

**WRIGHTSTOWN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF MEETING OF SEPTEMBER 18, 2006**

The Wrightstown Township Board of Supervisors Meeting was called to order at 7:30 p.m. by Chairman Chester S. Pogonowski. In attendance were Vice Chair Jane B. Magne, Township Administrator Eileen M. Bradley and Township Solicitor Susan Piette of Terry Clemons and Associates. Member/Treasurer Robert S. Lloyd was absent.

The Minutes of the Board of Supervisors Meeting of August 21, 2006 were accepted as presented. The Minutes of the Work Session Meetings of August 28, 2006 and September 11, 2006 were accepted as corrected.

Ms. Magne made a motion, seconded by Mr. Pogonowski, to approve Bills dated September 18, 2006 in the amount of \$123,671.02. All were in favor. Ms. Magne made a motion, seconded by Mr. Pogonowski, to approve Escrow Bills dated September 18, 2006 in the amount of \$37,520.52. All were in favor.

ANNOUNCEMENTS: Ms. Magne stated that the Foodshed Alliance and the Middletown Grange would sponsor a Farmer's Market and Harvest Festival on September 23, 2006 from 10:00 a.m. to 3:00 p.m. In May of 2007, the Farmer's Market would be a weekly event.

Mr. Pogonowski announced he has changed the agenda. He has moved Public Comment up on the agenda.

REPORTS: Chief Martin Duffy of the Newtown Police Department presented the Police Report for August 2006. Additional Reports submitted included: the Code Enforcement Report for August 2006; the Roads Department Report for August 2006; the Engineer's Report for August 2006; the Lingohocken Fire Company Report for August 2006; and the District Justice Report for August 2006 with fines of \$480.12.

There was no public comment at this time.

NEW BUSINESS: Joint Municipal Zoning Ordinance Amendments: JMZO 2006-18: Map Amendment - Cemetery Overlay: Appearing on behalf of Toll Brothers was Mr. Edward Murphy, Esquire. Mr. Murphy gave details of several proposed developments and a proposed national cemetery, located in the Dolington section of Upper Makefield Township on land owned by the Dolington Land Group and part of Newtown Township. The Federal Cemetery Overlay Amendment would allow the installation of a federal cemetery and two proposed subdivisions. Should the cemetery deal with the Veteran's Administration (VA) not come to fruition, the underlying existing zoning would remain in place.

200 acres would be used as a national cemetery located between Dolington Road, Route 532 and Highland Road. The cemetery would handle 6 to 8 funerals per day, about 2000 per year, and would be active for 60 to 70 years. The White Tract proposed 82 houses and included a 27.5 acre parcel of open space to be owned by Upper Makefield Township that would act as a buffer between the cemetery and the housing development. The 134 acre Melsky Tract proposed 90 lots, with 40 acres reserved for a future elementary school.

Sewerage for Melsky would be public in the Newtown portion. The Upper Makefield portion of the Melsky Tract, the White Tract and the cemetery would be added to a stream discharge community system proposed for the Gray Tract. The VA could possibly use effluent in land application for irrigation at the cemetery.

Congressman Fitzpatrick would seek \$2,000,000.00 in funding to install traffic calming measures along Stoopville Road and around the proposed cemetery. Funding of \$1,300,000.00 would pay for open space.

Toll had signed an agreement of sale with the Dolington landowners, but not with the VA or with Council Rock School District for the Melsky Tract.

Mr. Pogonowski made a motion, seconded by Ms. Magne, to authorize advertisement of proposed Amendment 2006-18: Federal Cemetery Overlay. All were in favor.

JMZO 2006-17: Map Amendment - R2 to TC: Mr. Murphy spoke on behalf of DeLuca Corporation, who proposed the purchase of property owned by St. Andrews Church along Sycamore Street in Newtown Township. The building was functionally obsolete and was slated for demolition, with new corporate headquarters erected on the site. DeLuca proposed the site-specific change of the zoning from the current R2 to TC, the zoning immediately adjacent to the site. The Church, who had been concerned about a future potential use of the property, was in agreement with what DeLuca proposed.

Ms. Magne made a motion, seconded by Mr. Pogonowski, to authorize advertisement of Amendment #2006-17, the Map Change from R2 to TC. All were in favor.

JMZO 2006-13: B-19 Use Creation: The proposed ordinance amended Section 405.B table and mistakenly removed certain uses that might lead to a future challenge of the ordinance.

Mr. Pogonowski made a motion, seconded by Ms. Magne, to reject the ordinance until corrections could be made, and until there was some recovery of legal fees for its passage through the Jointure. All were in favor.

