

**BOARD OF SUPERVISORS
MEETING MINUTES
January 25, 2021**

A Regular Meeting of the New Britain Township Board of Supervisors was held on Monday, January 25, 2021, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: Chair Gregory T. Hood, Vice-Chair Helen B. Haun, Members William B. Jones, III, Cynthia M. Jones, and MaryBeth McCabe, Esq. Also present were Township Manager Eileen M. Bradley, Assistant Manager Michael Walsh, Township Engineer Craig Kennard, and Township Solicitor H. Peter Nelson, Esq.

1. **Call to Order:** Mr. Hood called the Meeting to order.
2. **Pledge of Allegiance:** Mr. Hood led the Board and audience in the Pledge of Allegiance.
3. **Announcements:** Mr. Hood 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:** There was no Public Comment at this time.
5. **Approval of Minutes:**

5.1. **Minutes of Meeting of January 4, 2021:**

MOTION: A motion was made by Mrs. Haun, seconded by Mrs. Jones, and unanimously approved to accept the January 4, 2021 Minutes as written.

6. **Departmental Reports:**

6.1. **Code Department Report for December 2020:** Mr. Walsh presented the Code Department Report for December 2020.

6.2. **Police Department Report for December 2020:** Chief Scafidi presented the Police Department Report for December 2020. Mrs. Jones asked if there were police procedures for handling female victims or suspects. Chief Scafidi stated that the Department had long-standing protocols in place to assure that female victims and suspects were handled by female officers.

6.3. **Public Works Department Report for December 2020:** Mr. Walsh presented the Public Works Department Report for December 2020.

7. **Consideration of Old Business:**

7.1. **JAMP 98 Railroad Avenue Preliminary/Final Approval:** Appearing for the Applicant, JAMP Development, LLC, was: Mr. Matt Piotrowski, owner; Mr. Rob Cunningham, P.E.; and Ms. Kellie McGowan, Esq. The Applicant proposed to subdivide the property at 98 Railroad Avenue, TMP #26-001-112, in the SR-2 District into four lots, with three new lots and one lot containing the existing single-family home, all Use B1. The property was subject to an extensive water resources easement held by North Penn Water Authority (NPWA).

Ms. McGowan noted the Applicant would comply with most comments in the November 13, 2020 Gilmore Review letter. The Applicant was requesting waiver of public improvements along Barry Road and Railroad Avenue, both state highways. The Applicant would mill and overlay the portion of roadway that would require installation of new water main. The Applicant would pay all required fees in lieu of public improvements per Township regulations.

Ms. McCabe inquired how the Applicant would guarantee street trees along the right-of-way would not be removed by subsequent owners. Ms. McGowan stated the Applicant would guarantee the trees as part of the Developer's requirements.

Ms. McCabe requested the Applicant execute a façade easement on the existing historic home. The Applicant agreed.

Mr. Hood called for Public Comment.

Mr. Brian Blackburn of Cedar Hill Road asked if the lots would be connected to public water and sewer. Mr. Cunningham stated that all lots would be connected to public water with on lot septic systems.

Mr. Mike Coleman of Cedar Hill Road asked if the proposed new homes would match the architectural style of existing homes in the area. Mr. Piotrowski stated that a builder had not yet been chosen.

Mr. Nelson stated that should the Board agree, he would make changes to the current draft resolution for approval at the next meeting.

MOTION: Upon motion by Mr. Jones, seconded by Mrs. Jones and unanimously carried, the Board approved the Preliminary/Final Subdivision Plan for JAMP Development LLC for 98 Railroad Avenue subject to: the Gilmore Review letter dated November 13, 2020; a façade easement preserving the historic nature of the existing home; and preservation of street trees from future removal.

8. Consideration of New Business:

8.1. 314 Dorothy Lane – Swimming Pool/Conservation Easement Relocation: Appearing was Mr. Rob Livesay, owner; Mr. Jon Antonucci, LA; and Mr. George Hartman of Bohler Engineering. Mr. Livesay requested to swap an area of deed-restricted natural resource protection on his property for an equivalent portion of adjoining natural area for the purposes of building a swimming pool and associated structures. This would require the recording of an amended Record Plan for the parcel.

Ms. McCabe inquired if there were any additional diseased trees. Mr. Livesay reported that remaining trees had been treated.

MOTION: Upon motion by Mrs. Haun, seconded by Mrs. Jones and unanimously carried, the Board approved a natural resource area swap for 314 Dorothy Lane, contingent upon compliance with Gilmore's review letter dated December 17, 2020; and pending the Solicitor drafting a resolution for signature by the Board.

