

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS
July 15, 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 and Jonathan J. Reiss, Solicitor, were also present.

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

Approval of Bills Payable - June 27, 2014 and July 10, 2014

Mr. Cosdon asked for clarification on the item listed as HFS/TASC in the amount of \$450.00 on the Bills Payable list dated July 10, 2014. Mr. Carney responded that he would provide the detail via email once he had a chance to review the invoice.

Res. 2014-107 - Upon a motion by Mr. Heath, seconded by Mr. McGahan, the Bills Payable lists dated June 27, 2014 and July 10, 2014 were unanimously approved as prepared and posted.

Approval of Minutes - June 17, 2014

Ms. Tai requested the Minutes be revised on page 6 to expand on the reason behind Bucks County's position on not pursuing access through Hal Clark Park to the Delaware River Canal.

Res. 2014-108 - Upon a motion by Mr. Cosdon, seconded by Mr. Heath, the Minutes of June 17, 2014 were unanimously approved as written and posted with revision to page 6 as noted.

Announcements

- The Board announced an Executive Session held before the meeting related to land preservation and potential litigation;
- The Board noted that a public work session had taken place earlier in the evening related to the proposed public works facility;
- Referring to Resolution 2014-101 in the June 17, 2014 Minutes regarding the list of dangerous substances and materials, Mr. Cosdon updated the Board on FEMA's response stating that natural gas and propane should be included in the list of dangerous substances and materials. This revision will be addressed when FEMA officially adopts its updated mapping.

PUBLIC COMMENT - No early public comment was offered.

PUBLIC HEARING - HARB - Cerami property - 6135 Carversville Road - The Chair opened the hearing and noted that the applicant had requested the hearing be continued to August 19th.

Res. 2014-109 - Upon a motion by Mr. Cosdon, seconded by Mr. McGahan, it was unanimously agreed to continue the hearing on the Cerami property at 6135 Carversville Road to the August 19, 2014 Supervisors meeting as requested by the applicant.

Following the motion, the Chair closed the hearing.

OLD BUSINESS

Parks and Recreation Master Plan - Adoption - The Parks & Recreation Board provided the Board with an updated draft (Draft #6) of the Parks & Recreation Master Plan that incorporated the short, mid and long-term goals as adopted by the Board of Supervisors on June 17, 2014.

Res. 2014-110 - Upon a motion by Mr. Cosdon, seconded by Ms. Tai, it was unanimously agreed to adopt Draft #6 of the Parks & Recreation Master Plan, dated September 23, 2013, last revised June 18, 2014, as presented.

Old Windy Bush Road Discussion - Property owners at the intersection of Old Windy Bush Road and Aquetong Road have received notice advising that their landscaping or fencing was blocking or impacting the sight distance at the intersection and the Township was interested in meeting to discuss possible remedies.

The Board discussed various options including 1) enforcement actions to have the landscaping and fences removed; 2) making Old Windy Bush a one-way street from Aquetong to Windy Bush Road; 3) closing the access point for Old Windy Bush Road at Aquetong resulting in Old Windy Bush Road dead ending at Aquetong Road.

The option that appears to have support among the two neighbors whose properties are located at the intersection is to make Old Windy Bush Road a one-way road. Both neighbors involved do not want to cut or remove their landscaping, or adjust their fence as is the case with one neighbor.

Mr. Searing advised the Board that he is conflicted about the issue as his property borders the area involved and he may not be voting due to this conflict.

Mr. McGahan stated that considering the close proximity of the homes and landscaping involved to the actual road, he feels making that portion of Old Windy Bush Road one-way is the least intrusive to the residents in that area.

Ms. Tai raised concern with the fact that the property owners are in violation of the Township Zoning Ordinance and the Township is choosing not to enforce its own regulations in this instance. She questioned what this says to other residents who abide by the regulations.

