

**BOARD OF SUPERVISORS
MEETING MINUTES
April 14, 2008**

A regular meeting of the New Britain Township Board of Supervisors was held on April 14, 2008 at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: A. James Scanzillo, Chair; Robert V. Cotton, Vice-Chair; and members John A. Bodden, Sr.; Helen B. Haun and William B. Jones. Also present were: Robert Bender, Interim Manager; Cathy Kichline, Assistant Manager; John B. Rice, Township Solicitor; Craig Kennard, Township Engineer, and Robert Scafidi, Police Chief;

1. **Call to Order:** Mr. Scanzillo called the meeting to order.
2. **Pledge of Allegiance:** Mr. Scanzillo led the audience in the Pledge of Allegiance.
3. **Announcements from the Chair:** There were no announcements from the Chair.
4. **Public Comment:** There was no public comment.
5. **Approval of Minutes of March 24, 2008 Board of Supervisor's meeting and April 4, 2008 Workshop meeting:**

MOTION: Upon motion by Mr. Cotton and seconded by Mr. Jones, the Board unanimously approved the March 24, 2008 minutes as written.

MOTION: Upon motion by Mrs. Haun and seconded by Mr. Cotton, the Board unanimously approved the April 4, 2008 workshop minutes as written.

6. Consideration of Old Business:

- 6.1. **Conditional Use Application of WTXF/Fox; Adjudication:** Mr. Rice presented the written decision to the Board.

MOTION: Upon motion of Mr. Jones and seconded by Mrs. Haun, the Board unanimously approved the adjudication granting the Conditional Use Application of WTXF/Fox subject to the conditions outlined in the adjudication and noting their support for co-location of new antenna, versus installation of additional towers in the township.

6.2. **Continuation of Conditional Use Hearing; Cricket Communication G5 Wireless Telecommunications Facility located on the property of North Wales Water Authority.** Mr. Scanzillo opened the hearing. Richard Lemanowicz, Esq. was present to represent Cricket Communication. Mr. Lemanowicz presented exhibits A1-A7 explaining the proposal is to install three communication antenna on an existing telecommunications tower. Mr. Lemanowicz explained this is the least intrusive way to provide service to customers. Mr. Lemanowicz further explained the proposal is consistent with the zoning ordinance and has no adverse affect on New Britain Township. Mr. Lemanowicz also indicated to the Board a structural analysis has been submitted which shows the new installation will withstand the 100 mph winds as required by the zoning ordinance. Upon further questioning by the Board and municipal solicitor, Mr. Leanowicz indicated his client will provide a letter of authorization from the owner, there will be no interference with emergency signals and will provide additional landscaping around the base of the tank.

MOTION: Upon motion by Mr. Bodden, seconded by Mrs. Haun the hearing was closed and continued until May 5, 2008 at 7:00 PM.

7. Consideration of New Business:

7.1. **Adoption of 2008 New Britain Township Open Space Supplement:** Mr. Bender presented the 2008 Open Space Supplement to the Board. Mr. Bender further explained the 2008 Supplement has been endorsed by the Planning Commission and LPEAC and supported by staff. Mr. Scanzillo thanked Mrs. Haun and Mr. Groshens for their extra efforts in preparing the Open Space update.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Bodden, the Board unanimously approved the 2008 New Britain Township Open Space Supplement.

7.2. **Conditional Use Hearing; Cricket Communication G4 Wireless Telecommunications Facility located at 25 Old Limekiln Road:** Mr. Scanzillo opened the hearing. Richard Lemanowicz, Esq. was present to represent Cricket Communication. Mr. Lemanowicz presented exhibits A1-A8 explaining the proposal is to install three antennas on the existing tower. Mr. Lemanowicz explained there are gaps in service areas and co-location is the least intrusive way to provide service to the customer. He stated that the additional antenna will not result in additional lighting, noise, or glare. A structural analysis has been submitted but does not clearly identify the zoning ordinance requirement that the tower can withstand 100 mph winds. Mr. Lemanowicz will have a revised structural analysis submitted. Mr. Bender inquired whether Cricket was aware there are other telecommunication companies with applications before the Board. Each structural analysis will need to take into consideration the accumulative total of all proposed antenna. Cricket will take this into consideration when preparing its structural analysis. Being no further comments, Mr. Scanzillo asked for public comment. There were none.

MOTION: A motion was made by Mr. Jones, seconded by Mr. Cotton to close the hearing and continue it until May 5, 2008 at 7:00 PM.

