

**BOARD OF SUPERVISORS  
MEETING MINUTES  
October 11, 2010**

A Meeting of the New Britain Township Board of Supervisors was held on October 11, 2010, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, and beginning at 7:00 p.m. Present were Supervisors: Chairman Jack Bodden, Helen Haun, William B. Jones, and Robert V. Cotton Also present were: Eileen Bradley, Township Manager; Cathy Kichline, Assistant Manager; Wayne Fultz, Public Works Superintendent; Randal Teschner, Code Enforcement Officer; Chief Robert Scafidi; Craig Kennard, Township Engineer; and Peter Nelson, Solicitor.

**1. Call to Order:** Mr. Bodden called the Meeting of the New Britain Township Board of Supervisors to order at 7:00 p.m.

**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 audience that an executive session was held Friday, October 8 to discuss personnel matters and also on Monday, October 11 prior to this meeting to discuss land preservation.

**4. Public Comment:** Mr. James Morano of Chapman Road requested the Board summarize each agenda item for the audience prior to discussion.

**5. Approval of Minutes of September 20, 2010 Board of Supervisors Work Session:**

**MOTION:** Upon motion of Mr. Cotton, seconded by Mr. Jones, with Mrs. Haun abstaining, the Board approved the Minutes of the September 20, 2010 Board of Supervisors Work Session.

**6. Departmental Reports:**

**6.1 Public Works Department:** Mr. Fultz thanked Mr. Cressman and the rest of the Public Works Department for the outstanding efforts and accomplishments made during Mr. Fultz's leave of absence. Mr. Fultz presented the Public Works Reports for the months of July and August. The roads in Hollydale and Overlook were paved and ADA curbs installed. Oil and chip was completed including sweeping, restriping, and crosswalk painting. The department was called out on July 18 and July 25 for trees and wires down due to significant storms. All street name signs have been upgraded with the required HIP material. The Department will now commence with replacing stop signs and other regulatory signs. All posts will be the break-away type.

**6.2 Police Department:** Chief Scafidi provided the Board with the Police Department Reports for the months of July and August. The Report included 659 and 676 incidents, respectively. During August, there were 25 calls for vandalism/mischief.

**6.3 Code Enforcement & Fire Marshal:** Mr. Teschner presented the Code Enforcement & Fire Marshal Reports for the months of July and August. Mr. Teschner reported 19 building permits issued in July and 25 building permits issued in August. Mr. Teschner conducted 45 inspections in each month. Commercial fire inspections were also conducted. Mr. Teschner reported that Chalfont Fire Company responded to 15 and 9 fire calls respectively.

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

## **8. Consideration of New Business:**

### **8.1 Conditional Use Hearing: Application of Penn Forest Limited Partnership (Moser) to establish a Use A-13, Pet Resort on property located on TMP#26-001-103-003:**

Mr. Nelson opened the hearing asking if anyone in the audience wanted to be party to the hearing.

Michael Carr, attorney for the Applicant stated that the Applicant proposes a mixed use building on lot #2 of the Schoolhouse Point Subdivision, consisting of a pet resort and contractor's office in the I-O Industrial Office District. The site previously received approval for a contractor's office and warehouse, but the building was never constructed. An amendment to the Township's Zoning Ordinance was adopted to allow the A-13 Pet Resort within the I-O district as a Conditional Use. A stenographic record of the hearing was made.

Being no further comments, Mr. Nelson closed the hearing.

**MOTION: Upon motion by Mr. Jones, seconded by Mr. Cotton and unanimously approved, the Board approved the Conditional Use application of Penn Forest L.P., conditioned upon the use being constructed and operated as presented and that the animals are limited to cats and dogs only.**

### **8.2 Conditional Use Hearing; Application of T-Mobile Northeast, LLC to attach wireless communication antenna on an existing PECO tower at TMP #26-004-010-002:**

Mr. Nelson opened the hearing and inquired if anyone would like to be party to the hearing. Mr. & Mrs. Roberto Rendon and Mr. James Morano indicated that they would like to become party to the hearing.

Ms. Kate Durso, attorney for the Applicant stated the Applicant is requesting conditional use approval to attach wireless communications antennas to an existing PECO tower in the Watershed District and place equipment cabinets within a 16x30 fenced compound. Appearing for the Applicant were: Steven Hornberger, Site Acquisition Specialist for Velocitel; Phillip Burtner, P.E. of Advantage Engineering; and Bassem Iskander, RF Engineer of FES, LLC. A stenographic record of the hearing was taken.

Upon no further questions or testimony, Mr. Nelson closed the hearing.

Mr. Bodden informed the Board and audience that the Board had 45 days within to render a decision.

### **8.3 Ordinance 2010-10-01: Amending Chapter 27, Zoning, Part 2; revising the definition of land development and providing for special regulations pertaining to condominium plans.**

Mr. Nelson informed the Board that the hearing had been properly advertised and will be continued until November 22, 2010. Mr. Nelson asked for any questions on the proposed ordinance. Mr. Michael Beuke of Showalter and Associates stated that the condo lot size restrictions are vague. Mr. Nelson replied the building must meet the current regulations.

Upon no further questions, the Board continued the hearing to November 22, 2010.

