

**BOARD OF SUPERVISORS  
MEETING MINUTES  
January 4, 2021**

A Re-Organization/Regular Meeting of the New Britain Township Board of Supervisors was held on Monday, January 4, 2021, at the Township Administration Building, 207 Park Avenue, New Britain Township, PA, beginning at 7:00 p.m. Present were Supervisors: William B. Jones, III, Helen B. Haun, Gregory T. Hood, Cynthia M. Jones, and MaryBeth McCabe. Also present were Township Manager Eileen M. Bradley and Township Solicitor Peter Nelson, Esq.

**I. Reorganization:**

1. **Pledge of Allegiance:** Mr. Jones led the Board and audience in the Pledge of Allegiance.

2. **Appointment of Temporary Chair:**

**MOTION:** A motion was made by Mr. Hood, seconded by Mrs. Haun, and unanimously carried, to nominate William B. Jones, III as Temporary Chair.

3. **Swearing in of Elected Officials:** There was no Swearing in of Elected Officials at this time.

4. **Nomination(s) for Permanent Appointment of Chair, Vice-Chair**

**MOTION:** Upon nomination by Mrs. Haun, seconded by Mr. Jones, Mr. Hood was nominated as the Permanent Chair. No other nominations were presented.

**MOTION:** Upon nomination by Mr. Hood, seconded by Mr. Jones, Mrs. Haun was nominated as the Vice-Chair.

**MOTION:** Upon nomination by Ms. McCabe, seconded by Mrs. Jones, Mrs. Jones was nominated as the Vice-Chair.

5. **Appointment of Permanent Chair, Vice-Chair:**

Mr. Jones asked for a vote for the motion nominating Mr. Hood for Chair.

**MOTION:** Upon motion by Mrs. Haun, seconded by Mrs. Jones, the Board unanimously appointed Mr. Hood as Chair.

Mr. Jones asked for a vote for the first motion nominating Mrs. Haun for Vice-Chair.

**MOTION:** Upon motion by Mr. Hood, seconded by Mr. Jones, the Board appointed Mrs. Haun as Vice-Chair by majority vote, 3-2, with Mrs. Jones and Ms. McCabe opposed.

The second motion nominating Mrs. Jones for Vice-Chair became moot with the majority appointment of Mrs. Haun as Vice-Chair.

6. **Appointments Resolution #2021-1: Appointments, Reappointments, and Modifications of**

**Appointments:** Mr. Jones asked if there were any changes to Resolution #2021-01. Mrs. Jones stated that she would like to see Ms. McCabe appointed to some of the committees, such as the Veteran's Committee, and she would like to see the Board Liaison appointments rotated. After discussion, Mrs. Haun offered to

give up her position on the Capital Planning Committee to Ms. McCabe. The Board agreed to appoint Ms. McCabe to both the Veterans Committee and the Capital Planning Committee.

**MOTION: Upon motion by Mrs. Haun, seconded by Mr. Hood, the Board unanimously adopted Resolution #2021-01, setting various Committee and Board appointments effective January 2, 2021, to be amended per the Boards discussion; and authorizing all Supervisors and key staff members to attend the PSATS and BCATO annual conventions with all expenses paid thereto.**

At this time Mr. Hood assumed his role as Chair.

#### 7. Approval of 2021 Meeting Dates:

**MOTION: Upon motion by Mr. Jones, seconded by Ms. McCabe, and unanimously carried, the Board approved the Meeting Schedule for 2021.**

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## II. Public Meeting Agenda

1. **Call to Order:** Mr. Hood called the Meeting to order.

2. **Board Seating:**

3. **Announcements:** Mr. Hood announced that the Board had met in Executive Session prior to this Meeting to discuss personnel issues and land acquisition.

4. **Public Comment on Non-Agenda Items:** Ms. Deb Rendon of Keller Road stated that a logging operation was taking place on a parcel owned by Janice Shelly. Ms. Shelly's father, Jack Shelly, had previously preserved his property through New Britain Township and Bucks County, and forested portions of the property slowly. Ms. Rendon was concerned the property would be clear cut and all the large oak trees would be removed. She presented the Board with several ideas to preserve or halt the removal of these trees. Mr. Walsh stated that the property owner was provided notice that the work being conducted required a Zoning Permit and all work should stop until the contractor came into compliance with the Township Zoning Ordinance. PECO and the Conservation District had been contacted and were investigating the issue. The Board authorized staff to reach out to Ms. Shelly to discuss the preservation of the property.

Ms. Maryanne McBrearty of Dolly Lane stated that neighbors were still experiencing rodent issues from the abandoned property at 113 Dolly, and expressed concerns with the cancelation of court proceedings, and wanted to know what else could be done.

