

**BOARD OF SUPERVISORS
MEETING MINUTES
May 28, 2009**

A Meeting of the New Britain Township Board of Supervisors was held on May 28, 2009, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: Robert V. Cotton, Chairman, John Bodden, Vice Chairman, William B. Jones, Helen B. Haun and James Scanzillo. Also present were: Eileen M. Bradley, Township Manager, Cathy Kichline, Assistant Manager; Robert Scafidi, Chief of Police; Randy Teschner, Code Enforcement, John B. Rice, Solicitor and Erik Garton, Township Engineer.

1. **Call to Order:** Mr. Cotton called the Meeting of the New Britain Township Board of Supervisors to order.
2. **Pledge of Allegiance:** Mr. Cotton led the Board and audience in the Pledge of Allegiance.
3. **Announcements from the Chair:** Mr. Cotton announced that an Executive Session was held at 5:00 p.m. to discuss personnel and land acquisition matters.
4. **Public Comment:** None.
5. **Approval of Minutes of May 11, 2009 Board of Supervisor meeting:**

MOTION: Upon motion of Mr. Jones, seconded by Mrs. Haun, the Board approved the Minutes of the May 11, 2009 Board of Supervisor Meeting.

6. Departmental Reports:

6.1. Public Works: The public works department report was tabled until the next meeting.

6.2. Police Department: Chief Scafidi presented the Police Department Report for the month of April 2009. Chief Scafidi reported a total of 533 incidents were handled. Chief Scafidi also reported the police responded to 6,615 radio calls in 2008.

6.3. Code Enforcement and Fire Marshal: Mr. Teschner presented his Code Enforcement and Fire Marshal Report for the month of April 2009. Mr. Teschner reported 14 building permits issued, 45 building inspections conducted, and 12 occupancy inspections.

7. Consideration of Old Business: None

8. Consideration of New Business:

8.1. New Britain Corporate Center:

A) Mr. Robert Riviezzo was present to discuss his proposal to amend the plan approval for New Britain Corporate Center (NBCC) Lot 3. Mr. Riviezzo explained to the Board that the majority of the site improvements had been completed but the building was not constructed. The proposed layout for the new building has been slightly modified from the approved plan to show a revised building footprint with associated parking, grading, and drainage revisions. The footprint has been reduced from a 2-story 53,000 s.f. building to a 32,000 s.f. building and is proposed to be used as a medical office. Mr. Riviezzo informed the Board that he will comply with all items listed in Gilmore and Associates May 22, 2009 letter.

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Jones, the Board approved the amended final plan of NBCC Lot 3 subject to the items outlined in Gilmore and Associates May 22, 2008 letter, execution of a revised development agreement, updated construction estimates and the appropriate financial security.

B) Mr. Riviezzo explained to the Board he previously received final plan approval for this plan in October 2006. The final plans have been revised and now propose phasing for the construction improvements on NBCC Lot 4 for consideration and re-approval by the Board. Phase I includes the Daimler Chrysler Building portion of the site. Phase II is now delineated as "not approved for construction" and includes the portion of Lot 4 between the existing Daimler Chrysler Building and County Line Road, east of the Manor Drive right-of-way. The intent of the phase plan is to allow the Township to release the construction escrow for the Phase II portion of the site. Should Mr. Riviezzo wish to begin construction, he would have to return to the Board for approval.

MOTION: Upon motion by Mr. Scanzillo, seconded by Mrs. Haun, the Board approved the amendment to the final plan allowing for the phasing of NBCC Lot 4, conditioned upon the completion of the items listed in Gilmore and Associates letter of April 13, 2009, execution of a revised developers agreement, and recording of the plan.

C) Release Construction Escrow #3 for NBCC Lot 4 Phase II:

MOTION: Upon motion of Mr. Scanzillo, seconded by Mrs. Haun, the Board authorized the release of \$1,060,526.40 of the performance bond and \$642,821.50 of the Letter of Credit conditioned upon completion of the items listed in 8.1B above.

8.2. Schoolhouse Pointe: A letter was received from Michael V. Tulio, President, M & N Homes, L.P. requesting acceptance of the Schoolhouse Pointe subdivision and reduction of the Letter of Credit for work completed.

Mr. Rice informed the Board that his office is awaiting easements and deeds of dedication on the open space portion to be dedicated to the Township and proper descriptions are needed for the road. Mr. Garton noted Gilmore and Associates review letter dated May 26, 2009 outlines four items that need to be completed prior to processing the final escrow release.

