

**BOARD OF SUPERVISORS
MEETING MINUTES
January 27, 2020**

A Regular Meeting of the New Britain Township Board of Supervisors was held on Monday, January 6, 2020, 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 Helen B. Haun, Members Gregory T. Hood, Cynthia M. Jones, and MaryBeth McCabe, Esq. Also present were Township Manager Eileen M. Bradley, Johnathan Reiss, Esq. from the Township Solicitor's Office, and Township Engineer Craig Kennard, P.E.

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:** Mr. Jones announced that the Board had met in Executive Session prior to this Meeting discuss personnel issues, land acquisition, and litigation.
4. **Public Comment on Non-Agenda Items:** There was no Public Comment at this time.

Ms. Bradley requested the Board move Agenda Item #8.2 to this time to accommodate presenter Ms. Margaret Briggs who had broken her leg.

5. Approval of Minutes:

5.1. Minutes of Meeting of January 6, 2020:

MOTION: A motion was made by Mrs. Haun, seconded by Mrs. Jones and unanimously approved to accept the January 6, 2020 Minutes as written.

6. Departmental Reports:

6.1. Code Department Report for December 2019: Ms. Bradley presented the Code Department Report for December 2019.

6.2. Police Department Report for December 2019: Chief Scafidi presented the Police Department Report for December 2019.

Mrs. Jones asked if New Britain Township's Police Department had been involved in the SWAT incident in Hilltown. Chief Scafidi stated that three Township officers were active members of the regional SWAT team and other on-duty officers were there in support, including himself.

Mrs. Jones asked if we could begin utilizing crime watch software to post road closures. Chief Scafidi stated he would investigate.

Mrs. Haun asked about the kinds of frauds the Department was dealing with. Chief Scafidi stated that it varied.

Mr. Jones asked when the Police Department started tracking domestic incidents. Chief Scafidi stated they started two or three years ago.

6.3. Public Works Department Report for December 2019: Ms. Bradley presented the Public Works Department Report for December 2019 and Year-End 2019.

7. Consideration of Old Business:

7.1. Assal/Hallmark Homes/Mill Ridge Tract: Appearing for the Applicant was Mr. John VanLuvaneé, Esq. of Eastburn and Gray, P.C., and Mr. Rich Carroll of Hallmark Homes Group, Inc. Mr. VanLuvaneé provided background for the 56-acre project, located in both New Britain and Hilltown Townships. Mr. VanLuvaneé stated that they had obtained provisional Land Development Approval from Hilltown Township and would withhold Final Approval until such time as New Britain Township was satisfied with the plan. New Britain and Hilltown Townships would need to execute an Intermunicipal Agreement for road maintenance and sharing of Liquid Fuels funds.

Mr. VanLuvaneé stated that the project had been to the Planning Commission and the Board of Supervisors several times, and engineers had addressed difficult stormwater management issues. The applicant had addressed stormwater to work with or without the easements from neighboring downstream properties, and had developed plans for both scenarios. Some of the waivers in the January 14 waiver request letter were to allow the applicant to change the stormwater plan should they be unable to obtain easements. The applicant was seeking Preliminary/Final Land Development approval.

Ms. McCabe asked how the applicant was going to delineate the conservation easement on each property for the initial and future owners of each property. Mr. VanLuvaneé stated that a homeowners' association (HOA) would be responsible for the maintenance of all conservation easement. Mr. Carroll stated that the landscaping plan could be modified to use plantings as visible indicators of the Conservation Easement borders.

Ms. McCabe asked if the Township Engineer had any issues with the waivers being requested. Mr. Kennard stated that he felt the applicant had gone above and beyond by attempting to control the water from their property and upstream properties. The applicant was reducing the effect of the 100-year storm by 15% more than what was required by ordinance.

Ms. Bradley stated that staff recommended the Township Solicitor prepare a draft resolution for the Board's consideration at its next meeting.

MOTION: Upon motion by Ms. McCabe, seconded by Mrs. Jones, the Board unanimously authorized the Township Solicitor to draft a resolution granting Preliminary/Final Subdivision and Land Development for Assal/Hallmark Homes/Mill Ridge Tract.

7.2. New Galena Road Bridge Closeout: Ms. Bradley stated that the contractor for the New Galena Road Bridge project had concluded the 18-Month Maintenance Period, addressing all outstanding issues, and recommended the project be officially closed out.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Hood, the Board unanimously approved to close-out the New Galena Road Bridge Project and return of all retainage.