SOLICITOR'S COMMENTS: Guest Right-of-Way Acquisition: Ms. Piette stated that documents for the acquisition of right-of-way in connection with roadway improvements related to the Hibbs Tract Subdivision were underway by the owner and would be executed shortly. The Board of Supervisors tabled execution of Resolution #2006-043 until an agreement of sale had been executed.

SUPERVISORS COMMENTS: Open Space Referendum: Mr. Pogonowski stated that proposed Resolution #2006-045 would ask voters during the November General Election to approve the acquisition of debt to pay for another \$1,500,000.00 loan to be used to purchase open space and development rights. Debt service would be paid by a possible increase in earned income tax.

Ms. Magne made a motion, seconded by Mr. Pogonowski, to approve Resolution #2006-044. All were in favor.

National Incident Management System: Mr. Pogonowski stated that the National Incident Management System (NIMS) set guidelines and procedures for all emergency responders to act during emergency situations. The proposed resolution indicated Wrightstown Township's compliance with NIMS procedures and training.

Mr. Pogonowski made a motion, seconded by Ms. Magne, to approve Resolution #2006-045, adopting NIMS requirements. All were in favor.

ADMINISTRATOR'S COMMENTS: Minimum Municipal Obligations: Ms. Bradley stated that the Pennsylvania Municipal Retirement System required that the Board of Supervisors be notified of the 2007 Minimum Municipal Obligation (MMO) for each of its pension plans. The Police Pension Plan MMO for 2007 would be \$0.00. The Non Uniform Pension Plan MMO for 2007 would be \$15,155.00. This amount would be offset by the annual state contribution and would come due by December 2007. These notices would be set down as Administrative Resolution #2006-046.

Sanitary Sewer Specification Adoption: Ms. Bradley stated that in preparation for two community septic systems to shortly be installed in Wrightstown Township, Township Engineer Mario Canales had drafted a Sanitary Sewer Specification based on that of the

Bucks County Water and Sewer Authority and adapted to Township needs.

Ms. Magne made a motion, seconded by Mr. Pogonowski, to adopt Resolution #2006-048, adopting the Wrightstown Township Sanitary Sewer Specification. All were in favor.

Chippewa Farm Renovation Contracts: Ms. Bradley said that bids for renovation of the Chippewa Farm Municipal Offices had been duly advertised and received on August 10, 2006. The Board of Supervisors had reviewed all bids and the scope of work of the project in conjunction with architect George Donovan and Associates. Five prime contracts had been bid, and paperwork and references of the lowest bidders had been checked and found to be in order. The Board had also met with Evan Stone of Pickering, Corts and Summerson, Inc. to begin the Land Use Plan process and to discuss the future use of the properties owned by the Township.

Mr. Pogonowski noted that sale of the 18 acre Smith Farm on Old Sackettsford Road could offset the debt service required for the renovation project. Rezoning the farmhouse on the Chippewa property to allow a leased professional use would allow retention of the land. No plans were set at this time and discussion would continue with public input.

Ms. Magne made a motion, seconded by Mr. Pogonowski, to award the General Contract to Walter Brucker for \$353,560.00. All were in favor.

Mr. Pogonowski made a motion, seconded by Ms. Magne, to award the Mechanical Contract to Hampton Mechanical for \$98,000.00. All were in favor.

Ms. Magne made a motion, seconded by Mr. Pogonowski, to award to Electrical Contract to Dayspring Electric for \$156,580.00. All were in favor.

Mr. Pogonowski made a motion, seconded by Ms. Magne, to award the Plumbing Contract to TMI, Inc. for \$29,970.00. All were in favor.

Mr. Pogonowski made a motion, seconded by Ms. Magne, to disqualify and not award the fire protection contract. All were in favor.

Mr. Pogonowski proposed Innoventive Engineering, P.C. to provide project management to coordinate the four contracts and keep the renovation project on track.

Mr. Pogonowski made a motion, seconded by Ms. Magne, to award Innoventive Engineering as Project Manager at a rate of \$99.00 per hour not to exceed \$30,000.00. All were in favor.

Mr. Pogonowski made a motion, seconded by Ms. Magne, to apply for a building loan of \$1,400,000.00 and authorize beginning the process necessary to borrow the funds under the Local Government Unit Debt Act.

Mr. Pogonowski would like to keep the houses and barn at Chippewa Farm and sell the Rushland property to offset costs of the office project. Mr. Pogonowski said that the Board would continue to research all options.

Mr. John Rasiej of Cedar Lane asked the Board to consider lowering the amount of the loan to \$1,300,000.00.