8.2. 120 Liberty Lane Amended Final Plan: Appearing for the Applicant was Dr. Larry Caplin, owner/CEO of Docs Health, Mr. Rob Cunningham, P.E; and Ms. Kellie McGowan, Esq. The Applicant proposed to use the property as a medical warehouse/storage facility for healthcare for the US Military and requested a waiver of land development.

Ms. McGowan noted a minor amendment to the approved plan for an additional driveway and thirty-six additional parking spaces in order to accommodate the required fire access and improve circulation and accessibility to the warehouse building.

Mr. Kennard stated that Staff had no issues with the proposed plan.

MOTION: Upon motion by Ms. McCabe, seconded by Mrs. Jones and unanimously carried, the Board approved the Amended 120 Liberty Lane Final Plan.

8.3. Foxlane Homes/Highpoint Sketch Plan: Appearing for the Applicant was Mr. Joe Morrissey of Foxlane Homes and Mr. John Rathfon of Foxlane Homes, Ms. Kellie McGowan, Esq., Mr. Sam Costanzo of Van Cleef Engineering.

Mr. Hood stated he will be recusing himself from deliberation on this project, as he owned the adjoining Little Farm Estates property. He had written a letter to the State Ethics Commission for an opinion. He then turned over responsibility for the meeting to Vice Chair Mrs. Haun.

Ms. McGowan presented a new sketch plan consisting of 140 units of B3 and B5 uses (twins, 2-story and 3-story townhomes) on the Highpoint Racquet Club property in the C3 District (TMP# 26-005-047-005, 26-005-056, 26-005-056-001, 26-005-056-009 and 26-005-056-011), subject to Conditional Use. The property is situated near the Madison Apartments (C3), Little Farm Estates (MHP) and The Highlands Community (RR-PRD-1).

Ms. McGowan noted that there were significant improvements, impervious surface, and few natural resources on the existing property. The property was bisected by two existing roads: Highpoint Drive and Horizon Drive. The proposed project would use both those roads for ingress and egress in addition to three new roads. Three areas of significant open space were proposed, along with trails, a water feature, and additional amenities.

The proposed plan would need two variances: relief from a minimum of three types of dwelling units, and partial relief from 100-foot setbacks.

Ms. McCabe asked if there would be a homeowners' association (HOA). Mr. Morrissey stated there would be an HOA.

Mr. Jones expressed concern over the density. He preferred six townhouse units per block over eight. Mrs. Jones agreed, preferring two-story towns over three-story. Ms. McCabe agreed stating that the larger blocks resemble apartments.

Mrs. Haun preferred more twins and expressed concern over parking. She asked if basements would have egress windows. Mr. Morrissey responded in the affirmative.

Mrs. Haun called for public comment on the project.

Mr. Bruce Quedenfeld of Brittany Drive asked if the property was zoned commercial; was residential and allowed use. Mr. Nelson stated apartments are allowed. Mr. Quedenfeld expressed concern about overcrowding at Butler Elementary.

Mr. Mike Coleman and Mr. Brian Blackburn, both of Cedar Hill Road expressed concern over density. They preferred two-story twin or townhomes.

Ms. Margaret Briggs of Forest Park Drive, who participated via Zoom, expressed concern over the 50 percent woodland disturbance and pond.

No formal action was taken on the sketch plan. The Board then took a five-minute recess, at which time Mr. Hood resumed the Chair.

8.4. Collective Bargaining Agreement 2022-2026: Mr. Walsh stated that the New Britain Township Police Benevolent Association (PBA) and New Britain Township had reached an agreement on a new five-year Collective Bargaining Agreement (CBA), commencing January 1, 2022 through December 31, 2026. The only substantive changes to the contract were increasing the term to five years and removing outdated language for the twelve-hour shift. Salaries would be increased 3.00% for the first year of the CBA, 3.25% the second and 3.50% for the third through fifth years.

Mr. Walsh thanked the PBA representatives for their efforts in negotiating the new contract.

MOTION: Upon motion by Mrs. Jones, seconded by Mr. Jones and unanimously carried, the Board approved execution of the Collective Bargaining Agreement between the Township and the Police Benevolent Association covering the years 2022 through 2026.

