

**WRIGHTSTOWN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF MEETING OF JULY 18, 2005**

The Wrightstown Township Board of Supervisors Meeting was called to order at 8:00 p.m. by Chairman Chester Pogonowski. In attendance were Vice Chair Jane Magne, Member/Treasurer Allen G. Masenheimer, Township Administrator Eileen M. Bradley and Township Solicitor Susan Piette of Terry Clemons Associates.

The Minutes of the Board of Supervisors Meetings of June 20, 27 and July 11, 2005 were accepted as presented.

Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve Bills dated July 18, 2005 in the amount of \$99,009.23. All were in favor. Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve Escrow Bills dated July 18, 2005 in the amount of \$6,912.16. All were in favor.

ANNOUNCEMENTS: Ms. Magne announced that the Octagonal School would be open for tours on the third Sunday of each month, May through October. Visitors were encouraged to explore the schoolhouse.

REPORTS: Ms. Jean Tanner of the Newtown Police Department submitted the Police Report for June 2005, which included a DUI checkpoint that netted sixteen arrests. Additionally, Officer Paul Deppi reported on two truck details held during the month. Officer Deppi and Ms. Tanner both said that the quarries had been very co-operative with police in providing information on trucks in violation as well as with assisting in roadway cleanup.

Additional reports submitted included: the Code Enforcement Report for June 2005; the Road Department Report for June 2005; The Linghocken Fire Company Report for June 2005; and the District Justice Report, with fines of \$1,147.51.

SOLICITOR'S COMMENTS: Hanson Aggregates Land Use Appeal: Ms. Piette stated that the Township had reached an agreement with Hanson Aggregates in settlement of their appeal to the terms of a recent land use decision set forth in Resolution #2005-964. Mr. Pogonowski stated that the settlement would further clarify conditions agreed to in the construction of an addition to an existing building. The settlement would also remove certain conditions that were already memorialized in other legal documents.

Ms. Magne made a motion, seconded by Mr. Masenheimer, to authorize the settlement agreement and to authorize that Township Solicitor Terry Clemons execute the necessary documentation. All were in favor.

ADMINISTRATOR'S COMMENTS: Library Renovation Bid Award: Ms. Bradley said that the Township had received five bids for renovations to the Village Library and Community Room that would bring the building further into compliance with federal ADA requirements. She recommended that the Board of Supervisors award the contract to Twining Construction Company for the amount of \$42,679.00. *Mr. Masenheimer made a motion, seconded by Ms. Magne, to award the contract for renovation to Twining Construction. All were in favor.*

Deacon Popper Record Plan: Ms. Bradley noted that the Deacon/Popper Record Plans had been executed by all parties and required Board execution. *On a motion by Mr. Masenheimer, seconded by Ms. Magne, the Board authorized execution of the Deacon/Popper Record Plans. All were in favor.*

Toll/Hibbs Wrightstown Road Traffic Light Permit Application: Ms. Bradley said that design plans for the traffic light proposed for the intersection of Wrightstown Road and Durham Road as part of the Toll/Hibbs Subdivision were ready to submit to PADOT for approval. Ms. Bradley recommended the Board authorize filing of the application, as the traffic light permit application was in the Township's name.

Mr. John Rasiej of Cedar Lane asked the board if there would be road improvements in conjunction with the traffic light installation. Mr. Pogonowski said that there would be left turn lanes along Route 413 and other improvements, as well as traffic loop sensors. Ms. Bradley added that full plans of the system were available for review in the Township Office.

Ms. Magne made a motion, seconded by Mr. Masenheimer, to authorize the submission of the permit application. All were in favor.

BuxMont Community Cable Network Endorsement: Ms. Bradley had received a proposal from the BuxMont Community Cable Network (BCCN) to provide programming similar to the Pennsylvania Cable Network to Bucks County and parts of Montgomery County on public access (PEG) channels. Current PEG channel programming would

not be affected. *Ms. Magne made a motion, seconded by Mr. Masenheimer, to endorse the BCCN proposal. All were in favor.*

PUBLIC HEARING: Proposed Ordinance #233: Intergovernmental Agreement for Franchise: The Board considered a proposed ordinance that would allow the Township to enter into an Intergovernmental Agreement to negotiate a franchise agreement with Verizon to provide cable service throughout the Township. *Mr. Masenheimer made a motion, seconded by Ms. Magne, to adopt Ordinance #233, allowing the Township to enter into an Intergovernmental Agreement. All were in favor.*

Proposed Resolution 2005-973: Intergovernmental Agreement for Franchise: *Ms. Magne made a motion, seconded by Mr. Masenheimer, to adopt Resolution #2005-973, the Intergovernmental Agreement to hire Mr. Frederick Polner, Esquire to negotiate a franchise agreement with Verizon for cable service within the Township. The cost to the Township would be approximately \$108.00.*

Proposed Ordinance #234: Right-of-Way Ordinance: The proposed ordinance would allow the Township to manage all rights-of-way throughout the Township, including potential rental fees of 5% of gross revenues received by the entity renting the right-of-way. *Mr. Masenheimer made a motion, seconded by Ms. Magne, to adopt Ordinance #234, the Right-of-Way Ordinance. All were in favor.*

Mr. Pogonowski called for public comment.

