

**WRIGHTSTOWN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF MEETING OF OCTOBER 4, 2004**

Chair Chester S. Pogonowski called the Wrightstown Township Board of Supervisors Meeting to order at 8:00 p.m. In attendance were Vice-Chair Jane B. Magne, Member/Treasurer Allen G. Masenheimer, Township Solicitor Terry W. Clemons, Esquire and Township Administrator Eileen M. Bradley.

The Minutes of the Board of Supervisors Meeting of September 20, 2004 and Work Session Minutes of September 27, 2004, were accepted as presented.

Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve Bills dated October 4, 2004 for \$33,540.75. All were in favor. Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve Escrow Bills dated October 4, 2004 for \$5,589.35. All were in favor.

Ms. Magne stated that due to time constraints, the Board of Supervisors had passed Resolutions #930 and #931 at its Work Session of September 27. These resolutions authorized a grant application to the Bucks County Natural Areas Program for funds to acquire a Conservation Easement on the premises of Gail Webb at 543 Swamp Road.

REPORTS: Chief Duffy of the Newtown Police Department submitted the Police Report for September 2004. The Code Enforcement Report for September was also submitted.

SOLICITOR'S COMMENTS: Swamp Road Update: Mr. Clemons reported that he and the Township Administrator had attended a court hearing on September 21 regarding a class action lawsuit brought by Buckingham Township against the quarries located in Wrightstown Township. He was invited into the judge's chambers by the quarries and Buckingham to take part in the negotiations.

The September 17 Skelly and Loy report submitted on behalf of Better Materials indicated that Swamp Road could be opened in place to all traffic with minor repairs. At a conference call with Judge Goldberg on October 1, DEP and PADOT engineers expressed doubts in the ability for the underlying roadbed to sustain heavy traffic.

Engineers for DEP, PADOT and Better Materials would meet in the ensuing week to discuss a possible temporary roadway 20 feet from the existing Right-of-Way. Mr. James Morrissey of Eureka

Stone Quarry, the owner of the property upon which the proposed road would be constructed, would grant an easement at no charge for up to one year. PADOT promised to expedite the permitting process.

Mr. Clemons had suggested that the goal was to open Swamp Road as soon as possible. The quarries should come to some settlement on the construction since quarries have the resources to rebuild and repave roads. Liability issues could be determined later. Another conference with Judge Goldberg was scheduled for October 8 to discuss progress on a solution.

SUPERVISOR'S COMMENTS: Regional Traffic Task Force: Ms. Magne reported on the recent Regional Traffic Task Force Committee meeting. The committee was made up of representatives from Wrightstown, Upper Makefield, Northampton, Newtown, Lower Makefield Townships and Newtown Borough. Truck traffic issues were discussed. Northampton Township suggested that the Task Force commission a regional traffic study. Ms. Magne stated that the money for the study could be better spent on road improvements or enforcement of current regulations. She reiterated that Wrightstown's position has always been that all state roads should be open to all traffic.

Mr. Pogonowski called for Public Comment.

Mr. Granville Bohmler of Stoopville Road said that passenger cars, not trucks, cause most of the traffic problems. His suggestion was to open Swamp Road as quickly as possible.

Mrs. Debbie Meyer of Stoopville Road suggested diverting traffic through time constraints, such as traffic on specific roads within specific periods. Ms. Magne said that enforcement would be a problem.

Mrs. Ruth Brown of Stoopville Road asked about improvements on Durham Road at Stoopville Road and Wrightstown Road. Mr. Pogonowski noted that a traffic light with left turn lanes would be installed at Wrightstown Road and Durham Road as part of the Toll/Hibbs Subdivision. There were no plans at present for improvements at Stoopville Road and Durham Road. If a school were built, a traffic light would be installed at School District expense.

Mr. Wes Walcott of Penns Park Road asked if Wrightstown would be funding a regional traffic study. Ms. Magne said that she felt that money could be better spent on road improvements and enforcement of traffic laws.

Mr. Ed Shapiro of Durham Road discussed accidents in front of his home. He asked the Board to prohibit "Jake Brakes". He also reported problems with an adjoining neighbor. Mr. Pogonowski stated that "Jake Brakes" are considered safety equipment by PADOT and the Newtown Police Department and that he did not feel comfortable prohibiting them.

Ms. Bradley said she would have the Code Enforcement Officer investigate Mr. Shapiro's complaints.

ADMINISTRATOR'S COMMENTS: 2004-2005 Road Salt Contract: Ms. Bradley reported that the 2004-2005 Bulk Road Salt Contract had gone out for bid by the Bucks County Consortium, of which Wrightstown Township is a member. The evident low bidder was International Salt Company at \$47.83 per ton, an increase of over \$14.00 a ton than last year. Ms. Bradley recommended awarding the contract to International Salt and a contract agreement had been sent for execution. Mr. Masenheimer made a motion, seconded by Ms. Magne, to award the 2004-2005 Bulk Road Salt Contract to International Salt at a price of \$47.83 per ton. All were in favor.

