

**BOARD OF SUPERVISORS
MEETING MINUTES
November 22, 2010**

A Meeting of the New Britain Township Board of Supervisors was held on November 22, 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; and A. James Scanzillo, Members. Also present were: Eileen M. Bradley, Township Manager; Cathy Kichline, Assistant Manager; Robert Scafidi, Chief of Police; Wayne Fultz, Public Works Foreman; Randy Teschner, Code Enforcement & Fire Marshal; and Peter Nelson, 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 a personnel matter.
4. **Public Comment:** None
5. **Approval of Minutes of November 8, 2010 Board of Supervisors Meeting:**

MOTION: Upon motion of Mrs. Haun, seconded by Mr. Scanzillo, the Board unanimously approved the Minutes of the November 8, 2010 Board of Supervisors Meeting.

6. Departmental Reports:

6.1. Public Works: Mr. Fultz presented the Public Works Report for October 2010. Mr. Fultz informed the Board that the new Dump Truck and Chipper were delivered. Mr. Fultz also informed the Board that line painting was completed as well as the pad for the new fuel tank. All Township-owned property has been posted "No Hunting".

6.2. Police Department: Chief Scafidi presented the Police Department's Report for October 2010. Chief Scafidi reported 532 incidents.

6.3. Code Enforcement & Fire Marshal: Mr. Teschner presented the Code Enforcement Report for October 2010, which included 28 building permits issued and 40 building inspections. He also conducted 29 fire inspections. Mr. Teschner also reported 13 fire calls for the month.

7. Consideration of Old Business: Ms. Bradley added a release of Maintenance and Financial Security for the Reserve at New Britain. All punch list items in Gilmore & Associates letter have been completed with the exception of a few plantings and seeding, which will be done in Spring 2011 by the homeowners' association. The Township would retain \$3,800 for the plantings and seeding, as well as an additional \$20,208.95 in outstanding legal and engineering charges. The remaining funds, approximately \$25,991.05 would be released to the Atlantic Companies.

8. Consideration of New Business:

8.1. Ordinance 2010-11-01; Amending Chapter 27, Zoning; Part 2, General Definitions, revising the definition of Land Development and providing for special regulations pertaining to condominium plans.

Peter Nelson opened the hearing regarding the above ordinance. Mr. Nelson indicated that the Ordinance has been properly advertised and reviewed by the Bucks County Planning Commission and New Britain Township

Planning Commission. Mr. Nelson further explained that the Ordinance requires that all Declaration of Condominiums which are proposed to be amended and all new Condominium plans shall require the submission of a land development plan, including all stormwater, parking and other requirements of the New Britain Township Subdivision and Land Development Ordinance in order to document existing and/or proposed uses of existing condo plans of record.

MOTION: Upon motion by Mr. Scanzillo, seconded by Mr. Haun, the Board unanimously approved Ordinance 2010-11-01, revising the definition of Land Development and providing for special regulations pertaining to condominium plans.

8.2. New Britain Walk; Release of 18-month Maintenance Period and Financial Security: Mr. Garton informed the Board that upon site inspection, the applicant has completed all of the outstanding construction items outlined in the September 23, 2009 Punch list letter. Mr. Garton further recommends that the Township release the remaining \$255,560.58 from the Wachovia Bank Letter of Credit and the remaining \$166,114.38 from International Fidelity Insurance Company. A release of the \$15,000 cash escrow may also be completed.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Scanzillo, the Board unanimously approved the releases as presented.

8.3. Introduction of Ordinance amending the Zoning Map by re-zoning TMP #26-011-072 from I-Institutional District to RR-Residential District: Mr. Nelson presented a proposed ordinance that would re-zone TMP #26-011-072, consisting of 17.759 acres, revising the Table of Uses, removing uses from the Special Exception subsection and amending the Zoning Map.

Mr. Michael Yanoff, Esquire, representing Wordsworth Academy, reminded the Board that this parcel is subject to a 1998 Stipulation Agreement. Mr. Yanoff wanted confirmation that this zoning amendment would not adversely affect the provisions spelled out in the Stipulation Agreement.

Mr. Bodden indicated that the zoning amendment would have no adverse affect on the 1998 Stipulation Agreement or the property value. Mr. Bodden further stated that this action may stimulate the development of this parcel, giving the property owner multiple options.

Mr. Nelson further stated that the Township is not trying to circumvent or void the Stipulation Agreement and concurred that the owner may still develop under the terms of the Stipulation Agreement.

MOTION: Upon motion by Mrs. Haun, seconded by Scanzillo, the Board authorized forwarding the proposed Ordinance as introduced to the Bucks County Planning Commission and New Britain Township Planning Commission and further instructed the Solicitor to advertise for adoption at a future meeting.

8.4 Approval of Conservation Easement Agreement of Sale; TMP #26-003-104-002: Ms. Bradley presented the Conservation Easement Agreement of Sale signed by the Deckers and Wattons. The purchase price is payment to cover 50% of the costs and expenses either to show that the existing septic system on New lot #1 is functional and obtain the necessary permits or replace the existing septic system on New Lot #1 with a new, fully permitted septic system, whichever option is possible and costs less. The purchase price shall not exceed \$20,000.00.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Scanzillo, the Board unanimously approved the Conservation Easement Agreement of Sale as presented.

9. Board of Supervisors Comments: None

10. Township Administration Comments:

10.1 Municipal vehicles and equipment available for bid: Ms. Bradley informed the Board that two pieces of equipment are available for bid on MuniBid: a 2001 Ford Expedition police car; a 1989 EGER Beaver Chipper.

11. Solicitor & Engineer Comments: None

12. Other Business: None

13. Payment of Bills: List dated 11/18/10 for \$140,791.76

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Scanzillo, the Board unanimously approved the Bill Lists as submitted.

14. Public Comment: Mr. John Walsh of Lenape Valley Girls Softball came before the Board to discuss the change of Highlands Park softball field from a skinned infield to an all grass field. Mr. Welsh informed the Board that the girls softball teams have used this field many times in the past and an all grass field negates their ability to use and properly instruct the players.

Mr. Bodden explained that the reason for the change is that it is cost-prohibitive at this time to maintain the field. Additionally, it does not meet the current standards for a regulation field and was not intended for regulation play.

Mr. Walsh offered a financial contribution toward the maintenance of the field.

Mr. Bodden added that the parking is inadequate as well as the field is not far enough from parked cars or the roadway. Mr. Bodden further informed Mr. Walsh the Township will keep their eyes open for additional playing fields for girls softball.

15. Adjournment: Being no further business and upon motion by Mrs. Haun, seconded by Mr. Scanzillo, the Board adjourned the meeting at 7:35 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