial position is strong, the Township's pension funds are essentially fully funded and the Township enjoys a Aa3 rating from Moody's and an AA+ rating from Standard and Poors. The Chair noted that Solebury Township has the lowest total property tax rate of any Township in Bucks County, due in large part to its successful investment made in preserving land.

The Chair noted however that while the Township is in a good financial position, maintaining that position is not without its challenges. Revenues are flat yet costs to operate and provide services continue to rise. The overall cost of roads, bridges, healthcare, snow removal, personnel, police, EMS and other vital services is rising by at least 3% annually. These expenses make up the majority of Township costs and the only source of revenue to pay for them is via an increase in property taxes.

At this time the Township projects a small deficit of \$150,000 at the end of 2014. This was anticipated and planned last year so that the Township could take advantage of the fund balance reserve in 2014. By using the reserve and anticipating a small deficit, the Township was able to maintain a stable tax rate for 2014. Looking at projections going forward however, that small deficit expands to a \$400,000 deficit which is not sustainable for any period of time. The Board believes it is imperative that action be taken now to sustain the stability of Township finances in both the short term and long term.

The Township has not raised real estate taxes for three years. In the preliminary 2015 Budget under review a tax increase of somewhere between 2 and 3 mills is being considered. The Board has determined that it wanted to be open and transparent now about this potential tax increase.

The Chair clarified that the cost of the proposed new public works facility will have no impact on the Township tax rate. By refinancing an outstanding bond at a lower rate, not expending funds on the existing garage, using some reserves and extending payments into the 2020's, the Township is able to undertake the project without increasing taxes for the project.

Keith Mcmillen, President of the New Hope Eagle Fire Company, addressed the Board with a request for a quarter-mil tax increase in the fire tax.

In response to questions posed by the Board, Mr. Mcmillen explained that the company had anticipated receiving a grant toward the \$299,000 cost required to replace the emergency radio system, they were not successful and received no grant monies to help offset those mandated expenses. In addition, the 25 year old Tanker Truck no longer meets current safety standards and the cost to replace it in today's market is approximately \$450,000.

The fire company has saved \$100,000 towards the down payment on the radios and \$250,000 towards the new Tanker Truck. The company continues to actively pursue grants when available, and fundraising events to help supplement tax revenues.

The current fire tax is shared among three companies; New Hope Eagle receives 50% of the tax, Midway Fire Company receives 30% and Point Pleasant receives 20% of the taxes collected.

According to Mr. Mcmillen, a quarter mil increase from both Solebury Township and New Hope Borough, which they are also requesting, would generate approximately \$44,000 annually to the Eagle Fire Company and would be a great help in offsetting the loans the company will be taking out to cover both expenses. It was also noted that instead of raising the fire tax the Township could create a \$30,000 special line item in the general fund for the Eagle Fire Company.

The Board thanked Mr. Mcmillen for his service and will take the request for a quarter-mil increase in the Fire Tax under consideration.

Public Works & Administration Budget Discussion – The Township Manager and Finance Director addressed the Board with a brief overview of the previous presentations by the Police Department and the Parks and Recreation Department. While not related to real estate taxes, Mr. Cosdon noted that the P&R Board was reviewing the fee in lieu of land required for subdivisions and land developments.

Mr. Carney noted that no increase in personnel is anticipated in the public works department. A five-year road program was reviewed including a proposal for the purchase of a new roller at a cost of approximately \$50,000.

A new telephone system for administration is proposed and a funding for replacement of the heater for the administration building is also included.

The Township Administration is recommending a 2.25 mil increase to address the end of year deficit for 2014, eliminate the increasing projected deficit over the next three years, and to maintain the current level of services provided, including funding the roads and bridges program. It was noted that the recommended 2.25 does not include additional tax funding for the fire companies or the library.

Mr. McGahan commented that the Board might want to consider a tax increase of more than 2.25 mils so that the residents are not faced with another tax increase in a few years.

Comprehensive Plan – The Board reviewed the most recent update to the draft Comprehensive Plan reflecting the revisions recommended at the September 16th meeting.

Ms. Tai noted a revision that was overlooked and not reflected in the updated draft. The Board concurred and recommended the following revision:

Page 6 – second bullet, second sentence – revise to read: “Twenty-four (24%) of the household members are under 20 years old.”

The Board revisited the Variability in Climate section on pages 57, 58 and 59. At the recommendation of Mr. Cosdon, the Board made the following recommendations:

Page 59 – add new bullet as follows:

“• With the associated changes in the growing season, the food supply from regional farmers will be altered.”

Page 172 – last sentence (begins on page 171) – revise last phrase to read:

“...and a multiple-step design process, including stormwater management, to assist in developing a responsible/responsive plan.”

Page 175 – next to last line – delete “whole” at the beginning of the line.

Res. 2014-144 – Upon a motion by Mr. Cosdon, seconded by Mr. McGahan, it was unanimously agreed to forward the draft Comprehensive Plan dated October 7, 2014, with revisions to pages 6, 59, 172 and 175 as noted, to the New Hope Solebury School District; Plumstead Township; Upper Makefield Township; New Hope Borough; Buckingham Township; Bucks County Planning Commission and the Solebury Township Planning Commission for comment, and to authorize advertising a public hearing to be held on December 16, 2014 for consideration to adopt.

NEW BUSINESS

Hamill Zoning Hearing Board Application – During the annual monitoring of this preserved property, it was observed that a structure had been erected in the easement area. Upon further investigation by the Township, it was discovered that the structure was installed without the applicable Township permits. It was also discovered that the owners had previously obtained permits for installation of the same type structure on the property in an area that was approved for structures.

The property owners acknowledged to the Bedminster Regional Land Conservancy representative, and the Township’s Land Preservation representative during the monitoring visit that they were aware that the structure was in the easement area and they did not seek permits this time because the permits would not have been approved or issued.

An Enforcement Notice was issued by the Zoning Officer and the property owner has appealed from that Enforcement Notice.

The Administration has recommended that the Board authorize the Township Solicitor and the Land Preservation Solicitor to attend the hearing on behalf of the Township.

Res. 2014-145 – Upon a motion by Mr. McGahan, seconded by Mr. Cosdon, it was unanimously agreed to authorize the Township Solicitor and the Township Land Preservation Solicitor to attend the Hamill Zoning Hearing on behalf of the Township.

SUBDIVISION/LAND DEVELOPMENT/CONDITIONAL USE

Giuliano Escrow Release - The Township wishes to release funds held in escrow to pay for expenses incurred in connection with the development of the Giuliano Tract. The Township Engineer has certified that certain expenses in connection with this land development have been incurred by the Township and that \$5,202.19 can be released to Solebury Township for legal, engineering and administrative fees.

Res. 2014-146 - Upon a Motion by Mr. Searing, seconded by Ms. Tai it was unanimously agreed to approve the escrow release in the amount of \$5,202.19 for legal, engineering and administrative fees.

Public Comment

- Brian Keyes complimented the Board on their work in updating the Comprehensive Plan.

Adjournment

Res. 2014-147 – Upon a motion by Mr. Cosdon, seconded by Mr. McGahan, the meeting was adjourned at 8:40 p.m.

Gretchen K. Rice
Assistant Manager
Secretary/Treasurer