

**BOARD OF SUPERVISORS
MEETING MINUTES
February 8, 2010**

A Meeting of the New Britain Township Board of Supervisors was held on February 8, 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, Robert Cotton and James Scanzillo. Also present were: Eileen Bradley, Township Manager, Cathy Kichline, Assistant Manager; Robert Scafidi, Police Chief, Steve Moyer, Solicitor and Craig Kennard, Township Engineer.

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 welcomed the audience and announced that an Executive Session will be held immediately after tonight's meeting to discuss personnel and land acquisition. No action will be taken after the Executive Session.
4. **Public Comment:** None
5. **Approval of Minutes of January 25, 2010 Board of Supervisors Meeting:**

MOTION: Upon motion of Mr. Jones, seconded by Mr. Cotton, the Board approved the Minutes of the January 25, 2010 Board of Supervisors Meeting.

6. **Consideration of Old Business:**

6.1. Officer Brian Jones; Certify as Probationary Officer: Chief Scafidi informed the Board, Brian Jones has received all certifications to become a Police Officer in Pennsylvania. Officer Jones' probationary employment will begin January 27, 2010.

7. **Consideration of New Business:**

7.1. Consideration of Ordinance #2010-02-01; Adopting 2009 International Fire Code: Mr. Moyer presented Ordinance 2010-02-01 adopting the 2009 International Fire Code. The International Fire code, 2009 Edition, regulates and governs the safeguarding of life and property from fire and explosion hazards and from conditions hazardous to life or property in the occupancy of buildings within New Britain Township. The 2009 code includes the provision for automatic fire suppression systems in all buildings; open burning, street numbering and requiring Class III stand pipe systems if the lowest story of a building is located more than 8' below the highest level of fire department vehicle access.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones and unanimously approved, the Board approved Ordinance 2010-02-01 adopting the 2009 International Fire Code.

Mrs. Haun commented that although the ordinance requires the numbering of houses for new construction, many existing homes do not have house numbers displayed in a location and size that is readily observable from the public right-of-way. The Board suggested the Code Enforcement Office conduct a township wide inspection and send notices to property owners encouraging readable house numbering,

7.2. Consideration of Ordinance 2010-02-02; Adopting 2009 International Property Maintenance Code: Mr. Moyer presented Ordinance 2010-02-02, adopting the 2009 International Property Maintenance Code to establish minimum regulations governing the conditions and maintenance of all property, buildings and

structures by providing standards for supplied utilities and facilities, and other physical things and conditions to ensure the structures are safe, sanitary and fit for occupation and use.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board adopted Ordinance 2010-02-02 2009 International Property Maintenance Code.

7.3. Resolution 2010-06; Granting Preliminary/Final Minor Subdivision Approval to SEPTA: Mr. Kennard informed the Board the applicant proposes an acquisition of a 30-foot strip of land from Chalfont properties and New Britain Township along the existing SEPTA property located within the Townships Industrial Zoning District. The plans also show an additional 50' of lot #1 being conveyed to the Township's property to offset the SEPTA taking. The submission is for the construction of bypass link to the rail system which will allow trains to pass along the existing Walnut Street line between County Line Road and Schoolhouse Road. The improvements will include the installation of 2,500' rail siding facilities that require widening the existing 14x14' bridge and the installation of a 200' long wall adjacent to the bridge.

The applicant was represented by Andrea Reede, Engineer, and Jeffrey Knueppel, P.E. Assistant General Manager who informed the Board of the history of the project which is a federal mandate to provide signal improvements by 2015. SEPTA not only looked at signal improvements but also track modernization, safety improvements and how to effectively facilitate vehicular traffic on Route 202.

Ms. Reede informed the Board all items in Gilmore and Associate review letter of January 25, 2010 are "will comply". Mr. Knueppel thanked the Board and staff for the cooperation extended to SEPTA during this process.

As a result of this process, SEPTA offers to acquire the township property in exchange for the aforesaid Vertis property. This offer is made subject to the following terms and conditions being met prior to the exchange:

1. SEPTA must acquire the described portion of adjoining unimproved Vertis property.
2. SEPTA's System Safety Department must issue a final favorable environmental clearance notices for the property.
3. The SEPTA Board must authorize the property exchange by means of a Resolution.
4. SEPTA must obtain Zoning approval for its proposed usage from the appropriate local authorities.
5. SEPTA's proposed site improvement program must be approved by the appropriate local authorities.

Mr. Moyer told the Board the Offer to Exchange Property dated August 12, 2009 must be accepted and signed by the Board at which time a Property Exchange Agreement will be executed by the parties.

MOTION: Upon motion by Mrs. Haun, seconded by Jones, the Board accepted the Offer to Exchange Property dated August 12, 2009 and authorized the Chairman to sign the document.

MOTION: Upon motion by Mr. Scanzillo, seconded by Mrs. Haun, the Board approved Resolution 2010-06 granting preliminary/final approval of the Minor Subdivision Plan for SEPTA.

