

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

A Meeting of the New Britain Township Board of Supervisors was held on March 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, William B. Jones, Robert Cotton and James Scanzillo. Also present were: Eileen Bradley, Township Manager, Cathy Kichline, Assistant Manager; Robert Scafidi, Police Chief and Mary Eberle, 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 welcomed the audience and announced that an Executive Session was held prior to the meeting to discuss litigation and real estate. No action was taken.
4. **Public Comment:** None
5. **Approval of Minutes of February 22, 2010 Board of Supervisors Meeting:**

MOTION: Upon motion of Mr. Cotton, seconded by Mr. Jones, the Board approved the Minutes of the February 22, 2010 Board of Supervisors Meeting.

6. **Consideration of Old Business:**

7. **Consideration of New Business:**

7.1. Discussion of Adult Entertainment Ordinance: An amended ordinance, amending the provisions of the J2 Adult Commercial Use, was presented to the Board of Supervisors. The proposed ordinance would amend Part 3, Section 27-305 of the Code of Ordinances to provide for Adult Commercial Uses, including adult arcade, bookstore, cabaret, theater, and video store within the Industrial zoning District on a minimum lot area of 1.4 acres, providing for location restrictions; parking areas, hours of operation, and definitions pertaining to use. The proposed ordinance was properly advertised February 10th and February 17th.

The hearing was opened by Solicitor Eberle. The Board discussed the provisions of the ordinance as proposed and offered the following comments:

1. The J2 Adult Commercial should be a Conditional Use rather than Special Exception.
2. The separation distance from any residential or public or private school, place of worship, recreation facility or any other religious, institutional or educational use should be 500' rather than 1000'.
3. Label the J2 Use consistently throughout the Ordinance. The J2 Use will be referred as Adult Commercial/Adult Entertainment.
4. Add language to include private members in the definition of Adult Arcade because an adult arcade may be associated with a private club or organization.
5. Include a separation provision of 5' establishing a distance between patrons and persons who appear in the state of nudity for the proposed adult cabaret use.

During the public comment period, Ms. Beth Taylor of Callowhill Road inquired as to where the J2 use would be permitted. Ms. Bradley explained it will be permitted as a Conditional Use in the Industrial District.

Solicitor Eberle informed the Board the proposed ordinance would have to be re-advertised and another hearing held due to the substantive changes recommended.

MOTION: Upon motion by Mr. Scanzillo, seconded by Mr. Jones, the Board authorized the Solicitor to re-advertise the Adult Commercial/Adult Entertainment ordinance for a public hearing on April 12, 2010.

7.2. Resolution 2010-10; In Recognition of Randal J. Teschner: Mr. Cotton read a resolution recognizing Randy Teschner for his distinguished record of public service with the Chalfont Fire Company spanning more than 30 years. Mr. Cotton will present this proclamation to Mr. Teschner at the annual Fire Company banquet.

7.3. Resolution 2010-11; In Recognition of David L. Yates: Mr. Cotton read a resolution recognizing David Yates for his honorable service to the Chalfont Fire Company spanning 30 years. Mr. Cotton will present this proclamation at the annual Fire Company banquet.

MOTION: Upon motion by Mr. Cotton, seconded by Mr. Jones, the Board congratulated these gentlemen on their years of public service and authorized presentation on behalf of the Board of Supervisors.

7.4. Award Bids; 2010 Stone & Asphalt: Ms. Bradley presented the 2010/2011 Stone and Asphalt bid results to the Board. Based on the review of Public Works Superintendent, it is recommended the bid for all products except cold patch be awarded to H&K Materials, Skunk Hollow Rd., Hilltown and the cold patch be awarded to Blooming Glen.

MOTION: Upon motion by Mr. Cotton, seconded by Mr. Jones, the Board awarded the stone and blacktop bid to H&K Materials and the cold patch bid to Blooming Glen. The Board authorized staff to notify the vendors.

7.5. Winter Season 2010 Storm Update: Ms. Bradley presented a report prepared by Mr. Fultz summarizing the winter season snow costs including the cost for materials, sub-contractors and overtime. The 2010 General Fund budget allowed for \$135,000 in snow removal costs. Costs to date are \$100,980 from General Fund and \$54,222 from the Liquid Fuels Fund. Staff will continue to monitor the respective budgets.

Mr. Bodden inquired into the status of road damage due to the rough winter season. Ms. Bradley indicated the Public Works Department is keeping up with minor repairs but Schoolhouse Road, which is on our 2010 road program, is probably in the worse condition.

Mr. Robert Happ, Callowhill Road asked why sub-contractors are used to plow. Mr. Jones explained that sub-contractors are called at the direction of the Public Works Superintendent and used only during major storms such as the storms this winter to plow and clear cul-de-sacs. Subs do not salt and cinder.

Ms. Beth Taylor, Callowhill Road commended the Public Works Department for keeping the residents safe and the roads clear during this winter's storms.

8. Board of Supervisors Comments: Mr. Cotton informed the Board that all phases of the 202 Parkway project have begun which is causing minor delays throughout the project area. At last week's Bucks TMA meeting, the speaker was from the Federal Highway Administration.

9. Township Administration Comments:

9.1. Lindenfield Bridge: Ms. Bradley informed the Board that Mr. Fultz attended a pre-construction meeting for the Lindenfield Bridge over the north branch of the Neshaminy. Although the bridge project is located in Chalfont Borough, it will connect to the North Branch Park in New Britain Township. The project is scheduled to begin in April and be completed in July.

Chief Scafidi reported that Officer Michie has been deployed to active duty with the Coast Guard and is not expected to return until 2011. Chief Scafidi also reported that Probationary Officer Jones is doing well as a new officer.

10. Solicitor and Engineer Comments: None

11. Other Business: None

12. Public Comment: Beth Taylor, Callowhill Road commented on the problems making a left turn onto Rt. 152 from Upper State Road. Ms. Bradley informed Ms. Taylor that the Township was notified PECO cut the loop sensor in connection with the intersection upgrades. PennDot is aware of the problem and will readjust the light timing.

Mr. Robert Happ, Callowhill Road inquired as to the timing of the signal at Keeley and Iron Hill Road. Ms. Bradley informed him that the Township's traffic engineer is looking into it.

13. Payment of Bills: Bills listed dated 3/4/10 in the amount of \$116,498.69.

MOTION: Upon motion by Mr. Jones, seconded by Mr. Scanzillo, the Board approved the bills listed dated 3/4/10 in the amount of \$116,498.69.

14. Adjourn:

MOTION: Being no further business, upon motion by Mr. Jones, seconded by Mr. Scanzillo, the Board adjourned the meeting to Executive Session at 7:45 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