Mr. Cosdon agreed with Ms. Tai adding that Old Windy Bush Road is not a private road and the Township's Zoning Ordinance should be enforced. He also commented that he believe some of the plantings were done by the current owners since purchasing their properties and not all landscaping had been in place previously.

Mr. McGahan disagreed commenting that the landscaping that is causing the issue has been there for many, many years.

Mr. Searing stated for the record that he believe the hedge on the northeast corner was planted in the last ten years.

Mr. Heath questioned if the residents who use Old Windy Bush Road had been polled as to their thoughts. Mr. Carney responded that he had talked only with the two residents whose landscaping and/or fencing is impacting the sight distance.

Mr. Searing questioned how polling would be done; would administration write letters to everyone or meet with everyone.

Mr. McGahan inquired as to whether or not a Board member who declares a conflict can then decide to participate and vote on an issue.

Mr. Reiss advised that if a Board member recuses him or herself, they do not participate.

Mr. Searing stated upon further consideration that he decided not to declare a conflict and would continue to participate on this issue. He added that he has observed the habits of the residents in the area and they do not routinely use this section of Old Windy Bush to travel south. He feels it is already used mostly as a one-way road.

In response to additional questions from the Board, Mr. Carney stated that the neighbors impacted have been made aware of the liability issues involved should something happen at this intersection due to the lack of site distance. Both neighbors have indicated a preference for making that portion of the road one-way.

Pamela Johnson of 1954 Aquetong road, one of the property owners involved, agrees that the intersection is not safe, adding that she specifically avoids using that end of Old Windy Bush Road. She would support making that portion one-way only.

Mr. Heath opined that the residents of that portion of Old Windy Bush Road are not the only people who would be impacted by making it one-way. There are other residents and non-residents that would be impacted as well. If a poll was conducted, who would be polled?

Res. 2014-111 - A motion was made by Mr. Cosdon, and seconded by Ms. Tai, to poll all residents including both sections of Old Windy Bush Road as to whether they preferred option 1, 2 or 3 to be followed.

In Favor: Mr. Cosdon Opposed: Mr. Searing, Mr. McGahan, Mr. Heath and Ms. Tai
Motion fails.

Mr. Searing commented, and Mr. McGahan agreed, that there are only four residents with property on that portion of Old Windy Bush Road and those are the residents who should be polled.

Res. 2014-112 - Upon a motion by Mr. Cosdon, seconded by Ms. Tai, it was unanimously agreed to have the Administration poll only the residents with property on the portion of Old Windy Bush Road being considered for one-way designation.

NEW BUSINESS

Mowing Contract - Authorization to Bid - The Administration requested authorization to advertise the three-year Mowing Bid to cover years 2015 - 2017 to be awarded at the September 2, 2014 meeting. The contract covers mowing at the municipal complex, Laurel Park, Pat Livezey Park, Canal Park, Solebury Trail, Magill's Hill Park, Ingham Spring Park and the Lumberville site.

Res. 2014-113 - Upon a motion by Ms. Tai, seconded by Mr. Heath, it was unanimously agreed to authorize the Administration to bid the Solebury Township Mowing Bid to cover years 2015-2017 to be awarded at the September 2, 2014 meeting.

Mr. Cosdon requested authorization from the Board to hold discussions with a radio station about providing information in times of emergency. The Chair responded that as a Supervisor, Mr. Cosdon did not need specific authorization to have such a discussion.

SUBDIVISION/LAND DEVELOPMENTS/CONDITIONAL USES

Doran Porter Lot Line Change - All requirements have been finalized and the Board announced that the Mylars for the Doran Porter Lot Line Change and associated Easement were being executed and released for recording.

Public Comment - No public comment was offered.

Adjournment

Res. 2014-114 - Upon a motion by Mr., Heath, seconded by Mr. McGahan, the meeting adjourned at 7:45 p.m.

Respectfully submitted
Gretchen K. Rice
Assistant Manager
Secretary/Treasurer

