

**BOARD OF SUPERVISORS  
MEETING MINUTES  
October 26, 2009**

A Meeting of the New Britain Township Board of Supervisors was held on October 26, 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, Chairman; John A. Bodden, Sr., Vice-Chair; and members William B. Jones, Helen B. Haun and James Scanzillo. Also present were: Eileen Bradley, Township Manager; Robert Scafidi, Chief of Police; Wayne Fultz, Public Works Superintendent; Randy Teschner, Code Enforcement and Fire Marshal; Steve Moyer, Solicitor; Craig Kennard, Township Engineer; and Beth Burke, Administrative Assistant.

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:** Mr. Cotton announced that an Executive Session was held prior to the regular meeting to discuss personnel issues and land preservation. No formal action was taken.
4. **Public Comment:** None.
5. **Approval of Minutes of October 19, 2009 Board of Supervisor Worksession:**

**MOTION:** Upon motion of Mr. Jones, seconded by Mrs. Haun, the Board approved the Minutes of the October 19, 2009 Board of Supervisor Worksession.

**6. Departmental Reports:**

**6.1. Public Works:** Wayne Fultz, Public Works Superintendent, summarized his written report for September 2009. The Public Works Department installed new playground equipment at the Pheasant Run Park. Mr. Fultz also reported the Public Works Department was called in Saturday night from 7:00 p.m. until 10:30 p.m. due to the substantial rain storm. He noted one motorist was stuck in high flood waters on Route 152. Mrs. Haun noted a resident had inquired whether baby swings could be added as part of the playground equipment at Pheasant Run. Ms. Bradley will instruct Angela Benner to research the possibility of adding baby swings.

**6.2. Police Department:** Chief Scafidi presented the Police Department Report for the month of September 2009. Chief Scafidi reported a total of 515 incidents were handled. He also noted that a complicated commercial theft case was being investigated by Detective Cummins.

**6.3. Code Enforcement and Fire Marshal:** Mr. Teschner presented the Code Enforcement and Fire Marshal report for the month of September 2009. Building permits issued were 26 and there were 52 building inspections performed. Mr. Teschner noted he did not receive a Fire Report from Hilltown Township. Ms. Bradley will send a letter to remind them to send their monthly reports.

Chief Scafidi was called out of the meeting at 7:15 p.m. for a Police Emergency.

**7. Consideration of Old Business:** None

**8. Consideration of New Business:**

**8.1. St. Jude's Parish School Expansion Phase I; Default of LOC 3618:** Ms. Bradley reported that St. Jude's Parish School's Letter of Credit (LOC) is due to expire on November 17, 2009 and asked Steve Moyer to prepare a letter of default. Mr. Kennard noted an inspection was performed by Gilmore & Associates and a September 24, 2009 letter was sent with several items that needed to be addressed. Ms. Bradley is recommending the LOC be called in default in order to have funds to cover the items listed in Gilmore & Associates letter unless work is performed prior to expiration of LOC. Mr. Kennard noted there was still \$33,000 remaining in escrow.

**MOTION:** Upon motion by Mrs. Haun, seconded by Mr. Bodden, the Board found St. Jude's Parish School in default based on the Gilmore and Associates letter dated September 24, 2009 and authorized Mr. Moyer to prepare a letter of default.

**8.2. Approval of Professional Services Agreement; TMP 26-001-091-002:**

**MOTION:** Upon motion by Mr. Scanzillo, seconded by Mr. Jones, the Board approved the Professional Services Agreement for TMP 26-001-091-002.

**8.3. Ordinance 2009-10-01; Proposed SALDO amendment:** The Board noted that the Planning Commission has been working on changes to the SALDO. Mr. Rice prepared a draft ordinance but is requesting staff input. Ms. Bradley recommended tabling discussion of the proposed ordinance until the next Board meeting.

**MOTION:** Upon motion by Mr. Bodden, seconded by Mr. Jones, the Board unanimously agreed to table the proposed Ordinance 2009-10-01 to the next Board meeting.

**9. Board of Supervisor Reports:** Mrs. Haun reported the Water Resource meeting scheduled on November 9, 2009 has moved location to Allentown.

Mr. Bodden noted he used the Hazardous Household Waste Collection program at the Quakertown location and was impressed with how smoothly it was run. He suggested all residents take advantage of this program.

Mr. Cotton reported that the bridge replacement on County Line Road had begun and should be completed by next summer. Ms. Bradley also reported that the New Galena Road bridge replacement had been extended through November 20.

## **10. Township Administration Comments:**

**10.1. Notice of Zoning Hearing Board; 55 Curley Mill Road:** Ms. Bradley informed the Board a violation notice had been sent to Mr. Mortimer for constructing a second story apartment over a garage in violation of the zoning permit. Ms. Bradley requested the Board approve sending the Township Solicitor, Mrs. Lapp, Zoning Officer and Mr. Teschner, Code Enforcement Officer to the ZHB to testify and support the Township in opposing the application.

