

**WRIGHTSTOWN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF MEETING OF NOVEMBER 3, 2003**

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

The Minutes of the Board of Supervisors Meeting for October 20, and October 27, 2003, were accepted as presented.

Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve the Bills dated November 3, 2003 in the amount of \$43,820.14. All were in favor.

Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve the Escrow Bills dated November 3, 2003 in the amount of \$58,920.85. All were in favor.

REPORTS: Chief Martin Duffy of the Newtown Police Department presented the Wrightstown Police Report for October 2003.

Mrs. Carol Oughton of Wooley Run and the Wrightstown Park and Recreation Committee expressed thanks to all the sponsors who assisted in the Harvest Festival: Mr. Sam Willard, Davis Feed Mill, First National Bank of Newtown, Commerce Bank, Friends of the Wrightstown Village Library, Mrs. Linda Neeld, Mrs. Linda Cleary, The Hackert family, Diane Plappert, Bill Garner and the Middletown Grange. A special thanks went to Mr. Woody Oughton and Mrs. Dee Murray. Ms. Magne also thanked Carol for making the Harvest Festival such a success.

SUPERVISOR'S COMMENTS: Mr. Pogonowski announce that the polls for election had been moved from the Lingohocken Fire House to the Anchor Presbyterian Church, 980 Durham Road. He encouraged all Wrightstown residents to vote.

ADMINISTRATOR'S COMMENTS: Ms. Bradley said that the Liquid Fuels Fund Audit by the State Auditor General for Fiscal Years 2001 and 2002 was completed as a clean audit, with no findings or recommendations.

Ms. Bradley said that the renewal of the Treasurer's Bond for 2004 at a premium of \$2,042.00., to insure the Treasurer to \$1,800,000.00 would need to be executed by the Board at its

reorganization on January 5, 2004. If any change was foreseen, Ms. Bradley said that research would be needed. She recommended renewal at the current levels. Ms. Magne made a motion, seconded by Mr. Masenheimer, to authorize the Bond at current levels. All were in favor.

PUBLIC HEARING: Proposed Ordinance #214/Proposed Joint Municipal Zoning Ordinance #2002-10: Mr. Pogonowski said that the proposed Joint Municipal Zoning Ordinance amendment would clarify setbacks for swimming pools: no swimming pool or its appurtenances could be erected closer than ten (10) feet from any property line, or in any front yard. The proposed amendment also changed fence regulations: for any property with at least 300 feet of road frontage, a "post and rail" or "post and board" fence with a maximum height of four (4) feet could be erected provided that the fence was at least 50% open area. Mr. Masenheimer made a motion, seconded by Ms. Magne, to approve Ordinance #214, amending the Joint Municipal Zoning Ordinance as indicated above. There was no public comment at this time. The ordinance passed unanimously. Mr. Pogonowski pointed out that Upper Makefield and Newtown Townships would have to enact the ordinance for it to become fully enforceable as part of the Best Soccer Odds Joint Municipal Zoning Ordinance.

Mr. Mark Shablin of Swamp Road brought up concerns with the local quarries. Better Materials was operating their quarry all night, disturbing himself and his neighbors. Blasting occurred at least twice a day. They were using backup alarms on equipment at night instead of strobe lights. Mr. Pogonowski said that there were no regulations in place to limit hours of operation. Better Materials had recently gone through a buyout by another company. Ms. Magne added that Better Materials was also undergoing reorganization. The Township was attempting to schedule a meeting with the new owners to address many concerns.

Mr. Shablin added that Miller Brothers Quarry should keep Mill Creek Road cleaner. Mr. Masenheimer said that Miller was very responsive when contacted to clean the road, however, he felt that they should not have to be reminded to do so.

Mr. Shablin asked when the proposed Eureka Quarry litigation settlement might be discussed. Mr. Pogonowski said that Mr. Terry Clemons would be meeting with residents on November 6 to discuss the proposed Well Loss Protection Agreement. There

would be at least two additional meetings with interested residents before any agreement would be signed.

Lastly, Mr. Shablin expressed concerns that PADOT and District Administrator Andrew Warren were ignoring requests for a traffic study of the Swamp Road corridor. In light of the future opening of Swamp Road upon completion of culvert replacements, but before other safety issues are addressed, Mr. Shablin demanded that the study be done to prevent tragedy. Lindenhurst and Stoopville Road had been done at PADOT expense. Swamp Road was needed for the entire region. The road was dangerous now. When the culverts were replaced, the situation would become critical. He asked the Board to do whatever they could to persuade PADOT to complete a safety study of Swamp Road.

Mr. George Vanderhorn of Newtown Township agreed with Mr. Shablin that Wrightstown residents were entitled to a safety study. He asked the Board to contact the State legislators for their assistance in pressuring PADOT to do a traffic study in light of Swamp Road being reopened to truck traffic when the culverts are replaced. He asked if the current culvert plans complied with Township ordinances.

Mr. Pogonowski stated that Township Engineer, Pickering, Corts and Summerson, Inc. had reviewed plans for the culvert replacement in Wrightstown Township, and determined that they do not meet Township ordinances. The plans did not mitigate existing water drainage problems. PADOT and DEP would have to take responsibility for an inferior road, or redesign the culvert to meet local standards. That process would take another year.

Mr. Pogonowski added that Wrightstown Township and Newtown Township were in close communication and were attempting to arrange a meeting with new Transportation Secretary Allen Biehler to discuss the Swamp Road corridor.

ROADMASTER REPORT: Mr. Pogonowski announced that the Township would conduct annual Fall Road Inspection on Saturday, November 8, 2003 at 8 a.m. Interested parties were welcome to attend.

UNFINISHED BUSINESS: Simonds/Weichec (Warner Meadows) Final Subdivision Plan: Appearing for the applicant were Mr. John Van Luvanee, Esquire and Mr. William Reardon of Bohler Engineering, Inc. There remained two outstanding issues from

the Pickering, Corts and Summerson, Inc. review letter of October 16, 2003. It was agreed that the name of the road to be dedicated to the Township would be Parsons Lane, as recommended by the Wrightstown Historic Commission.

The applicant proposed the installation of a PECO-approved street light at the subdivision entrance to be dedicated to the Township, and offered escrow to cover the cost of maintenance for the first three years.

Ms. Magne noted that the ruins in the dedicated open space would have to be removed prior to dedication to the township. Mr. Pogonowski added that the Historic Commission and the Lingohocken Fire Company were requesting access to the existing structures prior to demolition. Mr. Van Luvanee stated that the applicant would certainly allow access and would work out the timing with the appropriate agency.

Ms. Magne made a motion, seconded by Mr. Masenheimer, to approve Resolution #860, setting forth the terms of approval for a 25-lot subdivision to be known as Warner Meadows. There was no public comment at this time. All were in favor.

NEW BUSINESS: Escrow Release: Mr. Bruce Roth of 102 Warner Way requested the partial release of Builder's Escrow in the amount of \$4,140.00. Five hundred dollars was to be retained for stabilization of the lot. Mr. Masenheimer questioned if the retainage would be sufficient to complete stabilization. It was suggested that the Board review the property as part of Road Inspection.

There being no further comment or question, Mr. Masenheimer made a motion, seconded by Ms. Magne, to adjourn the meeting at 9:57 p.m. All were in favor.

Respectfully Submitted,

Eileen M. Bradley
Township Administrator

Ord. #214
Res. #860