

**BOARD OF SUPERVISORS
MEETING MINUTES
September 13, 2010**

A Meeting of the New Britain Township Board of Supervisors was held on September 13, 2010, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: Jack Bodden, Chairman; Helen Haun, Vice Chairman; William B. Jones, A. James Scanzillo and Robert Cotton. Also present were: Eileen Bradley, Township Manager; Cathy Kichline, Assistant Manager and Peter Nelson, Township Solicitor.

1. **Call to Order:** Mr. Bodden called the Meeting of the New Britain Township Board of Supervisors to order.
2. **Pledge of Allegiance:** Mr. Bodden led the Board and audience in the Pledge of Allegiance.
3. **Announcements from the Chair:** Mr. Bodden informed the public that there was an Executive Session held prior to tonight's meeting to discuss land acquisition and personnel matters.
4. **Public Comment:** Mr. David Jimick of Rocky Meadows presented information to the Board regarding the control of the tick population. Mr. Jimick also asked the assistance of the Board with an on-going neighbor disagreement. Mr. Bodden offered to look into the problem.

Mr. Robert Schmidt of Upper State Road was present to inquire of the Board who will be responsible for the sidewalks that are to be installed abutting his property. He informed the Board this property was purchased from him by PennDot and he strongly opposes being responsible for the maintenance of the sidewalks. Solicitor Nelson responded it is the Township's position that Mr. Schmidt would be responsible for the maintenance of the sidewalks once installed. Mr. Nelson cited the Property Maintenance Code adopted by the Township as the governing ordinance.

5. Approval of Minutes of August 9, 2010 Board of Supervisors Meeting:

MOTION: Upon motion of Mrs. Haun, seconded by Mr. Jones, with Mr. Cotton abstaining the Minutes of the August 9, 2010 Board of Supervisors meeting were approved as written.

6. Consideration of Old Business:

7. Consideration of New Business:

7.1 Execution of Decker Conservation Easement: Mr. Moyer presented the Conservation Easement, Owner's Affidavit and Corporation Purchasers Affidavit for signature by Chairman Bodden. The Conservation Easement is located on Upper Church Road and encompasses approximately 11 acres.

MOTION: Upon motion by Mr. Cotton, seconded by Mr. Scanzillo and unanimously approved, the Board authorized the Chairman to execute the above-mentioned documents.

7.2 Resolution 2010-27; Authorize purchase and settlement of Szablewski Conservation Easement: Ms. Bradley presented a Resolution 2010-27 authorizing the Board of Supervisors to acquire and accept the grant of Conservation Easement covering those parcels of property located on Walter Road and Railroad Avenue designated as TMP's #26-005-028 and 26-005-030 for \$390,000.00.

MOTION: Upon motion Mrs. Haun, seconded by Mr. Jones, the Board unanimously approved Resolution 2010-27 authorizing the Board to acquire and accept the grant of Conservation Easement covering the above-mentioned parcels and authorizing the Chairman to execute the documents.

7.3 Authorize advertisement of Ordinance 2010-09-02 amending Chapter 27, Zoning, Part 2, General Definitions. Revising the definition of Land Development and providing for special regulations pertaining to condominium plans. Ms. Bradley presented the above-mentioned ordinance to the Board and explained a recent court decision determined the creation of a condominium as a land development. This zoning amendment clarifies that any new proposed condominiums will require the submission of a subdivision and land development plan and that any amendments of existing condominium plans will require the submission of a condominium plan to the Township.

MOTION: Upon motion by Mr. Cotton, seconded by Mr. Jones, the Board unanimously authorized the Solicitor to advertise Ordinance 2010-09-02 as written.

7.4 Adoption of Ordinance 2010-09-01 amending Part 7, Pension Plans to amend the Killed in Service Survivor benefit pursuant to the Act of June 24, 1976 as amended by Act 51 of 2009. Ms. Bradley explained to the Board that Act 51 of 2009 amended the Killed in Service Benefit provision of the Act of June 24, 1976 which, in the event a benefit becomes available, the benefit shall be payable by the Commonwealth of PA. Ms. Bradley further informed the Board this amendment had been provided to the Police Benevolent Association with no comment.

MOTION: Upon motion by Mr. Cotton, seconded by Mrs. Haun the Board unanimously approved Ordinance 2010-09-01, amending the Police Pension Plan.

7.5 Approval of Estoppel Certificate Concerning Horvath Towers: Solicitor Nelson explained to the Board a request for Estoppel Certificate was received from Horvath Towers. Horvath Towers is assigning its interest under the Option and Lease Agreement to another tower operator. Upon further review, Solicitor Nelson is recommending language be added to the agreement and recommends the Board approve execution of the agreement pending the language amendment.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board unanimously authorized the Township Manager to sign the agreement pending the language amendment provided by Solicitor Nelson.

7.6 Discussion: Proposal from Local Government Management Services LLC to provide training to Planning Commission: A proposal was received from Local Government Management Services to increase the awareness and understanding of the land use planning process and assist them in defining their role. This 90-minute presentation is offered at \$300.00 plus \$10.00 for each person in attendance.

MOTION: Upon motion by Mr. Scanzillo, seconded by Mr. Jones, the Board unanimously authorized the proposal from Local Government Management Services LLC to provide training to the Planning Commission and invited guests.

7.7 Consent Agenda:

- a.) Certificate of Completion #2, Orthopedic Specialty Center
- b.) Professional Service Agreement; TMP #26-004-013 located on King Road

MOTION: Upon motion by Mr. Jones, seconded by Mrs. Haun the Board unanimously approved the Consent Agenda as presented.

8. Board of Supervisor Comments:

Mrs. Haun informed the Board that stream clean up was this past Saturday and was well attended. Mrs. Haun also mentioned a scavenger hunt will be held on October 2 at 10:00 am at Peace Valley Park. Mr. Cotton

requested the Public Works Department clean up litter along County Line Road. Mr. Bodden informed the Board he has spoken with the Township Manager and Park and Recreation Department to modify the Veteran's Memorial to reposition the bricks, additional plantings and provide for access from the parking lot. Mr. Bodden also commended Mrs. Haun for her tireless humanitarian efforts including feeding the homeless and stream clean up.

9. Township Administration Comments: Ms. Bradley discussed the PA Stormwater Coalition, upcoming Zoning Hearings and Assessment appeals with the Board. Ms. Bradley also informed the Board Chalfont Borough will hold an Open House on September 20th for the purpose of presenting the Tri-Municipal Trails project to the public.

10. Solicitor & Engineer Comments: Mr. Nelson presented two Conditional Use Applications and suggested the Board schedule the hearings for October 11, 2010. The Board agreed to hearing both applications on October 11, 2010..

11. Other Business: None

12. Public Comment: None

13. Payment of Bills: List dated 8/12/10 in the amount of \$8,778.15; list dated 8/12/10 in the amount of \$3,219.60 and list dated 9/9/10 in the amount of \$173,107.51:

MOTION: Upon motion by Mr. Scanzillo, seconded by Mr. Jones, the Board unanimously approved the three bill lists as presented.

14. Adjournment: Being no further business and upon motion by Mr. Jones, seconded by Mr. Cotton, the Board adjourned the meeting at 7:50 PM.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

John A. Bodden, Chair

Helen B. Haun, Vice-Chair

James Scanzillo., Member

Robert V. Cotton, Member

William B. Jones, Member

Attest: _____
Eileen M. Bradley
Secretary/Manager