7.3. Conditional Use Hearing; Sprint PCS G4 Wireless Telecommunications Facility located at 25 Old Limekiln Road: Mr. Rice informed the Board a Conditional Use application was received February 20, 2008 and has been advertised in the Intelligencer March 31 and April 7, 2008. Mr. Rice informed the Board no representative of Sprint was in attendance. Mr. Rice recommended the Board deny the Conditional Use Application for failure to proceed.

MOTION: Upon motion by Mrs. Haun and seconded by Mr. Cotton, the Board unanimously denied the Conditional Use Application of Sprint PCS for failure to proceed.

7.4. Presentation of Cricket Communications to erect a temporary G4 Telecommunications Facility at property along Schoolhouse Road: Mr. Richard Huddelson was present to describe the temporary structure proposed to be erected at West Branch Park. Mr. Huddelson explained the unit would be attached to a 16' trailer by guide wire. The base will be entirely locked down and enclosed with a fence. Upon further questioning by the Board and Solicitor, Mr. Huddelson indicated the temporary structure is 95', will comply with all set backs within the jurisdiction, may accommodate up to two users and space may be available for emergency responders if necessary. Mrs. Leslie Bilotta inquired whether this location would interfere with the children's play area. Mr. Bender indicated the actual site would be limited and placed so as not to interfere with any children's equipment. Mr. Bender further suggested to the Board that staff meet with Mr. Huddelston to formalize a proposal. The Board agreed to Mr. Bender's suggestion.

7.5. Award 2008-2009 Fuel Bids: Mr. Bender presented the results of the 2008-2009 fuel bids as advertised by Southampton Township for the Bucks County Consortium.

MOTION: Upon recommendation by Wayne Fultz, Public Works Superintendent, the Board awarded the 2008-2009 fuel bids to Sunoco, Inc. of Aston, PA. Sunoco's bid used the weekly OPIS East Coast Exchange.

7.6. Resolution 2008-05; Requesting PennDOT to install protective guiderail along Callowhill Road: Mr. Bender presented to the Board a resolution recommending PennDOT install guiderail along Callowhill Road and the curves near 226 Callowhill Rd. This section of roadway has experienced an inordinate number of accidents. The Resolution also asks PennDOT to study the entire roadway section between Myers and Ferry roads.

MOTION: Upon motion by Mr. Bodden, seconded by Mrs. Haun the Board unanimously approved Resolution 2008-05 requesting that PennDOT installs guiderail and conducts a traffic study, and review speed limits along Callowhill Road.

7.7. Accept for Review Only; Subdivision preliminary plans for the Frost Tract; TMP #26-5-77 & 26-5-77-2 and final plans for the Mauer Tract; TMP #26-1-125-2.

MOTION: Upon motion by Mr. Jones, seconded by Mr. Cotton, the Board accepted, for review purposes only, the Frost and Maurer subdivision plans.

8. Board of Supervisor Reports: Mrs. Haun reported that the LPEAC and Public Works Department are working on installing a rain garden at West Branch Park.

9. Township Administration Comments:

Possible Illegal Tree Removal. It was reported that the township had received the grading and landscaping plan (dated March 12, 2008) from Mr. Braccia, as previously requested by the Supervisors. The plan indicates the recent site grading and erosion control work on the Braccia tract as required by the County Soils Conservation District. It also shows the location of approximately 20 trees, ranging in size from 4" to a size of 24" which Mr. Braccia reported to have been illegally cut down by his neighbor, Robert Showalter. The plan was turned over to the Township Engineer for review and recommendation to the township Solicitor and Code Enforcement office. The Board expressed their disappointment with whoever is responsible for the tree removal, as the extent of removal includes over 200 caliper inches of mature trees which will be difficult, if not impossible to replace. No official action was taken at this time.

10. Solicitor & Engineer Comments: Mr. Rice informed the Board the settlement agreement with KEMA has been finalized and recommended approval of the record plan contingent upon five conditions being met.

MOTION: Upon motion by Mr. Cotton, seconded by Mr. Jones the Board unanimously approved the settlement agreement and record plan of KEMA.

11. Other Business: None.

12. Public Comment: None

13. Payment of Bills:

MOTION: Upon motion of Mrs. Haun, seconded by Mr. Jones, the Board unanimously approved the bill list in the amount of \$120,128.14

14. Adjournment:

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Jones, the Board adjourned at 8:25 p.m.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

A. James Scanzillo, Chair

Robert V. Cotton, Vice-Chair

John A. Bodden, Sr., Member

Helen B. Haun, Member

William B. Jones, Member

Attest: _____
Robert C. Bender
Township Manager

Minutes approved on: _____