### **8.4 New Britain Corporate Center Lots 1, 2, 3 & 4: request to defer financial security as a condition of building permit approval for Lot #2 and consideration of reduction of financial security and consolidation of financial security for Lot #4:**

The Board considered the request of Mr. Riviezzo that no additional security is posted until the time of building permit issuance for Lot #2, as the remaining items on the Letter of Credit consist of only on-lot improvements associated with Lot #2. The Township Solicitor and Township Engineer believe this request is reasonable and recommend the Board defer financial security as a condition of building permit approval for Lot #2.

The Board also considered the request of Mr. Riviezzo to reduce the financial security on lot #4 since the amount held is equal to \$1,206,443.37, and the remaining construction left to be completed is \$202,678.17. Mr. Riviezzo has requested the remaining escrow be released and the owning entity would post a combined bond in the amount of \$300,000. The Township Solicitor and the Township Engineer believe this request is reasonable given the limited amount of remaining construction items and the fact that none of the remaining items are public improvements. Mr. Riviezzo has offered to post financial security in an amount 30% higher than required, the amount is appropriate to cover inflation and other miscellaneous maintenance items that might arise.

**MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board unanimously approved the recommendations of the Township Solicitor to explore a demand bond rather than maintenance bond and directed the Township engineer to prepare an escrow release certificate for Lot #4.**

**8.5 Resolution 2010-28: Establishing Keystone Collections Group as the Earned Income Tax Collector.**

**MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board unanimously approved Resolution 2010-28, appointing Keystone Collections Group as the Earned Income Tax Collector effective January 1, 2011.**

**8.6 Resolution 2010-29: Establishing Keystone Collections Group as the Local Services Tax Collector.**

**MOTION: Upon motion by Mr. Jones, seconded by Mrs. Haun, the Board unanimously approved Resolution 2010-29 appointing Keystone Collections Group as the Local Services Tax Collector effective January 1, 2011.**

**8.7 Approval of three-year Local Service Tax Agreement between Keystone Collections Group and New Britain Township.**

**MOTION: Upon motion by Mrs. Haun, seconded by Mr. Cotton, the Board unanimously approved the 3-year agreement with Keystone Collections Group.**

**8.8 PA Dot7-IT Project Cooperative Memorandum Agreement:** Ms. Bradley outlined the points of the Cooperative Memorandum Agreement that includes Penn Dot installing a traffic management strategy that improves the flow of traffic along the Parkway and local alternate routes that consist of video cameras, traffic counters and digital displays.

**MOTION: Upon motion by Mr. Jones, seconded by Mr. Cotton and unanimously approved, the Board directed the Manager to sign the Cooperative Memorandum Agreement.**

**8.9 PA Dot 7-IT Traffic Signal Maintenance Agreement:** Ms. Bradley presented an updated Traffic Signal Maintenance Agreement that outlines maintenance responsibilities for traffic signals within New Britain Township as well as shared signals with other municipalities.

**MOTION: Upon motion by Mr. Jones, seconded by Mr. Cotton and unanimously approved, the Board directed the Manager to sign the Traffic Signal Maintenance Agreement.**

**9. Board of Supervisors Comments:** None

**10. Township Administration Comments:**

**10.1 MuniBid Vehicles for sale:** Ms. Bradley informed the Board that we currently have two vehicles let for bid. The bid results will be available at the next meeting.

**10.2 Brosious Zoning Hearing:** A Zoning Hearing will be held on October 21 to consider the application of Karl Brosious for the property located at 1334 Ferry Road. The Applicant seeks a variance from Zoning Ordinance Section 27-2104(b) to allow a proposed land lot with 7.76 acres whereas the minimum lot size for a lane lot is 10 acres.

**10.3 Execution of 2010-2013 Police Contract:** Ms. Bradley informed the Board although the 2010-2013 Police contract was previously signed, the PBA has provided a re-formatted version. Ms. Bradley informed the Board she has carefully reviewed the re-formatted version and it complies with the original in its entirety. The new version also incorporates appropriate language dealing with the recent Township ordinance adopted to comply with Act 51 killed in Service benefits.

**MOTION: Upon motion by Mr. Jones, seconded by Mrs. Haun, the Board unanimously approved execution of the re-formatted 2010-2013 Police Contract.**

**10.4 Warrington Comprehensive Plan; Zoning Map Changes:** Ms. Bradley reviewed the revised Warrington Township Comprehensive Plan and Zoning Map changes and informed the Board copies are available in the office.

**11. Solicitor & Engineer Comments:** None

**12. Other Business:** None

**13. Public Comment:** None

**14. Payment of Bills:** List dated 10/4/10 in the amount of \$281,106.76 and list dated 10/11/10 in the amount of \$30,085.00.

**MOTION: Upon motion by Mr. Jones and seconded by Mrs. Haun, the Board approved the bill lists as presented.**

**15. Adjournment:** Being no further business, and upon motion by Mrs. Haun, seconded by Mr. Jones the Board adjourned the meeting at 9:05 P.M.

**NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS**

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John A. Bodden, Chair

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Helen B. Haun, Vice-Chair

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James Scanzillo., Member

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Robert V. Cotton, Member

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William B. Jones, Member

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