

**BOARD OF SUPERVISORS  
MEETING MINUTES  
May 1, 2017**

A Regular Meeting of the New Britain Township Board of Supervisors was held on Monday, May 1, 2017, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: Vice Chair John A. Bodden, Sr., Members Helen B. Haun, Gregory T. Hood and William B. Jones, III. Also present were Township Manager Eileen M. Bradley, Township Solicitor Peter Nelson, Esq., and Township Engineer Janene Marchand. Chairman A. James Scanzillo was absent.

- 1. Call to Order:** Mr. Bodden called the Meeting to order.
- 2. Pledge of Allegiance:** Mr. Bodden led the Board and audience in the Pledge of Allegiance.
- 3. Announcements:** Mr. Bodden announced that the Board had met in Executive Session prior to this Meeting to discuss personnel issues, land acquisition, and litigation.
- 4. Public Comment on Non-Agenda Items:** Ms. Maryanne McBrearty of Dolly Lane had concerns about the activities taking place at the property next door. Police had been called on numerous occasions. The last time, an officer recommended residents present their concerns to the Board of Supervisors. Ms. McBrearty stated several examples of the disturbances that have occurred, possible property maintenance issues and a concern that someone might be taking advantage of the current owner.

Mr. Glen Golden of Devon Road added that he was concerned that the actions of those residing at the property in question would lead to another property burning down, as did an adjoining property.

Mr. Scott Prendergast of Dolly Lane expressed concern about an unsecured the pool located on the adjoining property where the residence had burned down.

Mr. James Frantz of Dolly Lane stated that there were also issues at a property on Cornwall Drive where the owner had erected barbed wire around the top of his fence. Mr. Frantz believed that barbed wire was illegal.

Mr. Bodden thanked the residents for bringing these issues to their attention and that the Board would look into the matter. Ms. Bradley stated that she would speak with Chief Scafidi about the issues presented. She would also pursue Township Codes and ordinances to clear up the outstanding violations.

**5. Approval of Minutes:**

**5.1. Minutes of Meeting of April 17, 2017:**

**MOTION: A motion was made by Mrs. Haun, seconded by Mr. Hood and unanimously approved, to accept the April 17, 2017, Minutes as written.**

- 6. Departmental Reports:** There were no Departmental Reports at this time.
- 7. Consideration of Old Business:** There was no Old Business at this time.
- 8. Consideration of New Business:**

**8.1. PUBLIC HEARING: 505 West Butler Ave, LLC/Nolen Properties Conditional Use:** Mr. Bodden opened the Public Hearing at 7:20 p.m. A stenographic record was taken for the Public Hearing portion of the meeting. Appearing for the Applicant, 505 West Butler Ave., LLC/Nolen Properties, was Mr. William Benner, Esquire and Mr. Richard Sudall, Managing Director of Nolen Properties, LLC.

Mr. Benner presented evidence in aid of obtaining Conditional Use of the property at 505 W. Butler Avenue, formerly known as the Acme building. The Applicant proposed a self-contained indoor self-storage warehouse. The Applicant proposed no expansion of the building footprint or exterior. The building would consist of 125,000 square feet on two floors, with approximately 963 storage units. Hours of operation would allow customer access to the facility from 6:00 a.m. to 10:00 p.m. daily. Office hours would be 9:00 a.m. to 6:00 p.m. weekdays and Saturdays.

Mr. Sudall stated that the Applicant was willing to install additional street trees on the property, and would verify that the existing basin was operational and could handle the stormwater. The Applicant would comply with all requirements of the April 4, 2017 Gilmore and Associates review letter.

Mrs. Cynthia Jones of Circle Drive asked if any changes were considered for existing ingress and egress, and was the applicant considering further subdivision of the property. Mr. Sudall stated that no change to any roads or driveways was proposed at this time. The Conditional Use application did not include plans to subdivide at this time.

Mr. Bruce Quedenfeld of Brittany Drive asked if this facility would be used as a delivery hub for other facilities. He also stated that he felt the use was not necessary in this neighborhood. Mr. Sudall stated that this facility was stand-alone.