Ms. McCabe stated that the Township had no control over the partially functioning judicial system and the Township could not touch the home until the injunction case was concluded. Mr. Hood stated that the Board had already expended a significant amount of money to maintain the property in its current condition.

Ms. McBrearty asked if the court case was just about reimbursement. Mr. Nelson stated that the legal proceedings involved two aspects: granting the Township the legal authority to work on the property and obtain reimbursement for that work. He stated the Township was currently doing everything within its power to maintain the status quo for the neighbors.

#### 5. Approval of Minutes:

##### 5.1. Minutes of Meeting of December 7, 2020:

**MOTION:** Mr. Jones made a motion, seconded by Ms. McCabe, to accept the December 7, 2020 Minutes as written. The motion passed on a vote of 4 to zero, Mrs. Haun abstaining due to absence from the meeting in question.

## 6. Departmental Reports:

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

**6.2. Police Department Report for November 2020:** Mr. Walsh presented the Police Department Report for November 2020.

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

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

## 8. Consideration of New Business:

**8.1. Benefits Package for Chief Scafidi as Resolution #2021-02:** Mr. Walsh stated that the Chief was scheduled to retire at the end of June. Resolution #2021-02 had been modified to provide the Chief with half of his usual PTO benefits.

**MOTION:** Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board unanimously approved Resolution #2021-02, setting the annual Benefits Package for Chief Robert Scafidi.

**8.2. Fee Schedule as Resolution #2021-03:** Mr. Walsh stated the Official Township Fee Schedule reflected minor changes discussed by the Board at the December 7, 2020 meeting. Mrs. Jones asked if any changes were made to the park's fees for non-residents. Mr. Walsh stated that staff needed to conduct a complete review of fees charged by municipalities in the surrounding area.

**MOTION:** Upon motion by Mr. Jones, seconded by Mrs. Jones, the Board unanimously approved Resolution #2021-03, setting the Fee Schedule for 2021.

**8.3. Fund Balance Policy for 2021 as Resolution #2021-04:** Mr. Walsh stated there were no changes from previous years' policy.

**MOTION:** A motion made by Mr. Jones, seconded by Mrs. Jones, and unanimously approved Resolution #2021-04, setting the Fund Balance Policy for 2021, based on GASB requirements.

**8.4. Tax Collector Salary for 2022-2025 as Resolution #2021-05:** Mr. Walsh stated Resolution #2021-05 needed to set the salary for the Real Estate Tax Collector prior to February 15. The Resolution reflected a slight increase in wages for the Tax Collector to \$22,500.00.

**MOTION:** Upon motion by Mrs. Haun, seconded by Ms. McCabe and unanimously approved Resolution #2021-05, setting the salary and fees for the Real Estate Tax Collector for tax years 2022-2025 at \$22,500.00.

## 9. Consent Agenda:

**MOTION:** Upon motion by Mr. Jones, seconded by Mrs. Haun, the Board unanimously approved the following Consent Agenda items: Escrow Release #2 for Hallmark Homes-Mill Ridge LLC for the Mill Ridge Subdivision in the amount of \$87,016.50, leaving \$784,350.95 remaining; Payment Application #5 (FINAL) for DOLI Construction Corporation for the 2018 Culvert Replacement Project, for \$10,000, representing the retainage amount held by New Britain Township. DOLI had also submitted an 18-month Maintenance Bond of \$153,149.55 and all appropriate closing documents.

**10. Board of Supervisors' Comments:** Ms. McCabe thanked the Public Works for their hard work during the high winds and rains on Christmas Eve. The rest of the Board reiterated Ms. McCabe's sentiment.

**11. Township Administration Comments:**

**11.1. Zoning Hearings:** Mr. Walsh stated that on Thursday, January 21 at 7:00 p.m., the Zoning Hearing Board would consider two applications. Interested parties were encouraged to attend.

- a. John and Jessica Handschuh of 142 New Galena Road, TMP #26-001-062, a B1 Use in the SR-2 District requested a variance from dimensional requirements for construction of an addition to connect the existing home to an existing garage.
- b. John and Kate O'Rourke of 206 W Fairwood Drive, TMP #26-028-010, a B2 Use in the RR District proposed an addition to expand the current living space to add a bedroom. The Applicant was appealing the Zoning Officer's denial of a zoning permit as an extension of a nonconforming structure; and/or seeking variances to permit a rear yard setback of 22 ft. (40 ft. required).

Ms. McCabe stated that she had concerns about the hearing for 206 W Fairwood Drive, as the Board had been looking into revoking all license agreements for use of Township open space and wanted to make sure the Zoning Hearing Board understood their intent to revoke these license agreements. Mr. Hood and the rest of the Board agreed.

