

**BOARD OF SUPERVISORS
MEETING MINUTES
January 27, 2014**

A Regular Meeting of the New Britain Township Board of Supervisors was held on January 27, 2014 at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: Chair John A. Bodden, Vice Chair Robert V. Cotton, Members A. James Scanzillo and Helen B. Haun. Member William B. Jones was absent. Also present were Township Manager Eileen M. Bradley, Township Solicitor Peter Nelson and Township Engineer Craig Kennard.

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 prior to this meeting in Executive Session to discuss personnel issues, land acquisition and litigation.

4. Public Comment on Non-Agenda Items: Mr. Francis Walter of Sunnybrook Drive had several questions regarding the 2014 Budget:

A. The Township had budgeted for purchase of Emergency Communications radios, but were the radios intended to be used in Township-owned vehicles only? Ms. Bradley stated that all the radios that the Township will be purchasing are for Township-owned vehicles. Local fire and emergency medical units are purchasing their own equipment.

B. Mr. Francis had read in the local paper that a New Britain Township Police Detective was involved with child pornography arrests throughout the County. How are this officer's hours funded? Chief Scafidi stated that much of the funding is through various task forces such as FBI, Secret Service, District Attorney and other State programs that reimburse overtime wages for work on these types of crime. Additionally, hundreds of thousands of dollars of equipment and supplies have been granted to this officer for his work.

C. Mr. Francis also read in the paper that New Britain Township had appointed Engineer Gilmore & Associates as Township Engineer at an hourly rate of \$135.00, and noticed that other municipalities were being charged \$105.00 for the same services from Gilmore. Why is New Britain Township paying \$135.00? Mr. Kennard stated that every municipality has a different rate that shows a list of different charges based on the level of the engineer assigned to each municipality. When each municipality was asked their engineers rate, every municipality gave a different line item cost. In addition, the majority of the time, the engineer cost is paid by the applicant of land development projects, and not the Township.

5. Approval of Minutes:

5.1. Minutes of January 6, 2014 Board of Supervisors' Regular Meeting:

MOTION: A motion was made by Mrs. Haun, seconded by Mr. Scanzillo and carried unanimously, to approve the January 6, 2014 Minutes as written.

6. Departmental Reports:

6.1. Code Department Report: The Code Department Report for December 2013 was presented.

6.2. Police Department Report: Chief Scafidi presented the Police Department Report for December 2013.

6.3. Public Works Department Report: Wayne Fultz presented the Public Works Department Report for December 2013. Mr. Cotton commended the Public Works Department for doing a great job with plowing and salting of Township-owned roads.

6.4. Planning Commission Report for 2013: Ms. Bradley presented the Planning Commission Report for 2013.

6.5. Zoning Hearing Board Report for 2013: Ms. Bradley presented the Zoning Hearing Board Report for 2013.

7. Consideration of Old Business: There was no old business at this time.

8. Consideration of New Business:

8.1. Approval of Resolution No. 2014-06, Appointing H. Peter Nelson as Township Solicitor: Mr. Nelson works for our current Law Firm, Grim Biehn & Thatcher and will be replacing John B. Rice as primary Township Solicitor.

MOTION: Upon motion by Mr. Cotton, seconded by Mrs. Haun, the Board unanimously approved Resolution No. 2014-06, appointing H. Peter Nelson as Township Solicitor.

8.2. CNBTJSA Lot Line Change: Ms. Bradley stated that the Chalfont New Britain Township Joint Sewer Authority (CNBTJSA) had removed a pumping station on TMP #26-021-027 on Mallard Drive and had approached the Township a year ago to see if they had any interest in purchasing the lot. The Township had no interest; therefore, CNBTJSA approached the adjoining neighbors and offered the land to them. The neighbors agreed to split the cost of the lot line change in exchange for ownership of a portion of the CNBTJSA lot. Half of the lot would go to the owner of TMP #26-021-026 and the other half to the owner of TMP #26-021-028. An easement would remain to protect an existing sewer line to remain in place.

The Township Engineer reviewed the Lot Line Change Plan. The CNBTJSA was requesting a waiver from installation of concrete monuments at the new lot line and the new owners did not express an interest in monumentation. Mr. Kennard suggested that iron pins could be used instead of concrete monuments.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Scanzillo, the Board unanimously approved the CNBTJSA Mallard Drive Lot Line Change; subject to compliance with the Gilmore and Associates review letter dated January 7, 2014; and granting all waivers with the exception of item #5, being amended to require that iron pins be placed in lieu of concrete monuments at the new horizontal changes in the property boundary.

8.3. Discussion of Towing/Sidewalks/Snow Removal/Fines/No Parking in Cul-de-Sac Ordinances: Ms. Bradley noted that we have had some issues in regards to parking on the streets during snow events, as well as sidewalks not being shoveled. It was her opinion that the current ordinance needed to be strengthened. Mr. Fultz stated that cars are being parked on both sides of many roads, making it impossible for plow trucks to get through and often causing the trucks to back up hills, a very dangerous situation in a snowstorm. Mr. Bodden stated we should send letters to all of the residents that are causing these problems, requesting they not park on the road. Mr. Bodden also suggested that this be addressed in the next newsletter. Mr. Fultz suggested increasing the parking ticket fee from \$10.00 to a higher amount would probably help prevent residents from parking on the street during a storm again. The Board suggested the Manager work with the Township Solicitor to see how we can make enforcement changes to the current ordinance.

