

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS
September 16, 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

Res. 2014-132 – Upon a motion by Mr. Heath, seconded by Mr. McGahan, the list of Bills Payable dated September 11, 2014 was unanimously approved as prepared and posted.

Approval of Minutes

Mr. Searing noted a typographical error on page 3.

Res. 2014-133 – Upon a motion by Mr. Cosdon, seconded by Ms. Tai, the Minutes of September 2, 2014 Budget Work Session were approved as written and posted with correction to page 3 as noted.

Announcements

- The Chair announced an Executive Session held prior to the meeting regarding litigation and land preservation;
- The Board announced that a public work session regarding the 2015 Budget was held earlier at 4:30 p.m.;
- The Chair announced that PECO would hold a public session on September 18th at Penn Wood Middle School, during which they would provide information on efforts to avoid outages as experienced throughout the County during recent storms;
- The Chair announced that DEP will meet with the Township on Wednesday, October 15th at 10 a.m. regarding the New Hope Crushed Stone Quarry;
- The Board expressed its appreciation to all the volunteer organizations, police and emergency service personnel who supported the Thompson Bucks County Classic Bike Race recently held.

Public Comment

- Josh Perlsweig of 3211 Sungan Road and Malaika Spencer of Roots to River Farm addressed the Board regarding the use and benefits of high tunnels in farming activities at 3211 Sungan Road.

PUBLIC HEARING – 2014 Borrowing Ordinance – The Chair opened the hearing. Gordon Walker, Managing Director of PFM and Bucky Crossen, Esquire, of Curtin and Heefner were present to review the documents required for the borrowing and to address questions from the Board.

The Ordinance authorizes incurring debt in the amount of \$7,412,000 by issuance of General Bond Obligation Note Series 2014. This amount is to finance the costs of a new public works facility, including the rehabilitation and renovation of existing building; demolition of existing facilities; restoration of land vacated at the site of current building and construction of parking facilities; current refunding of outstanding 2009 A Bonds and payment of costs and expenses of issuing the Note.

Res. 2014-134 – Upon a motion by Mr. McGahan, seconded by Ms. Tai, it was unanimously agreed to adopt SOLEBURY TOWNSHIP ORDINANCE AUTHORIZING THE INCURRENCE OF DEBT OF THE TOWNSHIP OF SOLEBURY BY THE ISSUANCE OF THE GENERAL OBLIGATION NOTE, SERIES OF 2014 IN THE PRINCIPAL AMOUNT OF \$7,412,000 FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE A CAPITAL PROJECT, TO CURRENTLY REFUND THE TOWNSHIP’S GENERAL OBLIGATION BONDS, SERIES A OF 2009 AND TO PAY THE COSTS OF ISSUING THE NOTE; AUTHORIZING THE PREPARATION AND FILING OF A DEBT STATEMENT AND OTHER DOCUMENTATION; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE NOTE AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP FOR THE NOTE; SETTING FORTH THE SUBSTANTIAL FORM OF THE NOTE AND PROVIDING FOR THE PRINCIPAL MATURITY AMOUNTS AND DATES, INTEREST RATE AND INTEREST PAYMENT DATES AND OTHER DETAILS OF THE NOTE; FINDING THAT A PRIVATE INVITED SALE OF THE NOTE IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP AND ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE NOTE; APPOINTING A SINKING FUND DEPOSITORY; DESIGNATING THE NOTE AS A QUALIFIED TAX EXEMPT OBLIGATION; STATING AUTHORITY FOR ENACTMENT OF ORDINANCE; STATING THAT ORDINANCE IS A CONTRACT WITH THE REGISTERED OWNER OF THE NOTE; SETTING FORTH A SEVERABILITY CLAUSE; CANCELLING AND ANNULING INCONSISTENT ORDINANCE; AND AUTHORIZING OTHER NECESSARY ACTION, as advertised.

Following the action, the Chair closed the hearing.

OLD BUSINESS

2015 Minimum Municipal Obligation (MMO) – The administration informed the Board of the pension plans’ anticipated financial obligation for 2015. This notification must be provided to the Board no later than the end of September.

Res. 2014–135 – Upon a motion by Mr. Heath, seconded by Mr. McGahan, it was unanimously agreed to acknowledge receipt of Solebury Township’s 2015 Minimum Municipal Obligation for the Township Pension Plans as follows:

Non-Uniform Pension Plans - \$81,324

Police Pension Plan - \$245,393

Comprehensive Plan Update – The Board reviewed a red-lined version of an earlier draft, and a ‘clean’ updated draft. The Board members offered comment and recommendations as follows:

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

Page 18: Second bullet: Delete the word "public" in front of "historical buildings..."

Page 18: Third bullet: Change "Provide for" to "Encourage"

Page 20: Second bullet: Add a category "Air Quality" between the first and second bullets, to create a new section with only one bullet "Consider measures to enhance air quality..."

Page 25: Above Table 4, add a sentence at the end of the paragraph to read: "With the continuation of the Township's Land Preservation Program, fewer houses will be built."