Mr. David Dutko of Worthington Mill Road asked how the Township would handle overruns for the project. Mr. Pogonowski said that the Board would consider all funding options.

Ms. Magne made a motion, seconded by Mr. Pogonowski, to amend the motion to allow borrowing of \$1,300,000.00. All were in favor.

Verizon Franchise Agreement: Ms. Bradley noted that the Bucks County Consortium and Wrightstown Township had reached a verbal agreement with Verizon for a franchise agreement to provide cable services to residents. A public hearing was scheduled for October 2, 2006. Mr. Pogonowski and Ms. Magne stated that they wanted to talk to Verizon before the Ordinance was adopted and asked Ms. Bradley to schedule Verizon for the next work session.

Ms. Magne made a motion, seconded by Mr. Pogonowski, to authorize advertising of an ordinance and franchise agreement. All were in favor.

Anchor Run Farm Septic System Replacement Contract: Ms. Bradley reported that two septic systems at the Anchor Run Farm were failing. Del Val Soil and Environmental had designed one new drip irrigation septic system to service both houses. Ms. Bradley requested authorization to advertise for bids to be received October 11, 2006.

Ms. Magne made a motion, seconded by Mr. Pogonowski, to advertise for bid the installation of a drip irrigation septic system for Anchor Run Farm. All were in favor.

CVS Final Record Plan: Ms. Bradley noted that Record Plans for the CVS Land Development Plan required execution by the Board. *Ms. Magne made a motion, seconded by Mr. Pogonowski, to execute the CVS Record Plans. All were in favor.*

Loeffler Sewage Facilities Operation and Maintenance Agreement: Ms. Bradley also noted that Septic Operation and Maintenance Agreement for the Loeffler Subdivision required execution by the Board. *Ms. Magne made a motion, seconded by Mr. Pogonowski, to execute the Loeffler Septic Operation and Maintenance Agreement. All were in favor.*

PUBLIC HEARING: Sprint Spectrum PCS Conditional Use Application: Mr. Pogonowski opened the Sprint Spectrum PCS Conditional Use Hearing at 9:15 p.m. He noted that the applicant had requested a continuance. Mr. Pogonowski continued the Hearing to Monday, October 2, 2006. Mr. Pogonowski then closed the hearing at 9:16 p.m.

There was no public comment at this time.

ROADMASTER/ROAD FOREMAN: Crack Sealing Contract: Ms. Bradley said that the contractor for the Crack Sealing Project, Asphalt Maintenance Solutions, had been given Notice to Proceed and proposed to commence work the week of September 25. The cost of the contract was based on linear feet at \$11.35 per gallon, or \$13,171.35 for five roads in the Township: Fire Creek, Fire Thorn, Maher, Buckman, and Hampton Court. A portion of Hampton Court which was originally proposed for crack sealing would be repaved by Toll Brothers in conjunction with another project. Ms. Bradley proposed that Fox Hill Drive and Skoures Lane be substituted.

NEW BUSINESS (continued): Joint Municipal Zoning Ordinance Amendments: JMZO 2006-04: Livestock and Poultry: The proposed Amendment set guidelines for the keeping of livestock and poultry.

Mr. Pogonowski made a motion, seconded by Ms. Magne, to authorize advertisement of proposed Amendment 2006-04: Livestock and Poultry. All were in favor.

JMZO 2006-11: Accessory Landscape Contractor: The proposed Amendment set guidelines for landscape contracting accessory to a residential use.

Mr. Pogonowski made a motion, seconded by Ms. Magne, to authorize advertisement of proposed Amendment 2006-11: Accessory Landscape Contractor. All were in favor.

ESCROW RELEASE: Highlands at Chapman Corner: Mr. Pogonowski made a motion, seconded by Ms. Magne, to approve Escrow Release #1 for Highlands at Chapman Corner (Toll/Varga) in the amount of \$152,188.20, leaving \$1,839,156.76 remaining. All were in favor.

Mr. Pogonowski called for public comment.

Mr. John Rasiej of Cedar Road said that the board needed to better educate the public on the requirements of the Riparian Buffer Ordinance passed in 2004. The Board should consider registering contractors and requiring them to apply for permits to remove trees.

There being no further business Ms. Magne made a motion, seconded by Mr. Pogonowski, to adjourn at 9:35 p.m. All were in favor.

Respectfully Submitted,

Eileen M. Bradley
Township Administrator

Res. #2006-44
Res. #2006-45
Res. #2006-46
Res. #2006-47
Res. #2006-48
Res. #2006-49