MOTION: Upon motion by Mr. Scanzillo, seconded by Mr. Jones, the Board accepted completion of the improvements and authorized release of \$23,410.30, conditioned upon completion of all items in Gilmore and Associates May 26, 2009 letter and receipt of all necessary easements and descriptions.

8.3. Budget Transfer: Transfer \$5,300.00 from Fiduciary Account to Park and Recreation Fund: Ms. Bradley explained to the Board that this is part of the Township match for the Vertis Park grant that was placed in a fiduciary account and may now be transferred to park and recreation for payment of vendors.

MOTION: Upon motion by Mr. Jones, seconded by Mr. Scanzillo, the Board approved the transfer of \$5,300.00 from Fiduciary Fund to Park and Recreation Fund.

8.4. Close out 18-month LOC for BOVA Food Distributors: Ms. Kichline explained that the Township received a request from BOVA to close out the Letter of Credit originally posted to cover the 18-month maintenance period for the completed construction project. The 18-month maintenance period ends in September 2009 and BOVA would like an early release. Mr. Garton informed the Board there were no public improvements and supports the release.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Bodden, the Board approved release and close-out of the BOVA Food Distributors 18-month LOC.

8.5. Award bid HVAC Units: Ms. Bradley informed the Board that seven bids were received for the replacement of five rooftop HVAC units. One bid is invalid due to not including prevailing wage rates in the bid. Ms. Bradley indicated Air Control Technology, Inc. of West Berlin, NJ was the apparent successful lowest qualified bidder at \$31,420.00. Ms. Bradley indicated all references checked out.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Bodden the Board awarded the bid for five rooftop HVAC units to Air Control Technology, Inc. and directed staff to execute the proper contracts.

9. Board of Supervisor Reports: Ms. Bradley presented a letter from Philadelphia Sports Club at Highpoint explaining their proposal to install an 8' x 10' utility shed on the property. Because the property is located in a commercial zone, the installation would require a land development plan. Due to the minimal impact, the applicant is requesting the Board to waive the land development process.

MOTION: Upon motion by Mr. Jones, seconded by Mr. Bodden, the Board waived the required land development submission conditioned upon zoning approval and payment of all required permit fees.

9.1. Appointments to Veteran's Memorial Committee: Ms. Bradley informed the Board that a number of people have expressed interest in serving on the Veteran's Memorial Committee and presented a list of names.

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Jones the Board appointed Robert V. Cotton, representing the Board of Supervisors, A. James Scanzillo, representing the Planning Commission, Eileen M. Bradley, representing Management, Leslie Bilotta, representing the Park and Recreation Board, Robert Scafidi, representing the Police Department, Scott Ambron representing the Public Works Department, and Dale Rimmer, representing the residents. Mr. Cotton thanked all for their interest and announced the date of the kick off meeting as June 25th at 9:00 a.m., where additional members would hopefully be found.

10. Township Administration Comments: Ms. Kichline informed the Board that a grant application is being submitted to DEP for the replacement of 77 sodium vapor and mercury vapor street lights to LED lights. The grant requires a Board Resolution in support of the project.

MOTION: Upon motion by Mr. Jones, seconded by Mrs. Haun, the Board approved Resolution 2009-11 as written. Mr. Cotton suggested visiting a township where the LED street lights were installed.

11. Solicitor and Engineer Comments: Mr. Kennard gave a brief outline of the land development and subdivisions under review. Mr. Rice indicated he will schedule the Metro PCS Conditional Use Hearing for the June 22nd Board of Supervisors meeting.

12. Other Business: None

13. Payment of Bills: Bill List dated May 28, 2009 in the amount of \$124,414.78:

MOTION: Upon motion by Mr. Bodden, seconded by Mr. Jones, the Board approved the bills list dated may 28, 2009 in the amount of \$124,414.78.

15. Public Comment: None.

16. Adjourn:

MOTION: Being no further business, upon motion by Mr. Bodden, seconded by Mr. Jones, the Board adjourned the meeting at 8:05 PM.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

Robert V. Cotton, Chair

John A. Bodden, Vice-Chair

James Scanzillo., Member

Helen B. Haun, Member

William B. Jones, Member

Attest: _____
Eileen M. Bradley
Secretary/Manager