7.3. Colebrook Dedication and Maintenance Period: Ms. Bradley stated that at their last meeting, the Board tabled this item until issues with signage and maintenance bond language could be addressed by staff. Both issues had been resolved and she recommended commencement of the 18-Month Maintenance Period for the Colebrook Development.

MOTION: Upon motion by Mr. Hood, seconded by Mrs. Jones, the Board unanimously approved accepting dedication of the Colebrook Subdivision public improvements and commencement of the 18-Month Maintenance Period.

8. Consideration of New Business:

8.1. Galena Reserve Mobile Home Park Sketch Plan: Appearing for the Applicant was Robert Newton, P.E. of Urwiler & Walter, Inc. Mr. Newton began presenting a revised sketch plan that had not been submitted to the Township and not been seen by any staff. Ms. Bradley and Mr. Kennard asked Mr. Newtown to submit plans with the water and sewer issues worked out, then return with a representative with authority to speak on behalf of the applicant.

Residents Ed VanLuvanee, Emma VanLuvanee, James Marino, and Stephen Rizzo all expressed questions and concerns about the project. Ms. Bradley, Mr. Kennard, and the Board stated that they could not answer questions on a plan they had never seen and residents should wait until the applicant submitted a true application.

8.2. Open Space Inventory Presentation: Ms. Margaret Briggs of Forest Park and Mr. Ken Jones of Circle Drive had evaluated fourteen (14) Township-owned open space parcels, and presented their findings to the Board. The goal of the evaluation was to protect open space parcels, natural areas, and animal habitats. Ms., Briggs recommended several parcels be classified as federal 4(f) areas due to recreation potential, natural habitats or wildlife sanctuaries, which could protect them from being disturbed. Additionally, she requested reinstating the Land Preservation Environmental Advisory Committee (LPEAC). She could gather volunteers to assist in maintaining the parcels by removing invasive species and planting native species with the assistance of Township staff through potential grant funding.

Ms. Briggs asked Eileen Bradley to elaborate on the current trail project. Ms. Bradley stated that construction was underway on Phase III of the Neshaminy Greenway Trail and that the Township was in the process of applying for grants for Phase IV and V. The Township was also working on the Old Iron Hill Trail, leading to Lake Galena, and several other potential trail expansions.

Ms. Haun stated that on February 9, Chalfont Borough would host a seminar on invasive species, and encouraged all to attend.

Ms. McCabe thanked Ms. Briggs and Mr. Jones and said she would support protecting the open space parcels by classifying them as 4(f). Ms. Haun stated she had always been a supporter of preserving open space.

Ms. McCabe stated she would propose reinstating the LPEAC. Mrs. Jones asked how to go about resurrecting the Committee. Mr. Hood stated that the maintenance and upkeep of open space fell to the Park and Recreation Board, and identifying parcels as potential open was under the purview of the Planning Commission.

Ms. Briggs stated that she had brought this to the Park and Recreation Committee and that they were very busy with the expansion of the Township's recreation facilities, such as Neshaminy Greenway Trail, Old Iron Hill Trail, and Cotton Park. She suggested that a subcommittee of Park and Recreation might be more effective.

9. Consent Agenda:

MOTION: Upon motion by Mrs. Haun, seconded by Ms. McCabe, the Board unanimously approved the following Consent Agenda items: Execution of a Professional Services Agreement

with Thomas D. Rogerson for an in-ground swimming pool at 142 King Road, TMP #26-004-014-004, with corresponding legal and engineering escrow of \$5,000.00; Execution of a Stormwater Facilities Operations and Maintenance Agreement with Dustin Breuer for construction of a driveway and pole barn at 181 Sellersville Road, TMP #26-001-095-002, with corresponding Maintenance Guarantee Fee of \$841.25; Escrow Release #5 for Holy Properties LLC for 324 Schoolhouse Road property in the amount of \$35,824.50, leaving \$65,051.38 remaining; Escrow Release #6 for Mode/Blue Bus Holdings in the amount of \$558,525.38, leaving \$274,789.11 remaining.

Ms. McCabe expressed concern with the amount of excess impervious at Holy Properties on Schoolhouse. Ms. Bradley stated that Holy Properties had been placed on notice, and the Township would retain the remaining escrow of \$65,051.38 until compliance was obtained. Additionally, Holy Properties was planning on submitting land development plans for the property, which would also be held up until compliance.

