

**WRIGHTSTOWN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF MEETING OF FEBRUARY 21, 2005**

The Wrightstown Township Board of Supervisors Meeting was called to order at 8:05 p.m. by Chairman Chester S. Pogonowski. In attendance were Member/Treasurer Allen G. Masenheimer, Township Administrator Eileen M. Bradley and Township Solicitor Susan Piette of Terry Clemons & Associates. Vice Chair Jane B. Magne was absent.

The Minutes of the Board of Supervisors Meeting of February 7, 2005, and Work Session of February 14, 2005 were accepted as presented.

Mr. Masenheimer made a motion, seconded by Mr. Pogonowski, to approve Bills dated February 21, 2005 in the amount of \$68,191.33. All were in favor.

ANNOUNCEMENTS: Mr. Masenheimer announced that Margaret "Peg" Perry, a founding member of Heritage Conservancy and an outstanding resident of Wrightstown Township, had passed away. Mrs. Perry was very active in battling local quarries. Mr. Pogonowski made a motion, seconded by Mr. Masenheimer, to have a blank page stand in the Minutes Book in her memory. All were in favor.

Mr. Masenheimer announced that Council Rock School District would not decide on the Homestead Exemption Act until after the application filing deadline of March 1, 2005. He recommended that residents complete the form and file them with the County.

Mr. Masenheimer said that as part of the Public Education component of the NPDES MS4 program requirements, a Stormwater Outreach Educational Meeting would be held on Thursday, March 3, 2005 at the Village Library to raise awareness to stormwater related environmental issues and problems. All were invited to attend.

SUPERVISOR'S COMMENTS: Mr. Pogonowski announced that the Wrightstown Zoning Hearing Board would hold a hearing on Wednesday, February 23, 2005 at the Village Library Community Room to consider the application of Glen Lajeski for a variance to erect an eight (8) foot deer fence along the perimeter of his property located at 88 Thompson Mill Road. It was agreed that the Board would recommend no action.

ADMINISTRATOR'S COMMENTS: Ms. Bradley requested action on a proposed resolution allowing for delinquency fees to be collected by the Delinquent Tax Collector, Berkheimer Associates. Mr. Masenheimer made a motion, seconded by Mr. Pogonowski, to approve Resolution #2005-959, setting rates for delinquent tax collection. All were in favor.

Ms. Bradley requested authorization to advertise two Stormwater Management Ordinances: the Neshaminy Creek Watershed Stormwater Management Ordinance; and the Delaware River South Watershed Act 167 Stormwater Management Ordinance. Both ordinances were available for review in the Township Office and required enactment prior to March 10, 2005. Mr. Masenheimer made a motion, seconded by Mr. Pogonowski, to authorize advertisement for passage at the March 7, 2005 meeting. All were in favor.

Sale of Property: 780 Penns Park Road: Ms. Bradley requested authorization to place up for sale the Township-owned property located at 780 Penns Park Road. She asked for approval to place the property for sale under two (2) options: sale "as is"; sale with a façade easement that would preserve the existing 200+ year old house. Ms. Bradley also recommended a pre-bid meeting at the site.

Mr. Masenheimer noted that DelVal Soil had done a site survey for a possible subdivision into two lots, one containing the existing house. He recommended bidding with both options, and then the Board could decide how to sell the property. Mr. Masenheimer made a motion, seconded by Mr. Pogonowski, to authorize advertisement of the property for sale. All were in favor

Mrs. Jane DelBianco of Cherry Lane and the Wrightstown Historic Commission said that the Commission had met with Mr. Jeff Marshall of Heritage Conservancy and with neighbors in the Penns Park area. They felt strongly that a façade easement should be in place to preserve the "gateway" to Penns Park Village. Mrs. DelBianco said she had spoken to realtors who claim a façade easement helps bring in the market value of a property. Mr. Pogonowski replied that the property would be put out to bid with both options, and the Board would consider each bid.

Mr. John Rasiej of Cedar Lane, Mrs. Janice Schimek of Thompson Mill Road and Mrs. Peg Clark of Park Avenue all agreed that the house should be preserved with a façade easement.

Mr. Pogonowski made a motion, seconded by Mr. Masenheimer, to advertise the sale of the property with both options. All were in favor.

Non-Uniform Pension Plan: Ms. Bradley asked for authorization to advertise an ordinance amending the existing Non-Uniform Pension Plan. The ordinance would change the terms of the current plan which requires all permanent part-time employees to participate in the Plan through mandatory contributions. The new ordinance removes this requirement and prohibits permanent part-time employees from joining the pension plan. Current permanent part-time employees that presently were part of the Plan and made contributions would have the option of opting out of the Plan. Mr. Masenheimer made a motion, seconded by Mr. Pogonowski, to authorize for advertisement the Non-Uniform Pension Ordinance Amendment. All were in favor.

