

**WRIGHTSTOWN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING OF SEPTEMBER 17, 2007**

The Wrightstown Township Board of Supervisors met on Monday, September 17, 2007 in the Meeting Room of the Township Municipal Building, 2203 Second Street Pike, Wrightstown, PA. The Meeting was called to order at 7:30 p.m. by Chair Chester S. Pogonowski. In attendance were Vice-Chair Jane B. Magne, Member/Treasurer Robert S. Lloyd, Township Engineer Mario Canales, Township Solicitor Susan Piette, and Township Administrator Eileen M. Bradley.

Minutes of Meetings held on August 20 and 27, and September 10, 2007 were accepted as presented.

APPROVAL OF BILLS: *On motion of Ms. Magne, seconded by Mr. Lloyd and approved by all Members present, Bills in the amount of \$75,639.42 were approved for payment. On motion of Ms. Magne, seconded by Mr. Lloyd and approved by all Members present, Escrow Bills in the amount of \$42,180.81 were approved for payment. On motion of Ms. Magne, seconded by Mr. Lloyd and approved by all Members present, transfers in the amount of \$112,000.00 were approved.*

REPORTS: The Police Report for August 2007 was submitted by Chief Martin Duffy. Additional Reports submitted included: the Code Report for August 2007; the Road Report for August 2007; the Linghocken Fire Company Reports for July and August 2007; the Engineer's Report for August 2007; and the Central Bucks Ambulance Reports for June and July 2007.

SOLICITOR'S COMMENTS: Eureka Settlement: Ms. Piette stated that the Township had reached a verbal agreement with Eureka Stone Quarry that would insure settlement of some specific outstanding issues: the repair of a barn on Swamp Road, the installation of two wells on residents' properties, application for certain building permits and the placement of a large motorized shovel. *Ms. Magne made a motion, seconded by Mr. Lloyd to authorize settlement of litigation and approve execution outside of a meeting. All were in favor.*

SUPERVISOR'S COMMENTS: T-Mobile Zoning Hearing Application: The T-Mobile Zoning Hearing scheduled for September 20, 2007 had been continued for sixty days at the request of the Applicant.

Kettleberger Zoning Hearing Application: The Wrightstown Zoning Hearing Board would hold a hearing on Wednesday, September 26,

2007 at 7:30 p.m. to hear the application of Mr. and Mrs. Stephen Kettleberger. The Applicant proposed to install a swimming pool and corresponding buildings and paving resulting in impervious surface coverage of 17.95%. The property was located in the CM (Conservation Management) District, which allowed 15% impervious coverage. Additionally, a recorded declaration allowed only 12% impervious without the consent of all owners of the Hipple/Danko Subdivision.

Mr. Lloyd made a motion, seconded by Ms. Magne, to send a letter to the Wrightstown Zoning Hearing Board indicating that should the Wrightstown Zoning Hearing Board grant a variance to allow additional impervious, that they also require appropriate stormwater management.

Mr. John Rasiej of Cedar Lane asked what hardship the Applicant was claiming and stressed the importance of maintaining existing zoning.

The motion passed unanimously.

County Open Space Referendum: Ms. Magne requested that the Board consider a resolution in support of the Bucks County Open Space Referendum on the November 6 ballot. The Board agreed to consider a draft at the next meeting.

ADMINISTRATOR'S COMMENTS: Minimum Municipal Obligations: Ms. Bradley presented to the Board the Minimum Municipal Obligations (MMO) required by the Township to ensure the health of the two pension plans. *On motion by Mr. Lloyd, seconded by Ms. Magne and approved by all Members, Resolution #2007-078 set the MMO for the Police Pension Plan at zero. On motion by Mr. Lloyd, seconded by Ms. Magne and approved by all Members, Resolution #2007-079 set the MMO for the Non-Uniform Pension Plan at \$16,107.29.*

PUBLIC HEARING: Proposed Subdivision and Land Development Ordinance: Mr. Pogonowski stated that the Subdivision and Land Development Ordinance had been revised during a process spanning over two years. The new Subdivision and Land Development Ordinance, which would be known as Chapter 22 of the Codified Ordinance to be passed later this evening, instituted a four-step design process. Natural resource preservation and protection have been beefed up. Notification to property owners within 1500 feet has been added as a requirement. Architectural

guidelines for certain districts have been added. Recreational and open space requirements have been increased, as has the in-lieu fees for relief from this requirement. Solar and renewable energy sources are encouraged. The proposed ordinance was posted on the website and was available in the office for review.

Mr. Lloyd made a motion, seconded by Ms. Magne, to approve Ordinance #260, the Subdivision and Land Development Ordinance.

Mr. Rasiej congratulated the Board on their hard work and suggested some type of incentive to further encourage the use of renewable energy sources.

The motion passed unanimously.

PUBLIC HEARING: Proposed Erosion and Sedimentation Ordinance:

Mr. Pogonowski stated that the majority of the ordinance mirrored the current version and would be included in the Codification as Chapter 9.