**MOTION:** Upon motion by Mr. Jones, seconded by Mr. Bodden, the Board approved Ms. Bradley's request to send the Township Solicitor, Mrs. Lapp and Mr. Teschner to testify at the Zoning Hearing Board and to oppose Mr. Mortimer's application.

**10.2. Jake Brake Retarder Signs:** Ms. Bradley reported she received a resident complaint through Senator McIlhinney's office requesting installation of a Brake Retarder Prohibited Sign on route 202 to lessen noise. Mr. Moyer noted this would require an ordinance and will look into it. Mr. Cotton mentioned that Route 202 is a state road and may need to be approved by PennDot.

**10.3. State Inspection Certification of Public Works Employee John Salemno:** Mr. Fultz informed the Board that currently all repair work needed for inspection is performed by Mr. Salemno and then the vehicle is sent to a state inspection facility for inspection. An employee has expressed interest in obtaining State certification to inspect vehicles. Mr. Fultz will present information on the procedures and costs to the Board at a future meeting.

**10.4. Proposed Conservation Easement:** Ms. Bradley notified the Board we are ready to authorize Gilmore & Associates to prepare a subdivision plan on a property for future land preservation.

**MOTION:** Upon motion by Mr. Bodden, seconded by Mrs. Haun and following a brief discussion the Board unanimously authorized Gilmore & Associates to prepare the subdivision plan and present it to the Board.

**10.5. Veteran's Day Monument Dedication Ceremony:** Ms. Bradley informed the Board and public that a Veteran's Day Monument Dedication Ceremony will be held at 11:00 a.m. on Veteran's Day, Wednesday, November 11, 2009 at North Branch Park to honor our Veteran's. Ms. Bradley also informed the Board that this event will kick off a fundraising effort for a larger Veteran's Park.

**11. Solicitor and Engineer Comments:** Mr. Kennard reported there has been little activity in Land Development.

Mr. Fultz reported that it would cost \$70,000 to pave Schoolhouse Road from the railroad tracks to Trewigtown Road. Mr. Fultz will have a cost report for a smaller section for the next worksession.

**12. Other Business:** None

**13.1. Payment of Bills: Bill List dated October 22, 2009 in the amount of \$71,967.26:** Mr. Jones questioned whether the payment made to Chalfont Borough was the full 2009 billed amount for the Township portion of workers compensation insurance expense for the Chalfont Fire Company. Ms. Bradley confirmed the Township was paid in full for 2009.

**MOTION:** Upon motion by Mr. Jones, seconded by Mrs. Haun, the Board approved the bills list dated October 22, 2009 in the amount of \$71,967.26.

**14. Public Comment:** Ms. Susan Gross of Upper Church Road, questioned the ordinance to prohibit signs in the Right-of-Way. She noted signs that were placed on her property were taken down this year. She has been placing the same signs for 35 years. Ms. Gross requested relief from the ordinance because her property is a farm and feels the signs should be allowed to direct consumers to her property during “pick your own” season. She noted that farms are exempt from the noise ordinance and should be exempt from the sign ordinance. Mr. Cotton recommended Ms. Gross meet with Ms. Bradley and Mrs. Lapp to discuss the issue. Mr. Bodden also suggested that Ms. Gross and other residents use the Township’s Civicall to report complaints.

Mr. Walter Detweiler of Walter Road distributed a letter to the Board also concerning removal of his farming signs. Ms. Bradley will make sure that the Public Works Department gets a copy of the letter.

Ms. Jennifer Strouse of Hamlet Drive and President of the Reserve HOA, thanked the Board for looking into paving Schoolhouse Road. She expressed her concerns to the Board regarding the basins in the Reserve @ New Britain. She noted a meeting was held with Mr. Kennard and Ms. Bradley but she had yet to receive a response from either office. Ms. Bradley stated there were several issues involved, one of which was the plans approved by the Township did not including landscaping in or around the ponds. However, residents of the development were sold lots that showed the landscaping. Ms. Bradley reported she had just received information that it will cost an additional \$10,000 to \$20,000 to do the work requested by the HOA. There are legal issues as to what funds may be used to perform the work. Mr. Cotton noted this item would be placed on the next Board meeting on November 2, 2009, 9:00 a.m. worksession for a status update. Ms. Bradley will follow up.

**15. Adjourn:**

**MOTION:** Being no further business, upon motion by Mr. Bodden, seconded by Mrs. Haun, the Board adjourned the meeting at 8:10 PM.

**NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS**

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Robert V. Cotton, Chair

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John A. Bodden, Vice-Chair

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James Scanzillo., Member

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Helen B. Haun, Member

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William B. Jones, Member

Attest: \_\_\_\_\_  
Eileen M. Bradley  
Secretary/Manager