

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS
October 15, 2024 – 6:00 P.M.
Solebury Township Hall/Virtual - Hybrid Meeting
BUDGET MEETING MINUTES

Attendance: Mark Baum Baicker, Chair, Hanna Howe, Vice-Chair, Kevin Morrissey, John F. Francis, Christy Cheever, Christopher Garges, Township Manager, Michele Blood, Assistant Township Manager, and Catherine Cataldi, Secretary. Mark L. Freed, Township Solicitor, was also in attendance.

The recording device was turned on.

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

II. Approval of Bills Payable – October 10, 2024

Res. 2024-154 – Upon a motion by Ms. Howe, seconded by Mr. Francis, the list of Bills Payable dated October 10, 2024 was unanimously approved as prepared and posted.

III. Approval of Meeting Minutes

Revisions to September 3, 2024 Meeting Minutes

The approved revisions have been completed and posted.

Res. 2024-155 – Upon a motion by Mr. Baum Baicker, seconded by Ms. Howe, it was unanimously agreed to approve the following revisions to the September 3, 2024 minutes:

- 1. Under the Budget – Police Department – Chief Kelley Warner: *Mr. Morrissey questioned the increase in education and the programs was changed to Mr. Morrissey requested more detail associated with education and the programs.***
- 2. Under Public Comment: *Christopher Nally, resident, commented on and asked the Township to review and consider changes to the noise ordinance to permit continuance noise from animals to exceed 15 minutes was changed to Christopher Nally, resident, commented on and requested the Township review and consider changes to the noise ordinance to include verbiage as to reasons why a dog may be barking 15 plus minutes.***

Approval of October 1, 2024 Meeting Minutes

Res. 2024-156 – Upon a motion by Mr. Francis, seconded by Ms. Cheever, the Minutes of the October 1, 2024 meeting were unanimously approved as prepared and posted.

IV. Announcements / Resignations / Appointments

Executive Session

Mr. Baum Baicker announced that an Executive Session was held October 15, 2024, prior to the Board meeting, dealing with a Zoning Matter, Property Acquisition and Potential Litigation.

Resignation of Michael McKenna and Kevin Campbell from the Parks & Recreation Board

The Board expressed gratitude to Mr. McKenna and Mr. Campbell for their time served on the Board.

Res. 2024-157 – Upon a motion by Ms. Howe, seconded by Mr. Morrissey, it was unanimously agreed to accept the resignations of Michael McKenna and Kevin Campbell from the Parks & Recreation Board effective immediately.

V. Supervisor Comment

- Mr. Baum Baicker congratulated Chief Kelley Warner for being awarded the Leadership Award from the Mid Atlantic Association of Women in Law Enforcement (MAAWLE) on October 14, 2024.
- Mr. Morrissey expressed interest in the researching the possibility of extending the single use plastic restrictions to include corrugated plastic temporary signs.

VI. Public Hearing

Comfort Road Route 263 Stop Intersection Ordinance – Authorization to Adopt

The proposed Ordinance amends the Solebury Township Code of Ordinances Chapter 15 Section 308 to correct designation of Stop Intersection at Comfort Road and Route 263. The Board authorized the advertisement of the ordinance at the September 3, 2024 Board meeting.

Res. 2024-158 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Francis, it was unanimously agreed to adopt the Comfort Road Route 263 Stop Intersection Ordinance.

Uniform Notice Ordinance Amendment – Authorization to Adopt

The proposed ordinance amends the Solebury Township Ordinance regarding the uniform system of notice of pending applications and hearings and Historic Districts. The Board authorized the advertisement of the ordinance at the August 20, 2024 Board meeting.

Res. 2024-159 – Upon a motion by Mr. Francis, seconded by Mr. Baum Baicker, it was unanimously agreed to adopt the Uniform Notice Ordinance Amendment.

Agricultural Accessory Uses Ordinance – Authorization to Adopt

The proposed ordinance amends the Solebury Township Zoning Ordinance of 1988 to create provisions for agricultural uses and to amend the table of uses to permit agricultural accessory uses in all zoning district where agricultural is permitted.

Mr. Baum Baicker presented the motion for the Board to adopt the Agricultural Accessory Use Ordinance.

Ms. Howe proposed to hold up on adopting the ordinance until the Zoning Officers questions, including impervious surface and fire safety, can be answered.