JMZO Amendment: 2004-15: Agricultural Soils: Ms. Bradley asked for authorization to advertise an ordinance amending the Joint Municipal Zoning Ordinance and amending the requirements to Agricultural Soils, preserving up to 75% of Class I, II, and III agricultural soils. Mr. Pogonowski made a motion, seconded by Mr. Masenheimer, to approve the amendment for advertisement. All were in favor.

PUBLIC HEARING: Sprint/American Tower Conditional Use: Mr. Pogonowski opened the public hearing and announced that the Applicant, Sprint/American Tower, had requested a continuance to March 7, 2005. The Applicant proposed a forty (40) foot extension to a 120 foot existing monopole, with accompanying antennae and equipment. The Public Hearing was adjourned.

Mr. Pogonowski called for public comment.

Mrs. Schimek said that at the last meeting, the Chair had announced a 10% increase in Township real estate taxes. She asked where the increase was reflected. Mr. Pogonowski explained that the 10% increase in real estate taxes did not reflect any county or school district increases. The increase reflected increases in operational costs such as insurance and a commitment to capital reserves.

Mrs. Schimek asked about a proposed picnic pavilion planned for the Anchor Run Farm and financed by Orleans in conjunction with

the Datesman Subdivision project. Mr. Pogonowski said that all developers who wish to subdivide are required to provide recreational facilities or provide a fee in lieu of those facilities. There was a need at the Anchor Run Farm for a pavilion. Orleans had agreed to consider building a pavilion on the Anchor Run Farm as part of their recreation contribution. Details would be worked out before final plan approval.

Mrs. Schimek said that Orleans had not complied with the regulations for open space areas. She felt that the Board of Supervisors had made too many concessions. She asked who would be financially responsible for the sewage treatment plant on the Datesman tract. Mr. Pogonowski noted that all these issues had been addressed at preliminary plan review, and that the sewage treatment plan would be paid for by the users of the system. No costs would be passed on to residents that did not use the system.

Mrs. Ruth Brown of Stoopville Road asked if the Township planned on creating a sewage authority. Mr. Pogonowski said that the plants would be managed by the Board of Supervisors through a subcontractor.

Mrs. Brown wanted to know what the latest developments on the CVS projects were. Mr. Pogonowski outlined the submission procedures and said that the Board was waiting for submission of new revised plans. He also went through the procedure for her.

Mrs. Brown asked if there had been any Township response to DEP's letter to Toll Brothers in regard to the Hibbs Subdivision. Mr. Pogonowski said that Toll would have to resubmit a new Planning Module that would be reviewed by the Township Engineer. The Module would then come before the Board of Supervisors for formal review, although the ultimate authority would be the DEP.

Mr. John Rasiej reminded the Board that the County had also raised real estate taxes, and that the Council Rock School District most likely would do the same. He asked if it was now Township policy to allow community systems for all subdivisions. He wanted to be assured that after the five (5) year maintenance period before the Township took over complete control of the community septic system, how would the Board assure residents that they would not be hit with a bill for the costs of maintenance and administration fees on these facilities.

Mr. Pogonowski informed Mr. Rasiej that all subdivisions were handled on a case-by-case basis. It was the Board's preference that all subdivisions have individual on-lot systems with private wells. During the five years that the developer would control the community septic systems, the Township would be collecting utility bills that included charges for administration and capital investment. Mr. Masenheimer added that formulas for determining costs would be submitted before final approval of the systems.

ROADMASTER/ROAD FOREMAN: Mr. Masenheimer was uncomfortable with awarding a \$20,000.00 contract for a chipper. He preferred to look into renting or purchase of a used chipper. Mr. Pogonowski agreed to table the award for further discussion.

NEW BUSINESS: Proposed JMZO Amendment: Accessory Contractor or Trade Use: Mr. Pogonowski presented an amendment regulating contractor and trade uses as part of no-impact home-based business zoning in all districts. Mr. Pogonowski made a motion, seconded by Mr. Masenheimer, to forward the Amendment to the Jointure for review and approval. All were in favor.

LETTERS OF EXTENSION: At its Work Session meeting of February 14, 2005, a Waiver of Plan Review Time Limits was approved for the Mendonca-Collito Conditional Use Application.

CORRESPONDENCE: Mr. Masenheimer read a letter from the Energy Cooperative on Wind Power and informed the audience that the Township saved \$61.00 above projected savings this year by using wind power as an alternative electric source.

There being no further business or comment, Mr. Masenheimer made a motion, seconded by Mr. Pogonowski, to adjourn the meeting at 9:15 p.m. All were in favor.

Respectfully Submitted,

Eileen M. Bradley
Township Administrator

Res. #2002-959