**MOTION:** A motion made by Mrs. Haun, seconded by Ms. McCabe, and unanimously approved to send Mr. Nelson to the Zoning Hearing Board, not to oppose the O'Rourke application, but to represent the Township's interests regarding the open space license agreement for 206 W. Fairwood.

**11.2. Stormwater Ordinance Waiver Request for 22 Farber Drive:** Mr. Walsh stated that the Township had not received any viable reason to grant a waiver from the Stormwater Ordinance for 22 Farber Drive. The Stormwater Ordinance was established in response to State and Federal mandates and Staff did not recommend granting the waiver from stormwater.

**MOTION:** A motion made by Mr. Jones, seconded by Mrs. Haun, and unanimously denied the Stormwater Ordinance waiver request for 22 Farber Drive.

**11.3. 2021 Bid Limits and IRS Approved Mileage Allowance:** Mr. Walsh provided the Board with the 2021 Bidding Limits, with a slight increase from 2020 in all categories. The IRS-approved mileage reimbursement rate for 2021 was set at \$0.56 per mile, a decrease of 1.5 cents from 2020.

**11.4. Appointment of Municipal Services Clerk:** Mr. Walsh stated that he had extended an employment offer to Ms. Kimberly Goodwin for the vacant position of Municipal Services Clerk at \$20.00 per hour and full benefits, pending successful completion of pre-employment physical and drug screen. Ms. Goodwin had accepted the position.

**MOTION: Upon motion by Mrs. Jones, seconded by Ms. McCabe and unanimously carried, the Board appointed Kimberly Goodwin as Municipal Services Clerk at \$20.00 per hour, effective January 11, 2021.**

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

**12.1. PRDC Zoning Hearing Board Update:** Mr. Nelson stated that the appeal period had passed for PRDC to appeal the Zoning Hearing Boards' decision to deny variances at 84 School House Road. The plan presented to the Zoning Hearing Board was officially off the table. Mr. Walsh stated that no new plans had been submitted to date.

**12.2. County Builders Zoning Hearing Board Update:** Mr. Nelson stated that the written decision in the County Builders W. Butler Avenue application had not yet been issued and the Zoning Hearing Board had until January 8 to issue the written decision. Mr. Walsh stated that once the written decision was issued, it would appear on a future Board agenda.

**12.3. Prime Builders Conflict Waiver:** Mr. Nelson stated that his firm had a conflict of interest in the Prime Builders development project for the Benner property. Another attorney from his firm had represented Ms. Benner in matters of estate planning. The attorney did not represent Ms. Benner presently and did not represent her for this land development project. To resolve the conflict, Ms. Benner would need to sign a waiver letter with her attorney stating that she was aware of the conflict but waived any concern. Mr. Nelson requested that the Board grant a waiver from this conflict as well, to be signed by the Chair.

**MOTION: Upon motion by Mrs. Haun, seconded by Mr. Jones, the Board unanimously approved having Chair, Gregory T. Hood sign the Waiver of Conflict Letter for the Benner Property.**

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

**14. Public Comment:** Ms. McBrearty asked about the paving on Business Route 202. Mr. Walsh stated that Aqua PA would be required to repave the road after the conclusion of their work. Paving required specific minimum temperatures to meet PennDOT standards and final repaving might not occur until temperatures increase in the spring.

**15. Payment of Bills:**

**15.1. Bills List dated December 11, 2020 for \$1,374.79:**

**MOTION: Upon motion by Mr. Jones, seconded by Ms. McCabe, the Board unanimously approved the Bills List dated December 11, 2020 for \$1,374.79.**

**15.2. Bills List dated December 15, 2020 for \$3,464.32:**

**MOTION: Upon motion by Mrs. Haun, seconded by Mrs. Jones, the Board unanimously approved the Bills List dated December 15, 2020 for \$3,464.32.**

15.3. Bills List dated December 22, 2020 for \$327,940.99:

MOTION: Upon motion by Mrs. Jones, seconded by Mr. Jones, the Board unanimously approved the Bills List dated December 22, 2020 for \$327,940.99.

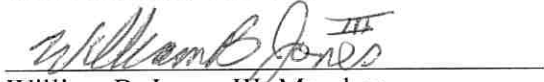
16. Adjournment:


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


NEW BRITAIN TOWNSHIP BOARD OF SUPERVISORS

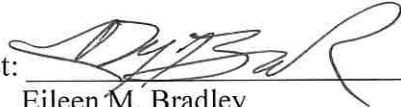
  
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Gregory T. Hood, Chair

  
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Helen B. Haun, Vice Chair

  
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William B. Jones, III, Member

  
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Cynthia Jones, Member

  
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MaryBeth McCabe, Member

Attest:   
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Eileen M. Bradley  
Secretary/Manager

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