9. Consent Agenda:

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board unanimously approved the following Consent Agenda items: Execution of a Stormwater Facilities Operation and Maintenance Agreement with Melvin and Beverly Kelsey for construction of an addition to an existing dwelling at 22 Farber Drive, TMP #26-021-096, with corresponding Maintenance Guarantee Fee of \$125.00; Escrow Release #3 for Hallmark Homes-Mill Ridge LLC for the Mill Ridge Subdivision in the amount of \$104,331.15, leaving \$680,019.80 remaining; Execution of a Professional Services Agreement with Scott and Kerri Ehling for construction of a swimming pool for 112 Harrison Forge Court, TMP #26-002-238, with corresponding legal and engineering escrow of \$5,000.00; Execution of a Professional Services Agreement with Gary and Maria Kensey for construction of a swimming pool for 312 Dorothy Lane, TMP #26-001-125-012, with corresponding legal and engineering escrow of \$5,000.00; Execution of a Professional Services Agreement with Diomedede and Claudia Trozzi for a lot line change for 114 & 84 Curley Mill Road, TMP #26-003-001 & #26-001-090, with corresponding legal and engineering escrow of \$2,000.00.

10. Board of Supervisors' Comments: There was no Board comments at this time.

11. Township Administration Comments:

11.1. Blood Drive March 17, 2021 from 9:00 a.m. to 7:00 p.m.: Mr. Walsh stated New Britain Township would be hosting a blood drive with the Red Cross on March 17, 2021, at 207 Park Avenue.

11.2. Appraisal of Property: Mr. Walsh requested authorization to order an appraisal of a property discussed during Executive Session.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones and unanimously carried, the Board authorized an appraisal on a property within New Britain Township.

12. Solicitor and Engineer Comments:

12.1. Butler Pike Properties LP/County Builders ZHB Decision Update: Mr. Nelson stated that the written decision in the Butler Pike Properties LP/County Builders zoning hearing had been issued. All parties had 30 days from January 7, 2021, in which to appeal the decision.

Mr. Coleman and Mr. Blackburn asked if resident concerns could be incorporated into the Township appeal. Ms. Bradley suggested that residents' concerns be submitted to the Township for future use.

MOTION: Upon motion by Mrs. Jones, seconded by Ms. McCabe, and unanimously carried, the Board authorized the Township Solicitor to file an appeal and intervention on the Township's behalf.

12.2. 400 Highpoint Board of Assessment Appeal: Mr. Nelson stated that FMCT 08 Chalfont PA LP at 400 Highpoint Drive, TMP 26-005-056-007, had appealed its real estate assessment to the Bucks County Board of Assessment. He wished to bring the appeal to the Board's attention and recommended that the Central Bucks School District (CBSD) handle the matter. No action was required by the Board at this time.

12.3. CBSD v. Club Investors Assessment Appeal: Mr. Nelson stated that CBSD had appealed the reduction of assessment for Club Investors Group LTD. Partners for the Highpoint Racquet Club, TMP #26-005-056. He wished to bring the appeal to the Board's attention and recommended that the CBSD continue to handle the matter.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, and unanimously carried, the Board authorized the Township Solicitor to file an intervention and monitor both cases.

There were no Engineer Comments at this time.

13. Public Comment: Mr. Tim Hagey of Bellview Way thanked the Board, Administration, Public Works, and Police for their commitment and excellent work provided daily. He extended warm wishes to Ms. Bradley in her future position.

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

15. Payment of Bills:

15.1. Bills List dated January 8, 2020 for \$86,812.64:

MOTION: Upon motion by Mrs. Haun, seconded by Ms. McCabe, the Board unanimously approved the Bills List dated January 8, 2020 for \$86,812.64.

15.2. Bills List dated January 14, 2021 for \$100,505.80:

MOTION: Upon motion by Mr. Jones, seconded by Mrs. Haun, the Board unanimously approved the Bills List dated January 14, 2021 for \$100,505.80.


15.3. Bills List dated January 22, 2021 for \$12,669.79 (medical reimbursements):

MOTION: Upon motion by Mrs. Jones, seconded by Mrs. Haun, the Board unanimously approved the Bills List dated January 22, 2021 for \$12,669.79 (medical reimbursements).

16. Adjournment:

MOTION: There being no further business or comment, a motion was made by Mr. Jones, seconded by Mrs. Haun, and unanimously carried, to adjourn the meeting at 9:20 p.m.

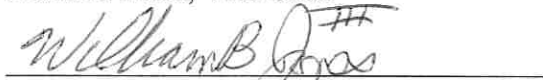
NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS



Gregory T. Hood, Chair



Helen B. Haun, Vice Chair




William B. Jones, III, Member



Cynthia Jones, Member



MaryBeth McCabe, Esq., Member

Attest: 

Michael Walsh
Secretary/Assistant Manager

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