Brent Alderfer, resident, gave an overview of the efforts that went into developing the ordinance. Mr. Alderfer expressed interest in the ordinance detailing all requirements for the applicant and opposition to a permit requirement.

Discussion ensued on requirement options, including conditional use and annual permits.

Graham Phillips, resident, expressed support for less paperwork requirements and commented on safety and liability.

Josh Perlsweig, resident, gave an overview of the basics of farming. Mr. Perlsweig expressed support for protecting and enabling the sustainability of businesses.

Res.2024-160 – Upon a motion by Mr. Baum Baicker, seconded by Mr. Morrissey, it was unanimously agreed to table the motion until the Zoning Officer’s concerns could be addressed.

VII. Budget

Emergency Medical Services (EMS) Presentation

Chuck Pressler, Central Bucks EMS was present and outlined the funding obstacles the department is facing.

Fire Department Presentation

Gagan Tayal, President of New Hope Eagle Fire Company; John Forsyth, President of Midway Fire Company and Scott Fleischer, Point Pleasant Fire Company were present and outlined the funding obstacles their department is facing. Day to day operational expenses, capital purchases, life expectancy of equipment, difficulty in accessing properties and water difficulties were discussed.

Public Works – Christopher Clewell

Mr. Clewell presented the 2025 Public Works Operational and Capital Budgets, highlighting areas of change. Replacement equipment, vehicles, the road program and stormwater were discussed.

Administration – Christopher Garges and Michele Blood

Mr. Garges and Ms. Blood presented the 2025 Preliminary Budget Proposal (copy of which is attached). The presentation included: An overview of services; five-year revenue; 1 mill tax increase; five-year expense; capital budget overview; and 2024 accomplishments.

VIII. New Business

Gateway Trail III Project – Ply-Mar Construction Company, Inc. – Payment Request No. 3

The Application and Certification for Payment No. 3, is for construction period to September 14, 2024, submitted by Ply-Mar Construction Company, Inc. for payment of completed work in the amount of \$238,002.97.

The Township Engineer has reviewed the Application and Certification for Payment No. 3 and recommends the Board approve the payment of the requested items in the amount of Two Hundred Thirty Eight Thousand Two Dollars and Ninety Seven Cents (\$238,002.97). It is noted that the recommended payment includes change orders 1A & B, and reflects 10% (\$64,360.38) total withholding to date for retainage funds pursuant to contract specifications

Res. 2024 – 161 – Upon a motion by Mr. Baum Baicker, seconded by Ms. Howe, it was unanimously agreed to approve the payment of the requested items in the amount of Two Hundred Thirty Eight Thousand Two Dollars and Ninety Seven Cents (\$238,002.97).

Zoning Hearing Board Application – Fountainhead Properties (6626 & 6650 Lower York Road, TMP Nos. 41-022-152, 41-022-152-001 and 41-022-145) – Authorize Solicitor to Attend

This topic was eliminated from the agenda.

IX. Public Comment – No Public Comment

X. Adjournment

The meeting was adjourned at 8:50pm.

Respectfully submitted,
Catherine Cataldi, Secretary

ORDINANCE NO. 2024-004

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA AMENDING THE
SOLEBURY TOWNSHIP CODE OF ORDINANCES
CHAPTER 15 SECTION 308 TO CORRECT DESIGNATION
OF STOP INTERSECTION AT COMFORT ROAD AND
ROUTE 263**

WHEREAS, Section 1527 (53 P.S. § 66527) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Solebury Township (the “Board of Supervisors”) include the ability to secure the safety of persons or property within the Township;

WHEREAS, Section 6124 (75 Pa. C.S. § 6124) of the Pennsylvania Vehicle Code provides that local authorities on intersections of highways under their jurisdiction may erect and maintain stop signs, yield signs or other official traffic-control devices to designate through highways or to designate intersections at which vehicular traffic on one or more of the roadways should yield or stop and yield before entering the intersection;

WHEREAS, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. § 66601);

WHEREAS, the proposed amendments have been advertised, considered, and reviewed in accordance with Pennsylvania law;

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, that Chapter 15 of the Solebury Township Code of Ordinances is **AMENDED** as follows:

I. AMEND Section 15-308 as follows:

A. STRIKE the following reference from **Section 15-308.1** under “Stop Street,” “Type of Stop Intersection,” “Intersecting Street,” and “Direction of Travel,” respectively:

Comfort Road	4 Way	Route 263	North and South
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and **REPLACE** it with the following:

Comfort Road		Route 263	North and South
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so as to **REMOVE** the reference to “4 Way” under “Type of Stop Intersection” for the intersection of Comfort Road and Route 263.

