

**BOARD OF SUPERVISORS
MEETING MINUTES
January 23, 2017**

A Regular Meeting of the New Britain Township Board of Supervisors was held on Monday, January 23, 2017, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: Chair A. James Scanzillo, Vice Chair John A. Bodden, Sr., Members Helen B. Haun, Gregory T. Hood and William B. Scanzillo, III. Also present were Township Manager Eileen M. Bradley, Township Solicitor H. Peter Nelson, Esq. and Township Engineer Janene Marchand.

1. Call to Order: Mr. Scanzillo called the Meeting to order.

2. Pledge of Allegiance: Mr. Scanzillo led the Board and audience in the Pledge of Allegiance.

3. Announcements: Mr. Scanzillo announced that the Board had met in Executive Session prior to this meeting to discuss personnel issues, land acquisition and litigation.

3.1. DROP Grievance Settlement: Ms. Bradley stated that the Township had enacted a Deferred Retirement Option Program (DROP) Ordinance for Police Officers back in 1996, but no administrative guidelines had been set at that time. The Township and the Police Benevolent Association had reached agreement and the PBA had executed the proposed Settlement Agreement before the Board this evening. It was the Manager's recommendation to execute the Agreement as well.

MOTION: A motion was made by Mr. Jones, seconded by Mrs. Haun and unanimously approved to accept the DROP Grievance Settlement Agreement.

4. Public Comment on Non-Agenda Items: There was no Public Comment at this time.

5. Approval of Minutes:

5.1. Minutes of Meeting of January 3, 2017:

MOTION: A motion was made by Mrs. Haun, seconded by Mr. Hood and unanimously approved to accept the January 3, 2017 Minutes as written.

6. Departmental Reports:

6.1. Code Department Report: Ms. Bradley presented the Code Department Report for December 2016.

6.2. Police Department Report: Chief Scafidi presented the Police Department Report for December 2016.

6.3. Public Works Department Report: Ms. Bradley presented the Public Works Department Report for December 2016.

6.4. Planning Department Report: Ms. Bradley presented the Planning Department Year-End 2016 Report.

6.5. Zoning Hearing Board Report: Ms. Bradley presented the Zoning Hearing Board Year-End 2016 Report.

7. Consideration of Old Business:

7.1. Public Hearing: Proposed Ordinance #2017-01-03, Omni Zoning Amendment: Mr. Scanzillo opened the Public Hearing at 7:05 p.m. Mr. Nelson reviewed the proposed Zoning Amendment which clarifies some confusing language, corrects a few typographical errors, and adds dimensional standards to the J24 Shopping Center Use that were missing.

MOTION: There being no further comment, a motion was made by Mr. Bodden, seconded by Mrs. Haun, and unanimously carried, to close the Public Hearing at 7:10 p.m.

MOTION: A motion was then made by Mr. Bodden, seconded by Mr. Hood, and unanimously carried, to adopt Ordinance #2017-01-03, amending Chapter 27, Zoning, revising references to “Lot Size”, “Lot Area”; revising definitional figures; adding dimensional requirements for J24 Shopping Center Use; deleting K19 Small Lot Industrial Use; adding references to L2 Use; revising area, dimensional, and site capacity requirements for WS District; revising setbacks for accessory buildings; allowing J25 Use in the C2 District; revising the calculation of base site area; and revising certain parking requirements.

7.2. Public Hearing: Proposed Ordinance #2017-01-04, Use and Occupancy Amendment: Mr. Scanzillo opened the Public Hearing at 7:10 p.m. Mr. Nelson noted that the General Assembly had enacted Act 133 of 2016, which established new requirements for the issuance of Use and Occupancy Certificates. The Proposed Ordinance would put in place new procedures for the issuance of Temporary Occupancy and Temporary Access Permits with up to one year to correct code violations, as required by the Act.

MOTION: There being no further comment, a motion was made by Mrs. Haun, seconded by Mr. Hood, and unanimously carried, to close the Public Hearing at 7:15 p.m.

MOTION: A motion was then made by Mr. Jones, seconded by Mrs. Haun, and unanimously carried, to adopt Ordinance #2017-01-04, regulating the Occupancy of buildings and structures; setting forth the requirements for the issuance of Occupancy Permits; and providing for penalties for violations.

7.3. Clauser/Holy Properties Adjudication: Mr. Nelson stated that the Board had held a Conditional Use Hearing for Holy Properties, 324 Schoolhouse Road on January 3, 2017, at which the Board had verbally granted Conditional Use Approval. The terms of that approval had been set down in the Adjudication before the Board this evening.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Bodden, the Board unanimously approved the Holy Properties Conditional Use Adjudication.

8. Consideration of New Business:

8.1. Kohler Minor Subdivision Preliminary/Final Plan: Appearing for the Applicant was Mrs. Catherine Kohler, owner and Mr. Scott Mease of Mease Engineering. Mr. Mease presented the facts of the proposed 2-Lot Subdivision and requested Preliminary/Final subdivision approval. The Applicant proposed two lots: Lot #1 consisting of approximately 45.75 acres with an existing farmhouse; and Lot #2 to be 4 acres with a newly constructed single-family home. Each lot would require a new septic system and an area set aside for a backup septic system. An existing PECO utility easement traversed the front portion of the proposed Lot #2.