RESOLUTION NO. 2010-06

NEW BRITAIN TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA

A RESOLUTION OF THE BOARD OF SUPERVISORS OF NEW BRITAIN TOWNSHIP GRANTING PRELIMINARY/FINAL SUBDIVISION APPROVAL TO THE PLANS ENTITLED "PRELIMINARY/FINAL MINOR SUBDIVISION PLAN FOR SEPTA," CONSISTING OF FOUR SHEETS AS PREPARED BY DAWOOD AND DATED DECEMBER 18, 2009 AND INCORPORATING

PLANS ENTITLED **POST CONSTRUCTION WATER STORMWATER MANAGEMENT PLAN FOR THE R5-DOYLESTOWN LINE LINK SIDING** CONSISTING OF 12 SHEETS AND DATED JUNE 1, 2009 AS PREPARED BY HTNB AND INCORPORATING PLANS ENTITLED **EROSION AND SEDIMENTATION PLAN FOR THE R5-DOYLESTOWN LINE LINK SIDING** CONSISTING OF SHEETS 79 TO 91 OF 100 SHEETS AND DATED JUNE 1, 2009 AND ALL PLANS BEING PREPARED FOR SEPTA, RELATING TO TAX MAP PARCEL #26-001-098, OWNERSHIP BEING NOTED AS SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY (SEPTA); AND INVOLVING TAX MAP PARCEL #26-005-002, OWNERSHIP BEING NOTED AS CHALFONT PROPERTIES, INC.; AND INVOLVING TAX MAP PARCEL #26-005-002-001, OWNERSHIP BEING NOTED AS NEW BRITAIN TOWNSHIP.

WHEREAS: The above referenced revised preliminary/final plan of subdivision has been formally submitted to New Britain Township for formal review and approval, and;

WHEREAS: In accordance with the provisions of the Pennsylvania Municipalities Planning Code, the plan has now been reviewed by the Bucks County Planning Commission, the New Britain Township Planning Commission, and other reviewing agencies, all of which have reported thereon to the Board of Supervisors, and;

WHEREAS: Certain representations have been made by the owner or by the owners representatives (hereinafter referred to as "SEPTA"), and certain agreements reached between SEPTA and the municipality, during the review process, and;

WHEREAS: As a result of the aforementioned reviews, certain plan modifications, additions, and/or deletions are necessary prior to final approval, in order to protect the public health, welfare and safety and to comply with local or state regulations, and;

WHEREAS: Both SEPTA and the municipality wish to have these conditions, agreements, and representations formally enumerated at this time,

THEN THEREFORE, BE IT RESOLVED THAT:

IN ACCORDANCE WITH THE REQUIREMENTS OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, THE ABOVE REFERENCED PLAN IS HEREBY GRANTED PRELIMINARY/FINAL SUBDIVISION APPROVAL, SUBJECT TO THE FOLLOWING CONDITIONS, ALL OF WHICH MUST BE SATISFIED PRIOR TO APPROVAL OF FINAL PLANS AND LINENS BY NEW BRITAIN TOWNSHIP:

1. The Applicant shall comply with all recommendations of the Gilmore and Associates Review Letter of January 25, 2010. The Applicant shall comply with all recommendations of the Bucks County Planning Commission Review Letter of January 4, 2010.
2. The Applicant should obtain all required approvals from various agencies having jurisdiction over the project: Bucks County Conservation District E & S permit, PADEP NPDES permit, wetlands permits, etc.
3. **Waivers Granted:** The Board of Supervisors grants a waiver from the requirements of Section 405.2 of the Subdivision and Land Development Ordinance, waiving land development.
4. Per the requirements of Sections 502.d.8 and 713.1.B, the Applicant will install to the satisfaction of the Township Engineer the appropriate tree buffer north of the tributary to Schoolhouse Road along the

right-of-way line.

5. The Applicant shall comply with all other applicable Township ordinances, County, Commonwealth and Federal rules, regulations, ordinances and statutes.
6. In consideration of a waiver of Sections 705.3.C, 706.1.B and 706.2.B requiring right-of-way improvements along Walnut Street, County Line Road and Schoolhouse Road, the Applicant agrees to contribute in lieu of improvements a 50-foot wide strip of additional parkland from Chalfont Properties to offset the parkland taken by the Applicant.
7. The Applicant shall provide clean title insurance for said 50-foot strip of parkland.
8. The Applicant shall execute all deeds of dedication, descriptions of rights-of-way, easement descriptions, lot descriptions, notes, etc. in a form satisfactory to the Township. All documentation shall be executed prior to recording of Record Plans

7.4. Authorization to enter into contract with Port-A-Bowl for sanitary facilities at parks: Ms. Bradley presented three proposals for sanitary facilities at parks and recommended a contract be awarded to Port-A-Bowl of Colmar. Port-A-Bowl will provide six regular and three handicapped sanitary facilities with hand sanitizer at a monthly rate of \$655.50. Ms. Bradley further informed the Board all sanitary facility providers are requiring the lessee acquire property insurance for the units.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, and opposed by Mr. Cotton, the Board authorized the township to enter into a contract with Port-A-Bowl for the rental of sanitary facilities.