Page 58: Variability in Climate section: BCPC to provide a red-lined version that is consistent with this section and with the version the Board requested in May. (The debate on this section will continue at the next review)

Page 96: First paragraph: Sentence that reads "Within those districts, HARB reviews all exterior structural and new construction for..." should be revised to read: "Within those districts, HARB reviews all exterior changes and new construction for....."

Page 108: Under the Short Term section, revise to conform to language approved by the BOS and included in the P&R Master Plan;

Page 109: Under Mid Term section, revise to conform to language approved by the BOS and included in the P&R Master Plan;

Page 109: Under Long Term section, No. 3, change "Establish" to "Evaluate"
Also, DELETE "Master Plan" at the end of that section;

Page 120: Change the second paragraph to read:

"In addition to the Eagle Fire Company, the township is served by the Midway Fire Company in Lahaska (Buckingham) and Point Pleasant Fire Company in Point Pleasant (Plumstead). Ambulance services are provided by Lambertville New Hope Rescue Squad located in Lambertville NJ, Stockton Fire Company First Aid Squad in Stockton NJ and by Central Bucks Emergency Medical Services with facilities in Doylestown, Wycombe and an Advanced Life Support (ALS) Unit at Eagle Fire Company in New Hope. Across the Delaware River, in Lambertville New Jersey, a fire station and ambulance squad also serve Solebury in the event of an emergency."

Page 122: First paragraph under EMS:

Change line 5 by deleting "by the" and adding "at" so it reads "...at the Lingohocken Fire Company."
Change line 6 to add an "s" to the word "provide" so it reads "...also provides service to Solebury."

Page 122: Second paragraph under EMS:

Change line three to read "...along with volunteers covering weekends and nighttime shifts."

Page 122: Third paragraph under EMS: In Line 3 delete "during the day" between "Eagle Fire Company" and "outfitted"

Page 125: Under Telecommunications – Add the following sentence before the last sentence: “This percentage has drastically increased since then.”

Page 128: First paragraph, second sentence: Delete "The" before Solebury Township.

Page 135: Next to last paragraph, third line: Delete “be” after the word “...may”

Page 139: Under Building and Development, last bullet, revise to read: "Incorporate provisions for renewable energy, including wind and solar, and encourage geothermal energy in municipal ordinances (see the renewal energy subsection below)."

Page A 5: In the table at the bottom, change total in column 3 to “1,170”.

The above revisions will be provided to the Bucks County Planning Commission with a request for an updated draft for the Board’s continued discussion.

Neebe-Moloney – Authorization to execute Stipulation Agreement – The Administration and Special Counsel have met with all parties and a potential Stipulation Agreement has been drafted in an effort to resolve the outstanding issues. The Administration has requested authorization for Special Counsel and Administration to execute a Stipulation Agreement when in final form.

Res. 2014-136 – Upon a motion by Mr. Cosdon, seconded by Mr. McGahan, it was unanimously agreed to authorize Dennis H. Carney, Township Manager, and Special Counsel, Terry Clemons, to execute a Stipulation Agreement on behalf of the Township in the matter of Neebe/Moloney.

Zoning Hearing Board – 2535 River Road Property, LLC (Hotel DuVillage) – Authorization for Solicitor to attend zoning hearing – The owners of the Hotel DuVillage are proposing to convert the existing single family house that sits along River Road into a Bed and Breakfast. The property is located in the RB Zoning District and also in the Phillips Mill Historic District under the purview of HARB.

Under the RB regulations, a B&B is permitted as a Conditional Use. The owners intend to pursue a C.U. after they have obtained zoning relief from one of the criteria governing B&B’s. Relief is being requested from Article 19, Section 1902.L.4., which prohibits external alterations, additions or changes until required by L&I or for safety reasons.

The Township has confirmed that the desired alterations are not required by L&I or any other governmental agency. They are desired in part to provide additional bedrooms space for the B&B.

The Administration has recommended that the Township Solicitor be authorized to attend to represent the Township’s interest and to ensure that any relief granted deals only with Article 19, Section 1902.L.4 and any such external alterations exactly mirror the plan submitted with the application.

Res. 2014-137 – Upon a motion by Mr. Cosdon, seconded by Mr. McGahan, it was unanimously agreed to authorize the Township Solicitor to attend the Zoning Hearing Board hearings on the application of 2535 River road Property, LLC (Hotel DuVillage) to ensure relief granted, if any, is limited to the relief requested in the documents and plans submitted in the application.

SUBDIVISION/LAND DEVELOPMENT/CONDITIONAL USE – No applications were reviewed.

Public Comment

- David Rattner of Cuttalousa Road expressed his support for use of high tunnels in agricultural activities as earlier described by Mr. Perlsweig and Ms. Spencer.

Adjournment

Res. 2014-138 – Upon a motion by Mr. Heath, seconded by Ms. Tai, the meeting adjourned at 8:45 p.m.

Respectfully submitted,
Gretchen K. Rice
Assistant Manager
Secretary/Treasurer