**MOTION: There being no further discussion, a motion was made by Mrs. Haun, seconded by Mr. Jones and carried unanimously, to close the Public Hearing at 8:05 p.m.**

**MOTION: A motion was made by Mrs. Haun, seconded by Mr. Hood and carried unanimously, to approve the Conditional Use for 505 West Butler Ave, LLC/Nolen Properties, LLC, contingent upon compliance with the Gilmore Review Letter of April 19, 2017 and the New Britain Township Planning Commission's recommendations.**

Mr. Bodden announced there would be a five-minute recess starting at 8:05 p.m.

Mr. Bodden reconvened the meeting at 8:10 p.m.

**8.2. NBCC Lot #4N/CHOP/MEH Investments Land Development Plan:** Appearing for the Applicant, MEH Investments was Mr. William Rearden of Bohler Engineering and Mr. Brian Halligan of MEH Investments, the owner of the proposed building. Mr. Rearden stated that the Applicant was seeking Final Plan Approval to construct a pediatric physician's office on a portion of Lot #4 of the New Britain Corporate Center. The 8,891 square foot building would be constructed on a portion of the 31,600 square foot area previously approved for lot #4 by the Township. Mr. Rearden stated that an existing Childrens Hospital of Philadelphia (CHOP) pediatric office in Highpoint would be relocating to the new location.

Mr. Rearden stated that they would be adding sidewalks to connect the existing CHOP building to the pediatric office and would be making minimal changes to the existing parking lot. Mrs. Haun asked if they need all the available parking for the new building. Mr. Halligan stated they would only require the parking on the northern corner of the building.

He indicated that they would comply with most of the recommendations but required clarification on a few items. The Applicant was seeking a waiver from remediating a dirt stockpile area that had been stabilized and would be undisturbed by their construction. Additionally, he was also seeking to pay a fee-in-lieu of conducting a traffic study for the intersections of Schoolhouse Road and Manor Drive, and Schoolhouse Road and W. Butler Avenue. Mr. Rearden indicated that it was his belief that a traffic study would cost approximately \$17,500 and that a fair fee for this properties portion of that study would be \$2,500.

Mr. Hood asked if they would be making improvements to the detention basin located on the site that seems to be in disrepair. Mrs. Haun concurred about the basin stating that it has never worked correctly. Mr. Rearden stated that they would be open to making improvements to the basin, including but not limited to, planting trees.

Ms. Bradley stated that the bigger issue was the fee for the traffic study. The traffic study most likely would indicate that a light was not yet needed at Schoolhouse Road and Manor Drive, as full occupancy of the Corporate Center had not been achieved. She pointed out that left turn arrows would soon be needed at Schoolhouse Road and Butler Avenue. The Township currently had no funds dedicated to improvements at either intersection. She thought that while it would be unfair to put this financial burden solely on the Applicant or the developer of the last lot to be developed, it would be prudent of the Township to obtain a capital contribution for traffic signal improvements.

Based on the cost of a proposed new signal system and upgrades to the existing system, Township Engineer Janene Marchand estimated based on the square footage that \$19,000 would be an acceptable contribution to the traffic study and future improvements to the identified intersections. Mr. Halligan stated that he could approve a \$10,000 contribution at this time, but if the Township needed more then he would need to speak with CHOP to receive approval for an amount higher than \$10,000.

Mr. Nelson stated that the Board could pass a resolution contingent upon agreement on the contribution or table the approval until the May 15 Meeting. He would draft a resolution that defines the total of the required contribution.

**MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, and carried unanimously, the Board agreed to table the approval of the Land Development Plan for NBCC Lot 4N/CHOP/MEH Investments until the next Board of Supervisors Meeting on May 15, 2017.**

## **9. Consent Agenda:**

**MOTION: Upon motion by Mr. Jones, seconded by Mr. Hood, the Board unanimously approved the following Consent Agenda items: Professional Services Agreement for Curley Mill Road for construction of a single family home on TMP #26-003-004, with corresponding legal and engineering escrow of \$5,000.00; Escrow Release #3 in the amount of \$169,606.68 for Estates of Julius Farm, L.P., leaving \$914,751.58 remaining; Escrow Release #3 in the amount of \$35,194.50 for Holy Properties, LLC for 324 Schoolhouse Road (Clauser), leaving \$114,342.13 remaining.**

**10. Board of Supervisors' Comments:** There were no Supervisor's Comments at this time.

## **11. Township Administration Comments:**

**11.1. 2017 Road Program Paving Bids:** Ms. Bradley stated that the bid opening for the 2017 Road Program took place April 27, 2017, at 10:00 a.m.

Ms. Bradley and Mr. Fultz, Superintendent of Public Works, recommended the contracts be awarded to the apparent lowest bidders: Contract A for Bituminous Wearing Course to Bray Brothers, Inc. for \$256,796.42; and Contract B for Ultra-Thin Bonded Wearing Course to Asphalt Maintenance Solutions, LLC for \$110,160.00. Ms. Bradley stated that all paperwork was in order.

Ms. Bradley noted that Contract B Ultra-Thin Bonded Wearing Course was a new PennDOT-approved technique that was similar in price to Oil and Chip, but was designed to last longer.

**MOTION: A motion was made by Mr. Hood, seconded by Mrs. Haun and carried unanimously, to award the 2017 Road Program Contract A Bituminous Wearing Course to Bray Brothers, Inc. for \$256,796.42; and the 2017 Road Program Contract B Ultra-Thin Bonded Wearing Course to Asphalt Maintenance Solutions, LLC for \$110,160.00.**

**11.2. Appoint Parade Marshals for Tri-Municipal Parade:** Ms. Bradley requested that appointment of Parade Marshals be tabled to a future meeting.

**11.3. Approval of Deputy Tax Collector Nicole Percetti:** Ms. Bradley stated that Tax Collector Nancy Jones had requested the Board approve the appointment of Nicole Percetti as Deputy Tax Collector. Ms. Bradley stated that Ms. Percetti would be bonded through the Tax Collector's office.

**MOTION: A motion was made by Mrs. Haun, seconded by Mr. Hood and carried unanimously, to approve appointment of Nicole Percetti as Deputy Tax Collector.**

**12. Solicitor and Engineer Comments:** There were no Solicitor or Engineer comments at this time.

**13. Other Business:** There was no Other Business at this time.

**14. Public Comment:** Mr. Bruce Quedenfeld asked why the public hearing tonight was different from previous public hearings that have been on the agenda. Mr. Nelson explained that the term "Public Hearing" and "Public Meeting" are often used interchangeably, but incorrectly. The 505 West Butler Conditional Use Hearing is a required, legally advertised hearing with a court stenographer. A Public Meeting is any Board of Supervisors meeting that is advertised once annually.

Mrs. Cynthia Jones asked when the advertisements were run and what the rules for advertisement were. Mr. Nelson stated that per State law as outlined in the Pennsylvania Municipalities Planning Code, the ads for New Britain Township meetings were published in *the Intelligencer* and that ads for Conditional Use Hearings needed to run twice, in separate weeks, with the first ad being no more than 30 days before the public hearing and the last ad running no less than 7 days before the scheduled public hearing.

**15. Payment of Bills:**

**15.1. Bills List dated April 28, 2017, for \$155,237.91:**

**MOTION: Upon motion by Mr. Jones, seconded by Mr. Hood, the Board unanimously approved the Bills List dated April 28, 2017, for \$155,237.91.**

**16. Adjournment:**

Mr. Boddan announced that the Board would meet in Executive Session immediately following the Meeting to discuss land acquisition.

**MOTION: There being no further business or comment, a motion was made by Mrs. Haun, seconded by Mr. Hood, and unanimously carried, to adjourn the meeting at 8:45 p.m.**

**NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS**

\_\_\_\_\_  
A. James Scanzillo, Chair

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John A. Bodden, Sr., Vice Chair

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Helen B. Haun, Member

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Gregory T. Hood, Member

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William B. Jones, III, Member

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