

**BOARD OF SUPERVISORS  
MEETING MINUTES  
February 9, 2009**

A Meeting of the New Britain Township Board of Supervisors was held on February 9, 2009 at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, and beginning at 7:00 p.m. Present were Supervisors: Robert V. Cotton, Chairman, John A. Bodden, Vice Chairman, William B. Jones, Helen Haun and James Scanzillo. Also present were: Eileen M. Bradley, Manager; Cathy Kichline, Assistant Manager; Randy Teschner, Code Enforcement & Fire Marshal; John B. Rice, Solicitor; and Craig Kennard, Township Engineer.

**1. Call to Order:** Chairman Cotton called the meeting of the New Britain Township Board of Supervisors to order.

**2. Pledge of Allegiance:** Mr. Cotton led the Board, staff and audience in the Pledge of Allegiance.

**3. Announcements from the Chair:** Mr. Cotton announced there was an Executive Session held at 6:30 p.m. to discuss litigation.

**4. Public Comment:** Mr. Jim Moran, Creek Road, informed the Board there is a company that will prepare the municipality's newsletter at no cost. Mr. Cotton indicated the Township has met with this company previously. The company solicits advertisements from local businesses to pay for the printing and publication of the newsletter. The Township determined it was in our best interest to prepare the newsletter in house.

**5. Approval of Minutes of the January 26, 2009 Board of Supervisors meeting:**

**MOTION:** Upon motion of Mrs. Haun and seconded by Mr. Jones, the Board unanimously approved the January 26, 2009 minutes.

**6. Consideration of Old Business:**

**6.1 Settlement of Litigation:** Solicitor Rice outlined the agreement proposed between Edward Garabed and New Britain Township. Mr. Rice informed the Board the matter had been scheduled for trial to commence in January and the parties desired to settle the case. Items of interest include the subdivision of the property into four lots. The Township will convey to Garabed lots 1, 2, and 3, comprised of eleven acres. Garabed will have the right to expand and/or renovate the existing house located on lot 1 as well as construct one new home on lots 2 and 3. The township shall also pay Garabed the sum of \$100,000.00. The total acreage conveyed to the Township will be approximately 25.

Mr. Bodden expressed his pleasure with the settlement indicating the Township achieved what it set out to achieve. Mrs. Susan Gross inquired as to the status of the dam on the property. Mr. Rice informed her that DEP conducted a site visit and the dam will be minimized.

**MOTION:** Upon motion by Mr. Jones, seconded by Mrs. Haun, the Board unanimously approved the settlement agreement between Edward Garabed and New Britain Township.

**7. Consideration of New Business:**

**7.1 Award Bid for Printing of Township Newsletter:** Ms. Kichline presented to the Board three proposals for the publication and printing of the Township newsletter. The lowest quotation is from Tiger Printing of Telford in the amount of \$4,112 for 3 publications. Ms. Kichline recommended the Board award the newsletter publication and printing to Tiger Printing.

**MOTION:** Upon motion of Mr. Bodden, seconded by Mr. Scanzillo, the Board awarded the publication and printing of the Township newsletter to Tiger Printing of Telford, PA.

**7.2. Appointment of Deputy Tax Collector:** A letter was received from Nancy Jones, Tax Collector requesting appointment of Ellen M. Saurman as Deputy Tax Collector. Ms. Bradley explained to the Board the Tax Collector may appoint deputies as needed with the authorization of the taxing bodies and the surety company.

**MOTION:** Upon motion of Mrs. Haun, seconded by Mr. Bodden the Board approved the appointment of Ellen M. Saurman as Deputy Tax Collector. Mr. Jones abstained.