II. Partial Repealer

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

III. Severability

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Township Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

IV. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

ORDAINED AND ENACTED this 15th day of October, 2024.

BOARD OF SUPERVISORS OF SOLEBURY
TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA



Mark Baum Baicker, Chair



Hanna Howe, Vice Chair

Christy Cheever, Member

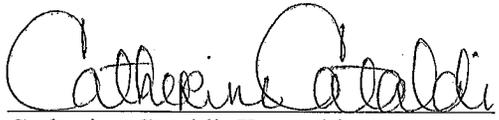


John S. Francis, Member



Kevin Morrissey, Member

Attest:


Catherine Cataldi
Catherine Cataldi, Township Secretary

ORDINANCE NO. 2024-005

**AN ORDINANCE OF THE TOWNSHIP OF SOLEBURY,
BUCKS COUNTY, PENNSYLVANIA AMENDING
SOLEBURY TOWNSHIP ORDINANCE REGARDING THE
UNIFORM SYSTEM OF NOTICE OF PENDING
APPLICATIONS AND HEARINGS AND HISTORIC
DISTRICTS**

WHEREAS, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of Solebury Township (“Solebury” or the “Township”) may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. § 66601); and

WHEREAS, on or about May 17, 2007, the Township Board of Supervisors adopted an ordinance to provide for a uniform method of supplying adequate notice of hearings as required by the Municipalities Planning Code, 53 P.S. § 10101 *et seq.*, and the ordinances of Solebury Township (Ordinance No. 2007-005); and

WHEREAS, on or about July 18, 2023, the Township Board of Supervisors updated and amended this uniform method of supplying adequate notice of meetings and hearings as required by the Municipalities Planning Code, 53 P.S. § 10101 *et seq.*, and the ordinances of Solebury Township (Ordinance No. 2023-003); and

WHEREAS, the Township Board of Supervisors now wishes to streamline, clarify and consolidate this uniform method of supplying adequate notice of meetings and hearings;

WHEREAS, the Township also wishes to further conform language of provisions governing its Historic Districts (Chapter 11) with the language of Pennsylvania's Historic District Act (Act 167 of 1961);

WHEREAS, it is in the public interest of the residents of the Township for the Township to amend and update the Township Code of Ordinances for clarity; and

WHEREAS, the Township now enacts an amendment to the Township Code of Ordinances.

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Solebury Township, Bucks County, Pennsylvania, as follows:

- I. Chapter 1 (“Administration and Government”), Part 6 (“Uniform System of Notice of Pending Applications and Hearings”) of the Solebury Township Ordinances is hereby **AMENDED** as follows:
 - A. **AMEND** the title of Chapter 1, Part 6 the Ordinance as follows:

1. **AMEND** the title of Chapter 1, Part 6 to **STRIKE** the words “pending,” and “and hearings” so that the title of the Ordinance now reads:

UNIFORM SYSTEM OF NOTICE OF APPLICATIONS

B. AMEND Section 1-601 “Purpose; Applicability” as follows:

1. **STRIKE** Section 1-601.1 and **REPLACE** it with the following:

1. The procedures set forth herein are adopted for the purpose of providing notice of hearings and meetings before the Solebury Township Board of Supervisors, Solebury Township Planning Commission, the Solebury Township Zoning Hearing Board, and the Solebury Township Historical Architectural Review Board for duly filed applications for subdivision and/or land development, special exception, variance, conditional use, certificate of appropriateness, and the placement/location of a telecommunications facility.