MOTION: There being no further comment, a motion was made by Mr. Bodden, seconded by Mr. Jones, and unanimously carried, to approve Preliminary/Final subdivision and land

development approval for the Kohler Minor Subdivision, subject to the following conditions: compliance with the Gilmore and Associates Review letter dated December 15, 2016; compliance with the New Britain Township Planning Commission Memo dated January 11, 2017; with fees in lieu of park and recreation deferred until issuance of building permits; and road improvements deferred until development of Lot #1.

8.2. Regional Street Light Procurement Program: Ms. Bradley stated that the Regional Street Light Procurement Program (RSLPP) had found the funding to proceed and the Township should prepare to go to settlement on the lease for the street light upgrades before January 31. To that end, several documents needed to be executed.

Proposed Resolution 2017-06 reiterated the Board's approval of participation in the program and set authorized signatories for settlement documents.

MOTION: Upon motion by Mr. Hood, seconded by Mr. Bodden, the Board unanimously approved Resolution #2017-06, authorizing participation in the Regional Street Light Procurement Program and approving document signatories.

Purchase from PECO of existing streetlights, mast arms and utility poles was required prior to contracting with Johnson Controls for upgrade to LED light standards. PECO had calculated the purchase price at \$99,875.34 and required execution of the Agreement of Sale before the Board this evening as Resolution #2017-07.

MOTION: Upon motion by Mr. Hood, seconded by Mr. Bodden, the Board unanimously approved Resolution #2017-07, the PECO Agreement of Sale for streetlights, mast arms and utility poles for at \$99,875.34.

9. Consent Agenda:

MOTION: Upon motion by Mr. Bodden, seconded by Mrs. Haun, the Board unanimously approved the following Consent Agenda items: Monogram Custom Homes Professional Services Agreement for construction of an in-ground pool and patio on the property of Stephen Rizzo, 1030 Ferry Road, TMP #26-012-048-001, with corresponding legal and engineering escrow of \$5,000.00; and Prestige Property Partners, LLC, Maple Glen, PA, Professional Services Agreement for subdivision and land development of the Vineyard at Peace Valley, consisting of 12 lots at 300 Old Limekiln Road, TMP #26-004-001 and #26-004-002, with corresponding legal and engineering escrow of \$12,000.00 and arrearage of \$1,770.53.

10. Board of Supervisors' Comments: Mrs. Haun noted that Mr. Ernie Yoakum, who had recently resigned from the North Penn Water Authority Board after more than thirty years, had recently passed away. She heralded his dedication to the Authority.

11. Township Administration Comments:

11.1. Pa One Call Proclamation as Resolution #2017-05: Ms. Bradley noted that to promote safety among homeowners and contractors, proposed Resolution #2017-05 would declare the month of April 2017 as "Pennsylvania 811 Safe Digging Month", and asked the Board to approve the resolution.

MOTION: Upon motion by Mr. Hood, seconded by Mr. Bodden, the Board unanimously approved Resolution #2017-05, approving Resolution #2017-05 and declaring the month of April 2017 as "Pennsylvania 811 Safe Digging Month".

12. Solicitor and Engineer Comments:

12.1. Lukoil Assessment Appeal: Mr. Nelson stated that the Township had received notice of an assessment appeal for Lukoil on County Line Road and W. Butler Avenue. He requested authorization to.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board unanimously authorized Mr. Nelson to enter his appearance on behalf of the Township.

13. Other Business: Ms. Bradley stated that Township accounting firm, Dunlap and Associates, had submitted a proposal to supply Payroll processing and reporting services to the Township at a rate of \$150.00 per pay/\$3,250.00 annually.

MOTION: Upon motion by Mr. Hood, seconded by Mrs. Haun, the Board unanimously approved contracting with Dunlap and Associates for Payroll processing, effective immediately.

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

15. Payment of Bills:

15.1. Bills List dated January 13, 2017 for \$210,060.67:

MOTION: Upon motion by Mr. Hood, seconded by Mrs. Haun, the Board unanimously approved the Bills List dated January 13, 2017 for \$210,060.67.

15.2. Bills List dated January 20, 2017 for \$5,026.39:

MOTION: Upon motion by Mr. Boddin, seconded by Mr. Hood, the Board unanimously approved the Bills List dated January 20, 2017 for \$5,026.39.

16. Adjournment:

MOTION: There being no further business or comment, a motion was made by Mr. Boddin, seconded by Mr. Jones, and unanimously carried, to adjourn the meeting at 7:35 p.m.

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NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

A. James Scanzillo, Chair

John A. Bodden, Sr., Vice Chair

Helen B. Haun, Member

Gregory T. Hood, Member

William B. Jones, III, Member

Attest: _____

Eileen M. Bradley
Secretary/Manager