**7.3. Fair Share Housing Report :** Ms. Bradley presented the Fair Share Housing Analysis prepared by the Bucks County Planning Commission on behalf of New Britain Township. The purpose of the analysis is to

determine whether or not there is sufficient land area within the Development Area of New Britain Township to accommodate future population and housing growth to the year 2020. The future capacity of the Development Area for multi-family housing within New Britain Township is determined to be 427 units. The projected number of dwelling units that need to be accommodated in the Development Area by 2020 is 407 units. Therefore, the Development Area provides a surplus of 20 units through 2020. Ms. Bradley recommends the Fair Share Housing Analysis be forwarded to the New Britain Township Planning Commission for review.

**MOTION:** Upon motion by Mr. Jones, seconded by Mr. Scanzillo, and unanimously carried, the Board directed staff to forward the Fair Share Housing Analysis to the Planning Commission.

**7.4. Request for Donation; Butler Elementary Spring Fair:** A letter was received from Butler Elementary PTO requesting a donation for their Spring Fair to be held in April. The Board supports the schools in many ways, but will not be able to honor the request for a monetary donation.

**7.5 Professional Service Agreement; Select Properties:** A PSA was presented to the Board for Select Properties, TMP #26-001-038, 26-001-039 and 26-001-040-002.

**MOTION:** Upon motion by Mr. Bodden, seconded by Mr. Jones, the Board unanimously approved the Professional Service Agreement with Select Properties.

**8. Board of Supervisor Comments:** Mr. Cotton notified the Board the annual BCATO meeting will be held Saturday, February 21 and Members of the Board and Township Manager will attend. Mrs. Haun notified the Board the Water Resources meeting will be held February 13 via conference call.

#### **9. Township Administration Comments:**

**9.1 Notification; LePore ZHB:** Ms. Bradley informed the Board a Zoning Hearing will be held on Wednesday, February 11 for Anthony LePore, TMP #26-011-021. Mr. Lepore is seeking three variances in connection with the subdivision of his property. Mr. Robert Okenquist, Creek Road inquired if the lack of road frontage will set precedence. Mr. Rice explained that a Zoning Hearing Board must look at each property individually. Mrs. Haun informed the residents in attendance they may attend the Zoning Hearing Board and present their concerns to the ZHB. The Board directed Ms. Bradley and Mr. Rice to notify the zoning Hearing Board to consider a condition to deed restrict the property from further subdivision.

**9.2 PELRAS Training Conference:** Ms. Bradley informed the Board the annual PELRAS Training conference is being held March 25 through 27 in State College, PA. Ms. Bradley feels this training conference would be beneficial to attend since it includes a number of work sessions dealing with labor law. The Board authorized Ms. Bradley to attend the annual conference.

**10. Solicitor & Engineer Comments:** None

**11. Other Business:** None

**12. Public Comment:** Mr. Doug Reisner of Sellersville Road advised the Board a neighboring property has an outdoor wood fired boiler that emits a significant amount of smoke. Mr. Reisner inquired whether the Board can enforce the smoke emissions. Mr. Rice informed that the UCC does not address wood fired boilers and DEP governs air quality issues. Ms. Bradley informed the Board the Planning Commission has looked at an ordinance regulating wood fired boilers but until DEP and UCC issue clear standards for the enforcement of the boilers, the local municipality cannot regulate. Mr. Bodden suggested sending a letter to DEP in support of developing regulations for wood fired boilers.

#### **13. Payment of Bills:**

**MOTION:** Upon motion by Mr. Jones, seconded by Mrs. Haun, the Board approved the bills list dated 2/6/09 in the amount of \$202,733.40.

#### **13. Adjournment:**

**MOTION:** A motion was made by Mr. Scanzillo and seconded by Mr. Jones to adjourn the meeting of the New Britain Township Board of Supervisors at 7:55 p.m.

**NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS**

\_\_\_\_\_  
Robert V. Cotton, Chairman

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John A. Bodden, Vice-Chair

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Helen B. Haun, Member

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William B. Jones, Member

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A. James Scanzillo, Member

Attest: \_\_\_\_\_  
Cathy Kichline  
Secretary/Assistant Manager