C. AMEND Section 1-602. “Definitions” as follows:

1. **STRIKE** the definition of “ABUTTING OWNER,” in its entirety.
2. **STRIKE** the definition of “BUILDING,” in its entirety.
3. **STRIKE** the definition of “LOT,” in its entirety.
4. **STRIKE** the definition of “LOT LINE,” in its entirety.
5. **STRIKE** the definition of “ORDINANCE,” in its entirety.
6. **STRIKE** the definition of “PERSON,” in its entirety.
7. **STRIKE** the definition of “PUBLIC HEARING,” in its entirety.
8. **STRIKE** the definition of “PUBLIC NOTICE,” in its entirety.
9. **STRIKE** the definition of “STRUCTURE,” in its entirety.
10. **STRIKE** the definition of “TOWNSHIP; TOWNSHIP BOARD,” in its entirety.
11. **ADD** the definition of “NEIGHBORING OWNER,” as follows:

NEIGHBORING OWNER

The owner of record of a parcel of land which is: a) contiguous at any point to the parcel in question, or b) which is contiguous at any point to a parcel of land that is contiguous at any point to the parcel

in question, i.e. a parcel that is one parcel away from the subject parcel, or c) which is on the other side of a section of street (public or private) on which the subject parcel has frontage, i.e., a lot across from the subject parcel.

D. AMEND Section 1-603 as follows:

1. **STRIKE** Section 1-603 and **REPLACE** it with the following:

Public Hearings and Meetings.

All public hearings and meetings before the Solebury Township Board of Supervisors, the Solebury Township Planning Commission, Solebury Township Zoning Hearing Board, and the Solebury Township Historical Architectural Review Board for duly filed applications subject to this Part shall be conducted only after notice is provided in the manner specified in this part.

E. AMEND Section 1-604 as follows:

1. **STRIKE** Section 1-604 and **REPLACE** it with the following:

Uniform Notice.

1. Contemporaneous with the filing of an application governed by this part, the applicant shall certify to the Zoning Officer or HARB Administrator, if applicable, and the Township Secretary, the names and last-known mailing addresses of all neighboring owners, and the addresses and tax parcel numbers of all neighboring parcels. The mailing addresses on the tax rolls shall be considered a neighboring owners' last-known mailing addresses.

2. Within 10 days of filing an application governed by this part, the applicant shall notify all neighboring owners of the pendency and purpose of the application at the neighboring owners' mailing addresses certified by the applicant, and provide the Township with proof of mailing. Such notices shall be made by regular mail on a form attached hereto as Appendix K.

3. Within 10 days of filing an application governed by this part, the applicant shall also post notice of the of the pendency and purpose of the application at a minimum of two conspicuous locations on the subject property on a form attached hereto as Appendix K, and submit to the Township photographs and a certification of posting. The size of the postings shall be greater than 200 square inches. In order for a placard to be considered posted in a conspicuous location, the placard must be clearly visible to the public from roadways on which the subject parcel has frontage and to neighboring owners and not obstructed by structures, vegetation or landscaping. The Township reserves the right to determine whether or not

the posting has been conspicuous. The applicant shall maintain the postings throughout the pendency of the application.

4. In addition to the requirements set forth in this part, all notices of applications, hearings and meetings before the Solebury Township Board of Supervisors, the Solebury Township Planning Commission, Solebury Township Zoning Hearing Board and the Solebury Township Historical Architectural Review Board shall be provided in accordance with applicable statutes and Township ordinances.

5. Should the applicant fail to prove the mailing or posting required by this section, the application will be denied, or the recommendation to the Board of Supervisors shall be to deny the application on the basis of the failure to comply with this requirement, provided, however, that in the absolute discretion of the Township, the applicant may be permitted to continue or adjourn the subject hearing or meeting for the purpose of complying with this section if the applicant irrevocably waives all time limitations in any ordinance or statute, for the commencement and completion of hearings, meetings and/or issuance of decisions, and provided, further, that the applicant reimburses the Township for all costs arising from or related to the requested continuance or adjournment.

F. **AMEND** Section 1-605 as follows:

1. **STRIKE** Section 1-605 and **REPLACE** it with the following:

Form of Notice; Standards for Posting

1. The Township will develop, and make available for all applicants, a standard form of notice that the applicant shall utilize for the mailing and posting required by this part. The standard form of notice may be revised from time to time.

G. **AMEND** Section 1-606 as follows:

1. **STRIKE** Section 1-606 in its entirety.

H. **AMEND** Appendix K-101 "Notification of Plan Submission" as follows:

STRIKE Appendix K-101 and **REPLACE** it with the following:

This notice is to inform you that _____ has filed a _____ application for property located on _____ Road in Solebury Township comprising _____ acres and identified as Tax Map Parcel Number(s) _____. The legal owner of the property is _____. The _____ application proposes to _____. Copies of the _____ application are available for inspection at the Solebury Township Municipal Building. The telephone number of Solebury Township is _____.

