

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

A Meeting of the New Britain Township Board of Supervisors was held on March 9, 2009 at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: Robert V. Cotton, Chair, John Bodden, Helen Haun, William Jones and James Scanzillo. Also present were: Eileen M. Bradley, Manager; Cathy Kichline, Assistant Manager; Robert Scafidi, Chief of Police; Steven Moyer, Solicitor and Craig Kennard, Township Engineer.

1. **Call to Order:** Mr. Cotton called the Meeting of the New Britain Township Board of Supervisors to order.
2. **Pledge of Allegiance:** Mr. Cotton led the Board and audience in the Pledge of Allegiance.
3. **Announcements from the Chair:** None.
4. **Public Comment:** None.
5. **Approval of Minutes of February 23, 2009 Board of Supervisor meeting:**

MOTION: Mr. Cotton clarified that item 8.4 should read that Mr. Bender's resignation letter included the date of June 30, 2009 or earlier if a replacement is appointed. Upon motion by Mrs. Haun, seconded by Mr. Jones the Board unanimously approved the February 23, 2009 Minutes as corrected.

6. Consideration of Old Business:

6.1. Continuation of Conditional Use Hearing; Metro PCS; co-locate wireless telecommunications facilities to an existing tower at 100 Old Limekiln Road. Township Solicitor Steve Moyer opened the hearing indicating this is a continuation of the hearing held February 23, 2009, at which time the applicant was directed to provide a structural and wind load analysis. Mr. Moyer gave a summation of previous exhibits and testimony submitted at the February 23, 2009 hearing. Mr. Wild informed the Board he will testify on behalf of the three witnesses present; Michael Bohlinger, P.E., Bruce Hoffmaster, Site Acquisition Specialist and Robert Larson, Sr. Radio Frequency Engineer. Mr. Wild reviewed the structural analysis and wind load analysis which demonstrates the structural capacity can be reduced to 100% with reinforcement and other minor modifications.

Mr. Cotton inquired as to the meaning on page 1 of exhibit A-11 which states "*...analysis assumes tower is in good, undamaged, and non-corroded condition*". Mr. Bohlinger replied that when a structural value is determined, certain assumptions are met as well as visual inspections. Mr. Bohlinger stated in this case, the applicant will physically reinforce the tower by reinforcing diagonal members.

Mr. Wild stated that his client would accept as a condition of approval the seven recommendations of reinforcement listed in the structural analysis.

MOTION: Being no further testimony and upon motion by Mr. Scanzillo and seconded by Mr. Jones, the Board of Supervisors approved the Conditional Use of Metro PCS with the following conditions; comply with all applicable ordinances, no additional lighting is installed, the antenna will be constructed pursuant to the plan, all professional fees will be reimbursed, all assumptions in exhibit A-11 are verified and the seven recommended reinforcements are completed.

7. Consideration of New Business:

7.1. Award Contract for 2009 Road Program

- Contract "A" Bituminous Seal Coat
- Contract "B" Bituminous Wearing Course

Mr. Fultz presented a memo outlining his recommendations for contract award for the 2009 Road Program. Mr. Fultz recommends the award for Contract "A" Bituminous Seal Coat be awarded to Asphalt Maintenance Solutions in the amount of \$55,544.16. Mr. Fultz recommends Contract "B" Bituminous Wearing Course be awarded to Bray Brothers Inc. in the amount of \$60,008.85.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones the Board awarded Contract "A" to Asphalt Maintenance Solutions and Contract "B" to Bray Brothers pursuant to their respective bids. Mr. Bodden abstained from the vote.

7.2. Award Contract for 2009 Stone Material: Mr. Fultz prepared a memo outlining his recommendations for contract award for the 2009 Bucks County Consortium Crushed Stone Aggregate and Paving Materials.

MOTION: Upon motion by Mr. Jones, seconded by Mr. Bodden, the Board unanimously awarded the stone and blacktop materials contract to Eureka Stone Quarry contingent upon the receipt of a performance bond in the amount of \$37,650.00.

7.3. Award Contract for 2009 Asphalt Material: Mr. Fultz presented a memo outlining his recommendation for award of the asphalt materials.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Bodden, the Board unanimously awarded the aggregate products contract to H&K Materials contingent upon receipt of a performance bond in the amount of \$14,100.00.

7.4. Recommend for Preliminary Final approval: Evangelista Minor Subdivision: Thomas Evangelista, applicant, was present and verbally offered a two week extension for the project. Mr. Evangelista will stop in the office tomorrow to sign an offer of extension. Mr. Kennard reviewed the project and prepared a review letter on January 23, 2009. A review was received from the Bucks County Planning Commission as well as a courtesy review done by Hilltown Township, which abuts the property. The NBT Planning Commission offered Preliminary/Final Plan approval on February 17, 2009. Mr. Kennard and the applicant's Engineer will work out the review comments and return to the Board on March 23, 2009.

MOTION: Upon motion by Mr. Bodden, seconded by Helen Haun, the Board unanimously voted to deny the Evangelista Minor Subdivision plan unless an offer of extension is submitted on March 10, 2009.

9. Board of Supervisor Reports: Mr. Cotton attended a Route 202 Task Force meeting and informed the Board that the construction of the Parkway is progressing as planned.

9. Township Administration Comments:

9.1. Notice of Zoning Hearing Board: Ms. Bradley informed the Board that a Zoning Hearing is scheduled for Wednesday, March 11th. The Board will render a decision on the Stout and Toll/Moonan matter and will hear the matter of 696 New Galena Road and 37 Callowhill Road. Mr. Jones suggested the Board indicate its support of the Rutherford matter and condition that support on the following conditions: since the kennel is currently non-conforming, when and if the property is sold, the kennel use be discontinued; a deed of restriction be placed to ensure the vacating of the use upon change of ownership; the kennel cannot expand beyond its current size.

9.2. Appointment of Third Party Electrical Inspector: Ms. Bradley and Mr. Teschner received a proposal from United Inspection Agency to perform third-party electrical inspections in New Britain Township.

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Jones, the Board unanimously appointed United Inspection Agency as the third-party electrical inspector within New Britain Township.

10. Solicitor and Engineer Comments:

Mr. Moyer presented an amendment to the Township Manager's contract which includes a monthly car allowance of \$300.00 per month previously agreed upon but not included in the contract.

MOTION: Upon motion by Mr. Bodden, seconded by Mrs. Haun, the Board unanimously approved the amendment of the Township Manager's contract to include a monthly car allowance.

Mr. Kennard informed the Board his office will have reviews ready later this week for the Barclay Road and Vertis subdivisions. His office is also working on the Garabed subdivision pursuant to the recent settlement which requires the Township have a plan prepared within 60 days of settlement.

11. Other Business: None.

12. Public Comment: None

13. Payment of Bills: Bill list dated March 5, 2009; \$284,346.68

MOTION: Upon motion by Mr. Jones, seconded by Mr. Bodden, the Board unanimously approved the Bills List dated March 5, 2009 in the amount of \$259,346.68. This lesser amount reflects holding the \$25,000.00 requested from Chalfont Borough for the Tri-Municipal Trails grant until such time as Chalfont provides New Britain Township with a progress report and supplemental invoices.

14. Adjourn:

MOTION: Being no further business, upon motion by Mrs. Haun, seconded by Mr. Bodden, the Board adjourned the meeting at 8:05 PM.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

Robert V. Cotton, Chair

John A. Bodden, Vice-Chair

James Scanzillo., Member

Helen B. Haun, Member

William B. Jones, Member

Attest: _____
Eileen M. Bradley
Secretary/Manager