Mr. Rasiej announced that the Newtown Arts Company was performing the play "Dear Ruth" at the Crossing Community Church in Newtown. Proceeds would fund scholarships for local arts students. He encouraged all to attend.

ROADMASTER/ROAD FOREMAN'S REPORT: 2007 Bucks County TIP: Mr. Pogonowski reviewed a draft of the Township proposal for the 2007 Bucks County Transportation Improvement Program (TIP). The draft included projects that had been proposed on previous TIPs, including improvements to the Swamp Road Corridor that were currently funded in design phase. *Mr. Masenheimer made a motion, seconded by Ms. Magne, to authorize submittal of the 2007 TIP to Bucks County. All were in favor.*

UNFINISHED BUSINESS: Datesman Subdivision Planning Module:

Appearing for the Applicant to discuss the Datesman Major Subdivision Sewage Facilities Planning Module were: Mr. Edward Murphy, Esquire, Mr. David Linahan of Yerkes Engineering; and Mr. William Briegel of Orleans Homebuilders. Mr. Murphy reviewed the proposed community drip irrigation septic system. Ms. Bradley noted that all technical and administrative issues had been resolved.

Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve Resolution #2005-974, the Datesman Sewage Facilities Planning Module. All were in favor.

Penns Park Associates Minor Subdivision: Appearing for the Applicant were: Mr. Alan Cantor, owner, and Mr. Heath Dumack, engineer.

Discussion focused on the purchase of 8.17 acres from Hanson Aggregates and the reconfiguration of several lots. Land Development plans for those lots would be submitted at a later date.

Lot #1 would consist of 4.6 acres that would be developed as a commercial property in compliance with the Rural Industrial (RI) District requirements. Lot # 2, consisting of an existing dwelling, would remain with Hanson Aggregates. The 3.56 acres of Lot A would be incorporated with the existing Penns Park Associates property, making 8.8 acres total. Two half-acre out-parcels owned by Mr. & Mrs. Frank Bosak would be consolidated into one contiguous one-acre parcel.

The Board agreed that the requested waiver for a proposed fifty (50) foot right-of-way along Second Street Pike was in keeping with existing properties in Penns Park Village. The Applicant also requested a waiver for lot size ratio. Lot #2 was configured to give the best possible size to the existing home on the property. The Applicant also requested a waiver from requirements for an on-lot water and sewer survey. The Applicant wished to proceed with settlement on the property before discussing land development issues. The septic plant on the existing ARCCA facility had adequate capacity to service the proposed lots should they not perc.

The Applicant would agree to restrict Lot #1 and A to non-residential uses allowed in the RI District. The Applicant

proposed access onto Route 232, but had not submitted anything to PADOT. An aerial photograph of the site was supplied, but natural resources had not been delineated. The Applicant preferred to wait until a future Land Development Plan.

The Board reviewed the Pickering, Cortis and Summerson, Inc. letter of June 27, 2005 and the Boucher and James, Inc. letter of July 12, 2005.

Mr. Pogonowski directed Ms. Piette to draft a resolution for the next meeting.

Boy Scout Troop #29: Ms. Magne introduced members of Boy Scout Troop #29 who were present to observe the meeting: Eagle Scout candidate Colin Lehman; Second Class Scout Michael Clark; and Tenderfoot Justin Lehman.

Loeffler Preliminary Plan Approval: Appearing for the Applicant were: Mr. George Kiriakidi of Prime Builders; and Mr. Nick Rose of ProTract Engineering.

Mr. Pogonowski asked if progress had been made on the purchase of an out-parcel from Hanson Aggregates. Mr. Kiriakidi said that the cost was prohibitive. Mr. Pogonowski doubted that Hanson would grant an easement on the property which was needed to create adequate sight distance from the proposed four-lot subdivision.

Mr. Pogonowski said that he would like to see sidewalks installed along the road frontage, as the property was located near the site of the proposed Township offices and the Octagonal School.

The Board required that the Applicant provide an easement on the out-parcel before Final approval would be granted

NEW BUSINESS: Proposed Joint Municipal Zoning Ordinance Amendment #2004-12: Agricultural Sales: Mr. Pogonowski outlined provisions of the proposed Amendment. The Amendment would give farmers reasonable use of property without inflicting harm on neighboring properties. Terms for Wineries were also defined. Mr. Pogonowski asked that a letter be sent to the Jointure solicitor that Wrightstown Township was in agreement with the Amendment as presented in the version of June 14, 2005.

LETTERS OF EXTENSION: The following Waivers of Plan Review Time Limits were unanimously granted on motion by Mr. Masenheimer, seconded by Ms. Magne: Dumack Minor Subdivision Preliminary Plan; and Johnson/Vanni Major Subdivision Preliminary Plan.

ESCROW RELEASES: The following Escrow Releases were unanimously granted on motion by Ms. Magne, seconded by Mr. Masenheimer: Reshetar/Park Hill Release #3 in the amount of \$44,525.00, leaving the sum of \$282,650.75.

There being no further business or comment, Mr. Masenheimer made a motion, seconded by Ms. Magne, to adjourn the meeting at 9:50 p.m. All were in favor.

Respectfully Submitted,

Eileen M. Bradley
Township Administrator

Ord. #233
Ord. #234
Res. #2005-973
Res. #2005-974