Library Renovation Project: Ms. Bradley stated that the Township had received a draft of the specification for the Library Renovation project from George Donovan & Associates. Mr. Pogonowski suggested postponing authorization to advertise for bid until the documents could be reviewed.

UNFINISHED BUSINESS: Toll/Hibbs Septic Planning Module: Mr. Bohmler was very discontented with the proposed Toll/Hibbs septic system. He maintained that the system was too close to his and neighbors' properties. There was already too much water in the proposed area of the drip field and he suggested that the Board look into other systems and other areas.

Mrs. Ruth Brown stated that the percolation tests for the site were done during a two-year drought and were not accurate. She requested the system be placed in some other part of the development. She questioned the change from spray irrigation to drip irrigation and that she was not informed of the change.

Mr. Clemons noted that there were several people attending the meeting that evening who were party to the Toll/Hibbs litigation and had received copies of the Stipulation Agreement. There had been numerous televised public meetings and discussions of the proposed settlement over the last two years.

He added that the 70-acre Fisher Farm had been preserved to limit development to three houses. The Township had also fought a public water line. The proposed system would be fully financed by the residents using the system. Toll would operate the system for five years to insure that it was fully operational before the Township took responsibility of the system. The Township and DEP were still reviewing the proposal and final designs of the plant had not been submitted. Wrightstown was obligated to comment on the Planning Module by October 23, or would lose their ability to provide input.

Mr. Bohmler asked if residents could visit an existing drip system in operation and talk to some of the people who live with this system. Ms. Bradley noted that she had a list of several systems and would attempt to schedule a visit.

Mr. Larry Meyer asked if the location of the drip field was negotiable. Mr. Pogonowski said that the location was contingent upon the proper soils, but that Toll had been asked to investigate alternate locations.

Father Theodore of St. Marks Orthodox Church said that the Township should consider the current water table in the area. Any more water in that area would hinder all his efforts to keep water on church property under control.

Ms. Magne noted that the Township had asked Toll to install a berm or swale to alleviate sheet flow of surface water from the site. She noted reports of natural underground springs in the area.

Wrightstown Township had drafted a letter to DEP to accompany the Planning Module, expressing its concerns with the Module, namely: the long term effects of drip irrigation system on wooded areas; the impact on wooded area during construction of the system, particularly on trees with shallow roots; the amount of water being applied in the woodland area possibly weakening the tree root and leading to falling trees; the cumulative

effects of adding additional effluent to an already wet area; evidence of research into other viable locations throughout the tract for location of system; evidence of engineering data provided on freezing of the system pipes and tubing; the effects of percolation testing during drought conditions and would assumptions and conclusions reach in the planning module be the same if test were conducted today in non-drought conditions; the effects of underground springs on the percolation rates; the overall effects of reported existence of numerous natural underground springs in woodland disposal area; the limited amount of total storage capacity at the plant, estimated to be 3 days worth; the adequacy of proposed daily flow rates.

Mr. Shapiro noted that 45 proposed new wells would have a dramatic impact to current residents. Mr. Masenheimer noted that the well tests were done at 75% over capacity and the conclusion was that there would be no significant impact. Mr. Pogonowski added that all new wells would be metered.

Mr. Larry Brown requested that a monitoring well be installed for testing purposes downstream of the drip field.

Mr. Masenheimer made a motion, seconded by Ms. Magne, to approve Resolution #933, forwarding the Toll/Hibbs Sewage Facilities Planning Module to DEP, subject to comments made in the Township letter dated October 5, 2004 and subject to Pickering, Corts and Summerson, Inc. letters dated July 17, August 13 and September 2, 2004. All were in favor.

Mr. Barry Brown of Stoopville Road asked how important DEP approval was. Mr. Clemons said that DEP issued three permits in conjunction with a new subdivision, one of which was the wastewater permit.

ROADMASTER/ROAD FOREMAN: Mr. Pogonowski submitted the September Road Report.

ESCROW RELEASES: Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve Escrow Release #3 for the Szarko Subdivision for \$46,942.50. All were in favor.

Mr. Pogonowski called for additional public comment.

Mrs. Debbie Meyer noted that two septic lagoons in Buckingham Township emitted a smell that concerned her. She also asked if

there was research on the long-term effects of a drip system. Mr. Clemons stated that DEP permits must be renewed every five years and data is collected throughout that period. Ms. Magne added that sheet flow of stormwater would be diverted to alleviate some of the existing problems with water.

There being no further business or discussion, Mr. Masenheimer made a motion, seconded by Ms. Magne, to adjourn the meeting at 10:10 p.m. All were in favor.

Respectfully Submitted,

Eileen M. Bradley
Township Administrator

Res. #933