7.5. Appoint Crossing Guards; Barbara Morgan and John Nickels: Chief Scafidi recommended the hiring of two crossing guards on Route 202 at St. Jude's and the intersection of Loch Alsh Drive and Highlands Drive. The rate of pay will be \$12 per hour. The crossing guards will be supplied with the appropriate equipment and trained by a police officer.

MOTION: Upon motion by Mr. Jones, seconded by Mr. Scanzillo, the Board authorized Chief Scafidi to hire Barbara Morgan & John Nickels as crossing guards at the rate of \$12 per hour.

7.6. Waiver Request; Line Lexington Mennonite Church: Mr. Michael Beuke representing Line Lexington Mennonite Church requested a waiver from SALDO section 22-172 which regulates stormwater management. The waiver is being requested due to the fact the applicant is merely proposing to re-grade a portion of their land into a softball field. No additional impervious surface will be added. Additionally, the Bucks County Conservation District has approved this site work with no required stormwater management or BMP's.

In addition, in an effort to clarify the Zoning Hearing Board Order of obtaining financial security to ensure future buffer plantings are installed along Barclay Road and the Moyer property, Line Lexington will install required buffering for Barclay Road and Detweiler properties based on the submitted plans. As a proactive measure Line Lexington will install a buffer zone with 3-4' seedlings along the Northeast corner of Barclay Road property boundaries. Line Lexington is also seeking relief from the escrow in the Moyer buffer zone requirement. If houses were to be developed within the next five years, Line Lexington will honor the township buffer zone requirements, but would ask if after five years no houses are developed on that property the LLMC is not required to plant a buffer zone

MOTION: Upon motion by Mr. Cotton, seconded by Mr. Jones, the Board granted a waiver of SALDO Section 22-172 which regulates stormwater management and agreed with the applicant that a buffer will be planted along Barclay Road and Detweiler properties based on the submitted plans. The Board further agreed to

waive the escrow requirement for future plantings along the Moyer property until such time as houses are built. If no houses are built within the next five years, the applicant is relieved from this requirement.

7.7. Possible Bid Award; Deerpath Road: Ms. Bradley informed the Board bids were received by Chalfont Borough for their 2010 Roadway Improvement Program which included Deerpath Road, a part of which is in New Britain Township. The low bid included an alternate/add in for the re-surfacing of Deerpath Road in New Britain Township was submitted by Harris Blacktopping of Yardley, PA. Ms. Bradley recommended to the Board New Britain Township authorize this expenditure, which will be paid directly to Chalfont Borough.

MOTION: Upon motion by Mr. Cotton, seconded by Mr. Scanzillo, the Board authorized the milling and paving of New Britain Township's portion of Deerpath Road at the quoted cost of \$22,397.20 conditional upon any changes being approved by New Britain Township

8. Board of Supervisors Comments: Mr. Cotton reiterate to the Board, a Winter Storm Emergency was declared this past Friday due to heavy snow fall accumulation. Mr. Cotton thanked the Public Works Department for a job well done

9. Township Administration Comments:

9.1. PELRAS Conference: Ms. Bradley informed the Board the annual PELRAS conference is March 17-19 and she would like approval to send Cathy Kichline to this year's conference.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Scanzillo, the Board authorized Ms. Kichline to attend this year's PELRAS conference.

Chief Scafidi also presented a letter from SEPTA thanking the New Britain Township and New Britain and Chalfont Borough police departments for their efficient handling of a car accident at the Route 202 crossing.

10. Solicitor and Engineer Comments: None

11. Other Business: None

12. Public Comment: Beth Taylor of Callowhill Road asked that the timing of the light at Ferry Road and Old Iron Hill Road be looked into. Ms. Taylor explained now motorist sit on Old Iron Hill for a lengthy period of time. Ms. Bradley will check in to.

Ms. Taylor also inquired as to the status of the abandoned car wash in Chalfont Borough. The Board informed Ms. Taylor that although that property is in Chalfont Borough there are many obstacles that prevent this property from being improved; including the current PennDot plans to upgrade the bridge and its location in a flood plain.

Ms. Sandy Shiff inquired about the bills list. Mr. Jones noted the expenditures included are everyday operating costs to the township

13. Payment of Bills: Bills listed dated 2/4/10 in the amount of \$133,228.59 and list dated 2/5/10 in the amount of \$57,622.38.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board approved the bills listed dated 2/4/10 and 2/5/10 in the amount of \$133,228.59 and \$57,622.38 respectively.

14. Adjourn:

MOTION: Being no further business, upon motion by Mrs. Haun, seconded by Mr. Jones, the Board adjourned the meeting to Executive Session at 8:10 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

