

**BOARD OF SUPERVISORS
MEETING MINUTES
May 16, 2016**

A Regular Scheduled Meeting of the New Britain Township Board of Supervisors was held on Monday, May 16, 2016, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: Chair William B. Jones, III, Vice Chair A. James Scanzillo, Members John A. Bodden, Helen B. Haun and Gregory T. Hood. Also present were Township Manager Eileen M. Bradley, Township Solicitor Peter Nelson and Township Engineer Erik Garton.

1. **Call to Order:** Mr. Jones called the Meeting to order.
2. **Pledge of Allegiance:** Mr. Jones led the Board and audience in the Pledge of Allegiance.
3. **Announcements:** There were no announcements at this time.
4. **Public Comment on Non-Agenda Items:** There was no Public Comment at this time.
5. **Approval of Minutes:**

5.1. **Minutes of May 2, 2016 Board of Supervisors' Regular Meeting:**

MOTION: A motion was made by Mr. Scanzillo, seconded by Mr. Hood and carried unanimously, to approve the May 2, 2016 Minutes as written.

6. **Departmental Reports:**

- 6.1. **Code Department Report:** Ms. Bradley presented the Code Department Report for April 2016.
- 6.2. **Police Department Report:** Ms. Bradley presented the Police Department Report for April 2016.
- 6.3. **Public Works Department Report:** Mr. Fultz presented the Public Works Department Report for April 2016.

7. **Consideration of Old Business:**

- 7.1. **Public Hearing: Proposed Zoning Ordinance Amendment #2016-05-01:** Mr. Jones opened the Public Hearing at 7:04 p.m. for consideration of proposed Ordinance #2016-05-01.

Mr. Nelson stated that the proposed ordinance had been duly advertised and reviewed by both the Bucks County Planning Commission and the New Britain Township Planning Commission. The proposed ordinance would amend the Codified Ordinance Chapter 27, Zoning, by: renumbering the adult day care use section; adopting new regulations for nonresidential lane lots; adding K18 flex space as a use permitted by right in the C3 zoning district; and revising various parking regulations. Mr. Nelson added that currently lane lots were only permitted in residential uses. The ordinance would allow lane lots in nonresidential uses. It was noted that both the New Britain Township Planning Commission and the Bucks County Planning Commission recommended adoption of the proposed ordinance.

There being no questions or additional comments, Mr. Jones closed the hearing at 7:05 p.m.

MOTION: Upon motion by Mr. Bodden, seconded by Mrs. Haun, the Board unanimously approved Ordinance No. 2016-05-01, amending the Codified Ordinance Chapter 27 Zoning by renumbering the adult day care use section; adopting new regulations for nonresidential lane lots; adding K18 flex space as a use permitted by right in the C3 zoning district; and revising various parking regulations.

7.2. Naplin/ Quad Graphics Minor Subdivision:

7.2.A. Preliminary/Final Approval Resolution #2016-15: Appearing for the Applicant, Naplin One, L.P., was Mr. Mike Peters, Esquire of Eastburn and Gray, P.C. and Mr. Ronald E. Kloss, Jr. of Bohler Engineering.

Mr. Peters stated that the Applicant had attended a conditional use hearing on April 25, 2016 and was granted approval to waive the required 75-foot buffer. The Applicant was now seeking preliminary/final approval for the subdivision of 16.6 acres from the Quad Graphics parent parcel. The Applicant would comply with the Bucks County Planning Commission review letter dated May 4, 2016 and the Gilmore and Associates review letter dated March 16, 2016.

Mr. Nelson stated that at this time there was no land development proposed for the vacant lot. The proposed resolution delays any waiver requests until land development, when the Applicant would file a land development application for approval in order to develop the site further. Mr. Nelson added that approval of the subdivision was also contingent upon complying with the Conditional Use Adjudication granted on April 25, 2016.

MOTION: Upon motion by Mr. Hood, seconded by Mr. Bodden, the Board unanimously approved Ordinance Resolution #2016-15 granting Preliminary/Final Approval for the Naplin One, L.P. Subdivision of 16.6 acres from the Quad Graphics main parcel #26-005-002.

7.2.B. Conditional Use Adjudication Approval: Mr. Nelson stated that Naplin One, L.P. was granted approval at a Conditional Use Hearing on April 25, 2015 to waive the required 75-foot buffer. The Board would need to formally execute the written Adjudication from the Conditional Use Hearing.

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Scanzillo, the Board unanimously approved the written Naplin One L.P. Adjudication for the Conditional Use Hearing held on April 25, 2016.