10. Board of Supervisors' Comments: Ms. McCabe stated that she had attended Boot Camp for New Elected Officials over the weekend and learned a lot. Mrs. Jones added that she would be attending a seminar on February 20 in Doylestown about Meadow Management.

11. Township Administration Comments:

11.1. Budget Amendment Resolution #2020-06: Ms. Bradley stated that the proposed resolution provided administrative clarification to three 2020 Budget Line Items, and requested Board approval. The first item redistributed \$14,916.00 to the correct fund; the second item eliminated an unbalance entry; and the third transferred \$200,000 from the General Fund Operating Account with \$100,000 to General Reserve Savings and \$100,000 to General Reserve Accrued Leave Account.

MOTION: A motion was made by Mrs. Haun, seconded by Mr. Hood and unanimously approved, to adopt Resolution #2020-06, Budget Amendment Resolution.

11.2. PRDC 84 Schoolhouse Zoning Hearing: Ms. Bradley stated that on Thursday, February 20 at 7:00 p.m., the ZHB would consider the REVISED application of PRDC for the property at 84 Schoolhouse Road, TMP #26-005-003 in the RR Residential Zoning District. The applicant was requesting a Special Exception and multiple variances to construct 12 Single-Family Detached dwellings (B3) on 9.136 acres. At a prior meeting, the Township had voted to send the Township Solicitor to oppose the application. Interested parties were encouraged to attend.

Ms. Bradley reiterated that the Board had previously motioned to send the Township Solicitor to oppose this application. The application had been continued multiple times by the applicant, but was back in a revised state; from 16 dwelling units to 14 unit, down to the current 12 dwelling units. It was Staff's recommendation that the Board again send the Township Solicitor to oppose the application.

MOTION: Upon motion by Mrs. Haun, seconded by Mr. Hood, the Board unanimously authorized the Township Solicitor to appear before the Zoning Hearing Board on February 20, to oppose the application of PRDC for 84 Schoolhouse Road.

11.3. Walters Road Culvert Change Order: Ms. Bradley stated that the Walter Road culvert project required a Change Order to correct an issue with the roadside swale depth prior to installation of guiderail. Paperwork was forthcoming from the contractor, but she requested approval of the Change Order not to exceed \$25,000, so that work could continue and we could avoid costly delay charges.

MOTION: Upon motion by Mr. Hood, seconded by Mrs. Jones, the Board unanimously approved a Change Order not to exceed \$25,000.00 for swale work at the Walters Road Culvert project.

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

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

14. Public Comment: Mr. Stephen Rizzo of Ferry Road introduced himself as the new liaison for the Doylestown Volunteer Fire Company.

15. Payment of Bills:

15.1. Bills List dated January 16, 2020 for \$13,538.26:

MOTION: Upon motion by Mrs. Haun, seconded by Ms. McCabe, the Board unanimously approved the Bills List dated January 16, 2020 for \$13,538.26.

15.2. Bills List dated January 24, 2020 for \$245,468.34:

MOTION: Upon motion by Mr. Hood, seconded by Mrs. Jones, the Board unanimously approved the Bills List dated January 24, 2020 for \$245,468.34.

15.3. Bills List dated January 27, 2020 for \$6,545.85 (medical reimbursements):

MOTION: Upon motion by Mrs. Jones, seconded by Mrs. Haun, the Board unanimously approved the Bills List dated January 27, 2020 for \$6,545.85 (medical reimbursements).

16. Adjournment:

MOTION: There being no further business or comment, a motion was made by Mrs. Jones, seconded by Mrs. Haun, and unanimously carried, to adjourn the meeting at 8:35 p.m.

NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS




William B. Jones, III, Chair



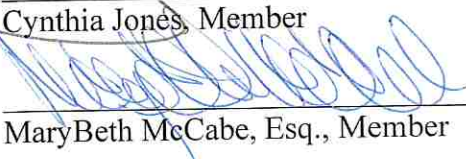
Helen B. Haun, Vice Chair



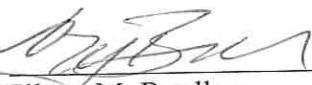
Gregory T. Hood, III, Member



Cynthia Jones, Member



MaryBeth McCabe, Esq., Member

Attest: 

Eileen M. Bradley
Secretary/Manager

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