9. Consent Agenda: There was no Consent Agenda at this time.

10. Board of Supervisors Comments: Mr. Cotton stated that the Chalfont Fire Company had multiple fire call in one week due to the drastic cold weather and sprinkler systems freezing. Mr. Cotton also indicated that the Chalfont Village Shopping Center has multiple potholes in their parking lot that need to be fixed.

Mrs. Haun announced that the North Branch Watershed Association was holding their next meeting at 7:00 p.m., Thursday February 6, 2014, at the Heritage Conservatory in the Aldie Mansion. The topic of the meeting would be green roofs. All were welcome to attend.

11. Township Administration Comments:

11.1. Zoning Hearing Board Applications Scheduled for February 2, 2014 at 7:00 p.m.:

A. NBBP Lot #20-2 (Cairone/SkyZone), 145 Liberty Lane, TMP #26-001-100-004, for a variance to minimum parking requirements for an indoor entertainment use (Use J9): Appearing for the Applicant were owner Joseph Cairone, David Horner of Horner and Canter Associates and Rich Ferns of SkyZone. The Applicant was requesting a variance from parking requirements for a Use J9, which required over 300 parking spaces.

Mr. Horner discussed a revised parking evaluation based on the SkyZone business plan of jump capacity. Mr. Horner explained that jump capacity is the number of patrons that can be accommodated inside the building given the internal layout. A traffic

count was conducted at a SkyZone in Glen Mills and, based off that data, the parking demand for the applicant at this location would be 107 spaces. The current plan provided for 111 parking spaces onsite. Mr. Horner stated that the applicant also had verbal agreements with two adjacent sites for employee and overflow on-lot parking which added an additional 36 parking spots, for a total of 147. Mr. Cairone added that they would be installing an illuminated walkway from the offsite-parking site to the SkyZone lot.

Mr. Bodden stressed the need for written shared parking agreements from the adjoining landowners in a form approved by the Township Solicitor. Mr. Horner stated that Lot #22 (Bus Depot), will be used by employees at all times and there are 18 spaces there. Mr. Nelson recommended that the Township issue a letter to the Zoning Hearing Board stating that written parking agreements be a condition of approval of any parking variance.

MOTION: Upon motion of Mr. Cotton, seconded by Mr. Scanzillo, the Board unanimously authorized Staff to issue a letter to the Zoning Hearing Board stating that should the Board grant a variance from required parking for a J9 Use, that the Board impose a condition requiring written shared parking agreements from the adjoining landowners in a form approved by the Township Solicitor.

B. Laura Baltra, 200 Forest Park Drive, TMP #26-028-079, appealing a 11/26/13 Enforcement Notice for installing a temporary structure without a permit and conducting an unpermitted automobile repair use (Use J21) in the RR District: Ms. Bradley stated that the Applicant has had a portable carport erected in her driveway without obtained a permit for the temporary structure. In addition, the Applicant is also conducting an auto repair shop at the location. Ms. Bradley recommended that the Board send the Township Solicitor to the Zoning Hearing. Mr. Nelson stated that since it is an enforcement issue, the Township is required to present their case first.

MOTION: Upon motion of Mrs. Haun, seconded by Mr. Scanzillo, the Board unanimously approved sending the Township Solicitor to the Zoning Hearing of Laura Baltra, 200 Forest Park Drive.

11.2. Moser/Penn Forest Limited Partnership Release of 18-Month Maintenance Letter of Credit: Ms. Bradley stated that the 18-month Maintenance period on the Moser Pet Resort had expired; all work had been completed and approved by the Township Engineer; and the remaining money in the Letter of Credit should be released to the Applicant.

MOTION: Upon motion of Mr. Scanzillo, seconded by Mr. Cotton, the Board unanimously approved Release of Moser/Penn Forest Limited Partnership 18-Month Maintenance Letter of Credit.

11.3. Township Photocopier Contract: Ms. Bradley stated that the current Administration photocopier contract was due to expire in April 2014; but if we signed a new 48-month contract with the same provider, we would receive a newer model copier with an annual savings of \$471.37.

MOTION: Upon motion of Mrs. Haun, seconded by Mr. Cotton, the Board unanimously approved execution of the new 48-month contract with Konica Minolta for \$507.51 per month or \$6,090.12 annually.

11.4. Appraisal Authorization: Ms. Bradley stated that there was one remaining parcel of right-of-way (ROW) needed to move forward with the replacement of the New Galena Road Bridge. In order to move forward with condemnation of the ROW, an appraisal would need to be performed.

MOTION: Upon motion of Mrs. Haun, seconded by Mr. Scanzillo, the Board unanimously approved an appraisal to be completed on a property located on New Galena Road.

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 January 24, 2014 for \$229,552.12: Ms. Bradley announced that bills included \$42,500 for the purchase of road salt and \$13,700 was outlaid for third-party plowing contractors in January alone.

MOTION: Upon motion by Mr. Scanzillo, seconded by Mrs. Haun, the Board unanimously approved the Bills List dated January 24, 2014 for \$229,552.12.

16. Adjournment:

MOTION: There being no further business or comment, a motion was made by Mr. Scanzillo, seconded by Mrs. Haun, and unanimously carried, to adjourn the meeting at 8:05p.m.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

John A. Bodden, Sr., Chair

Robert V. Cotton, Vice Chair

A. James Scanzillo, Member

Helen B. Haun, Member

William B. Jones, III, Member

Attest: _____
Eileen M. Bradley
Secretary/Manager