215-297-5656. You may also contact (insert developer / applicant contact information) _____, a representative of _____ at _____ to answer any questions you may have concerning the application. The developer / applicant intend to present the above referenced proposal at the (insert reviewing body, i.e.: Planning Commission) _____ meeting on (insert date, time and location) _____. Dates and times for additional hearings and/or meetings concerning the application will be available on the Township's website at www.soleburytp.com. Electronic copies of the plans and other documents submitted for this application can be requested at soleburytownship@soleburytp.org.

II. Chapter 11 (“Historic District”), Parts 1 (“Historic Districts and Standard HARB Review Procedures”) and 2 (“Fast-Track Procedures for In-Kind Repairs and In-Kind Replacements”) of the Solebury Township Ordinances are hereby **AMENDED** as follows:

A. **AMEND** Section 11-111 “Recommendation Against Issuance of Certificate of Appropriateness” as follows:

1. **STRIKE** the word “hearing” and **REPLACE** it with the word “meeting” so that it now reads:

If the Review Board, on the basis of the information received at the meeting, as well as from its general background and knowledge, decides to recommend against the issuance of a certificate of appropriateness, it shall first indicate to the applicant what changes in plans and specifications, if any, could be made in order to receive a recommendation for approval from the Review Board. If the applicant accepts the suggested changes, in writing, the Board of Supervisors shall consider that the Review Board has recommended approval. If the suggested changes are not accepted in writing, the Board of Supervisors shall consider that the Review Board has recommended disapproval.

B. **AMEND** Section 11-112 “Written Recommendation Concerning Issuance or Denial of Certificate of Appropriateness” as follows:

1. **AMEND** Section 11-112.1 to **STRIKE** the word “hearing” and **REPLACE** it with the word “meeting” so that it now reads:

1. The Review Board, after the meeting provided for in § 11-109 of this Part and after any changes are made in the plans and specifications as provided in § 11-111 of this Part, shall submit to the Board of Supervisors, in writing, its recommendation concerning the issuance or denial of a certificate of appropriateness. The written recommendation shall include the following information:

C. **AMEND** Section 11-203 “Fast-Track Process for In-Kind Repairs or In-Kind Replacements (“RRIK”)” as follows:

1. **AMEND** Section 11-203.6.C. to **STRIKE** the words “or hearing” following the word “meeting” so that it now reads:

C. If the project qualifies as an RRIK but requires a permit, and therefore a certificate of appropriateness in accordance with the Municipal Historic District Law, the HARB Administrator and HARB designees shall, consistent with the requirements of §§ 11-110, 11-111, and 11-112 (except for any meeting requirements), prepare a written recommendation on whether the Board of Supervisors should issue a certificate of appropriateness. Within five (5) business days of determining that the project qualifies as an RRIK, the HARB reviewers shall submit the recommendations to the Board of Supervisors for its consideration. The recommendation for RRIK projects shall not require review by all HARB members prior to submission to the Board of Supervisors. The Board of Supervisors shall then consider the recommendation as outlined under § 11-113.

III. Chapter 22 (“Subdivision and Land Development”), Part 1 (“Procedures for Subdivision and Land Development”) of the Solebury Township Ordinances is hereby **AMENDED** as follows:

A. **AMEND** Section 22-401 as follows:

1. **STRIKE** Section 22-401.7 in its entirety
2. **RENUMBER** Section 22-401.8 as Section 22-401.7.

III. Partial Repealer

All other provisions of the Ordinances of Solebury Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of Ordinances inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

IV. Severability

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Township Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

V. Effective Date

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption of this Ordinance.

VI. Failure To Enforce Not A Waiver

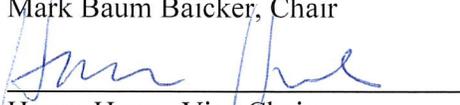
The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

ORDAINED AND ENACTED this 15th day of October, 2024.

BOARD OF SUPERVISORS OF SOLEBURY
TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA

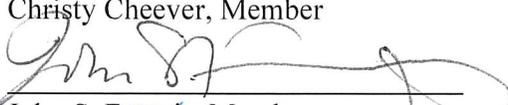


Mark Baum Baicker, Chair



Hanna Howe, Vice Chair

Christy Cheever, Member



John S. Francis, Member



Kevin Morrissey, Member

Attest:


Catherine Cataldi, Township Secretary