8. Consideration of New Business:

8.1. Temporary Access and Maintenance Easement Agreement TMP #26-007-182: Ms. Bradley stated that in order to perform maintenance to a Township-owned drainage swale, temporary access was needed to the adjoining property at 138 Brittany Drive. This easement would provide access by Township employees across the property to access the existing swale to undertake the necessary maintenance work.

MOTION: A motion was made by Mr. Bodden, seconded by Mrs. Haun and carried unanimously, to execute the Temporary Access and Maintenance Easement Agreement for parcel #26-007-182 located at 138 Brittany Drive.

9. Consent Agenda:

MOTION: Upon motion by Mr. Bodden, seconded by Mrs. Haun, the Board unanimously approved the following Consent Agenda item: Execution of Memorandum of Development Agreement for the Estates at Julius Farm, L.P./Maurer Tract, 87 Walters Road, TMP #26-001-125-002.

10. Board of Supervisors' Comments: Mr. Hood announced that Butler Elementary School Principal Joseph Brereton was recognized as one of the Top 50 Principals in the United States.

11. Township Administration Comments:

11.1. 2016 Road Program Contract A, Bituminous Wearing Course Award: Ms. Bradley stated that the award of the Bituminous Wearing Course Award was previously tabled for concern with utility work to be performed in the Tower Hill Development this summer by North Penn Water Authority (NPWA), scheduled ahead of the proposed

Township paving work. Staff had recently met with NPWA to discuss their project, and found that the scope of the NPWA project was smaller than originally anticipated. NPWA assured the Township that there should not be any issues with settling of utility cuts at 25 locations, as compaction and testing would be performed. Public Works Superintendent Wayne Fultz and Ms. Bradley both recommended that the Township proceed with awarding the Bituminous Wearing Course Contract to the lowest responsible bidder, Bray Brothers, for \$185,817.65.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Bodden, the Board unanimously awarded the Bituminous Wearing Course Contract to Bray Brothers for \$185,817.65.

11.2. TAP Grant Memorandum of Understanding: Ms. Bradley stated that the Delaware Valley Regional Planning Commission (DVRPC) had awarded a \$1.225 million grant to New Britain Township for a portion of the Neshaminy Greenway Trail, which encompassed a portion of New Britain Township as well as small sections of both Chalfont Borough and Doylestown Township. DVRPC required New Britain Township to execute a Memorandum of Understanding with both Chalfont Borough and Doylestown Township, which outlines the duties and responsibilities of each municipality, and places New Britain Township as Project Leader.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Bodden, the Board unanimously approved execution of the Memorandum of Understanding for the Tap Grant related to the Neshaminy Greenway Trail.

11.3. Comments to PUC regarding DAS Status: Ms. Bradley requested that the Board ratify a letter to the Public Utilities Commission (PUC) submitting comments regarding the Township's position on Distributed Antenna Systems (DAS), and the position that they are not public utilities and therefore should have to comply with local zoning. Ms. Bradley requested a motion approving the comments she submitted to PUC before the May 16, 2016 deadline.

MOTION: Upon motion by Mr. Hood, seconded by Mrs. Haun, the Board unanimously ratified the written comments sent to PUC on May 16, 2016 regarding Distributed Antenna System Towers.

11.4. Light Proposal for West Branch Park: Ms. Bradley stated that the Park and Recreation Board had met on April 20, 2016 and reviewed a proposal by Lenape Valley Soccer for portable lights at West Branch Park. The Park and Recreation Board unanimously recommended denial of the proposal as presented, and forwarded the proposal on to the Board of Supervisors. The denial was based on concerns with safety, maintenance, and destruction of fields.

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Hood, the Board unanimously supported the Park and Recreation Board's decision to deny Lenape Valley Soccer's request to use portable lights at West Branch Park.

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

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

14. Public Comment: There was no Public Comment at this time.

15. Payment of Bills:

15.1. Bills List dated May 12, 2016 for \$85,220.76:

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Scanzillo, the Board unanimously approved the Bills List dated May 12, 2016 for \$85,220.76.

16. Adjournment:

MOTION: There being no further business or comment, a motion was made by Mr. Scanzillo, seconded by Mr. Bodden, and unanimously carried, to adjourn the meeting at 7:25 p.m.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

William B. Jones, III, Chair

A. James Scanzillo, Vice Chair

John A. Bodden, Sr., Member

Helen B. Haun, Member

Gregory T. Hood, Member

Attest: _____
Eileen M. Bradley
Secretary/Manager