Ms. Magne made a motion, seconded by Mr. Lloyd, to approve Ordinance #261, the Soil Erosion, Sedimentation and Grading Controls Ordinance. All were in favor.

PUBLIC HEARING: Proposed Water and Wells Ordinance: The proposed ordinance readopted current County regulations and the existing ordinance, and would be Chapter 26 in the Codification.

Mr. Lloyd made a motion, seconded by Ms. Magne, to approve Ordinance #262, the Water Conservation Ordinance. All were in favor.

PUBLIC HEARING: Proposed Outdoor Lighting Ordinance: Mr. Pogonowski stated that the proposed ordinance set standards for all outdoor lighting for public streets, parking lots, walkways and buildings. All existing lighting would now be considered existing non-conformities that would not require change unless it was deemed a nuisance or safety hazard, but would be required to come into compliance at the sale of the property or change of occupancy or if declared a nuisance. The regulations would be outlined in Chapter 16 of the Codification.

Ms. Magne made a motion, seconded by Mr. Lloyd, to approve Ordinance #263, the Outdoor Lighting Ordinance. All were in favor.

PUBLIC HEARING: Proposed Motor Vehicles and Traffic Ordinance:

Mr. Pogonowski stated that this proposed ordinance provided general regulations for control of traffic speeds, movement, parking, and weight restrictions on all roads and would be Chapter 15 of the Codification.

Mr. Lloyd made a motion, seconded by Ms. Magne, to approve Ordinance #264, the Motor Vehicles and Traffic Ordinance. All were in favor.

PUBLIC HEARING: Proposed Planning Commission and Peddlers Permits Ordinance: This proposed ordinance reestablishes the makeup of the Wrightstown Planning Commission to consist of seven members and two alternates, and would be part of Chapter 1 of the Codification. The proposed ordinance also incorporates the permits and licensure for peddlers, part of Chapter 13 of the Codification.

Ms. Magne made a motion, seconded by Mr. Lloyd, to approve Ordinance #265, the Planning Commission and Peddlers Permits Ordinance. All were in favor.

Fee Schedule Amendment: Mr. Pogonowski indicated that the current Fee Schedule would require minor amendment to the Capital Contributions section to correspond with the new Subdivision and Land Development Ordinance. Changes to some electrical permit fees and re-inspection charges, false alarm fines, labor charges, and copies of meetings would also occur.

Mr. Lloyd made a motion, seconded by Ms. Magne, to approve Resolution 2007-080, amending the Fee Schedule. All were in favor.

Mr. Rasiej inquired about the charge of \$250.00 in-lieu of tree planting and felt that the charge did not discourage developers from cutting down trees. Mr. Pogonowski noted that the charge was not intended to be punitive, but to reflect the actual cost of trees. Criminal prosecution was still an option in the case of malicious disregard of the ordinance.

Mr. Le Sheppard of Durham Road stated that he felt the charge for false alarms should be higher than \$75.00.

The motion passed unanimously.

PUBLIC HEARING: Proposed Codification of Ordinances: Mr. Pogonowski stated that the proposed ordinance was the culmination of years of work researching and verifying all ordinances of the Township. The document would create a unified ordinance containing all laws of the Township, as well as useful chapters tracking legislation, land use, administrative issues and agreements throughout the years. Ordinances dating back to 1951 and resolutions dating back to 1967 would also be listed.

Ms. Magne made a motion, seconded by Mr. Lloyd, to approve Ordinance #266, the Codification of Ordinances. All were in favor.

Mr. Pogonowski called for public comment.

Mr. Rasiej asked if a list of the proposed changes and how they would affect individual residents would be provided. Mr. Pogonowski stated that the only ordinance that would affect individual homeowners was the Outdoor Lighting Ordinance.

NEW BUSINESS: Proposed Zoning Amendment: 2007-04: Zoning Map Change from POS to EIR: The proposed amendment was tabled to allow the Wrightstown Planning Commission to weigh in.

Proposed Zoning Amendment: Accessory Landscape Contractor Overlay: Mr. Pogonowski stated that the proposed amendment was drafted at Wrightstown Township request in an attempt to establish some regulation where none existing and to make up for a proposed amendment that had stalled due to opposition from other Jointure members.

The Amendment would create an overlay district in Wrightstown Township only. The amendment proposed a "No Impact" Landscape contracting use for all municipalities, and established restrictions for landscape contractors in Wrightstown Township.

Ms. Magne made a motion, seconded by Mr. Lloyd, to distribute the proposed amendment to the Jointure for consideration and amendment. All were in favor.

Escrow Release: *On motion of Mr. Lloyd, seconded by Ms. Magne, and approved by all Members, Escrow Release #2 in the amount of \$80,629.00 for the Picard Subdivision was approved, leaving \$120,755.77 remaining.*

There being no further business or comment, Mr. Lloyd made a motion, seconded by Ms. Magne and approved by all Members present, to adjourn the meeting at 9:20 p.m.

Respectfully submitted,

Eileen M. Bradley
Township Administrator

Ord. #260
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Res. #2007-078
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Res. #2007-080