

London Britain Township Board of Supervisors Meeting

February 14, 2011

Approved at the 3/14/11 Board of Supervisors meeting

Aileen Parrish, Chairman of the Board of Supervisors opened the Zoning Ordinance Hearing at 7:20 PM.

In attendance were Supervisors Glenn Frederick and David Owens, Secretary Carolyn Matalon, Zoning Officer Dave Gargula, Engineer Pat Walsh, and several residents.

Zoning Ordinance Hearing Cont'd- Aileen Parrish opened the Zoning Ordinance Hearing at 7:05pm. Aileen Parrish noted that an advertised work session was held with the LBT Planning Commission and Ann Hutchinson from the Natural Lands Trust. Ann Hutchinson has some recommendations for London Britain Township which have not been received yet.

Dave Gargula recommended a change to calendar days in Article 4 Section 402D1a-b, add language regarding the sale of fireworks to Article 5 Section 502B5,

David Owens made a motion to continue The Zoning Ordinance Hearing to 3/14/10 at 7:00 pm.

Glenn Frederick seconded and the motion carried unanimously.

Aileen Parrish made a motion to adjourn the Zoning Hearing at 8:05 pm.

Aileen Parrish, Chairman of the Board of Supervisors opened the Board of Supervisors meeting at 8:05pm

In attendance were Supervisors Glenn Frederick and David Owens, Secretary Carolyn Matalon, Zoning Officer Dave Gargula, Engineer Pat Walsh, Roadmaster Joe Ferguson and several residents

Road Report

Joe Ferguson read the January 2011 Road Report (report attached)

Lieberman concerns with the Glen Rd/Indiantown Rd intersection- Joe Ferguson replaced the old stop signs with 36" x 36" stop signs with new high resolution signs at both sides of the intersection of Glen Rd and Indiantown Rd. Aileen Parrish called Lt Brown at the Avondale barracks to request increased monitoring of the Glen Rd and Indiantown Rd areas for traffic offenders and notified him that his suggestions for increased signage in the area is completed and/or ordered and will be installed as soon as they are received. A resident requested the Township speed monitor be placed in this area for speed monitoring. Joe Ferguson will measure the Right of Way at the intersection and trim limbs and trees for better site distance. Aileen Parrish asked the area residents to monitor the area for any improvements or changes to the area are reported to the Township. Joe Ferguson will research placing cross traffic does not stop or something similar on both sides of Indiantown. The Board approved the purchase of one barrel with a light to be placed in the intersection area.

Bille Stoney Ridge Island Concern- Glenn Frederick will need to check the deed of dedication for this development to see if the loop is included in the deed of dedication. The loop in front of TP# 73-3-38.15 Stoney Ridge Rd has not been cleared during past storms.

Chesterville Rd Bamboo- A letter was drafted by the Township attorney to send to the resident at 138 Chesterville Rd regarding the road hazard the bamboo located on their property creates during storms. The bamboo is 35-40'tall and impending storms may bring the bamboo back on the road.

Park Report

Carolyn Matalon read the January 2011 Park Report (report attached)

Zoning Report

Dave Gargula noted there were 3 Building permits issued for January 2011

BP#10-101	West	222 Mercer Mill Rd	roof rafters
BP#10-103	Conner	121 Glenann Dr	solar
BP#10-104	Lieberman	317 Indiantown Rd	addition

Dave Gargula read the complaints received during January 2011. (report attached)

Other Zoning Matters

There being no further business Dave Gargula left the meeting at 9:18 pm.

Propogation Permit Mallard Ducks- Josh Gellner applying for a propogation permit for mallard ducks and part of the permit application process is an approval from the township. The Board agreed to send a letter of approval for the Gellner (Chesterville Rd) propogation permit.

Subdivision and Land Development

Planning Commission- The Planning Commission will be discussing the Vannoy subdivision and the Compton sketch plan at their meeting on 2/15/11.

Flint Hill Crossing- Aileen Parrish read the email letter sent from Township Attorney Tom Oeste regarding Flint Hill Crossing. It read as follows:

You have asked my opinion regarding whether the Township should accept dedication of the roads and right-of-way in the Flint Hill Crossing Development prior to the completion of the roads, installation of street trees and the completion of all punch list items. My view is that it is not advisable to accept dedication until all work is completed to the satisfaction of the Township.

First, the Township is under no obligation to accept dedication at any specific time, or, in fact, accept dedication at all. The Township does not even consider acceptance until the developer completes the project in accordance with the approved plan, prepares deeds of dedication, presents evidence of clear title and posts maintenance financial security. The Municipalities Planning Code provides that the Township may require maintenance security to guarantee the structural integrity of dedicated improvements, but limits the duration of that security to 18 months from the date of dedication. Therefore, the acceptance of an offer of dedication prior to completion is ill-advised since the financial security period could expire before all the improvements are completed. The Township would then be financially responsible for repairing any problems. Although the Township could request an extension of the 18-month period, the developer is not required to extend the period.

Additionally, the developer may lose incentive to complete the improvements and punch list if an uncompleted road is accepted. Once the developer is relieved of the duty to maintain and clear the roads of snow and ice, there is a less of a reason to expedite completion. Although the Township has financial security to complete the improvements, completing the improvements is not something the Township wants to do and the amount of the security may be insufficient to do the work. The Township would then be forced to try to collect the balance from the developer.

I understand that the school district refuses to enter the development because the roads are not dedicated. This is a typical school district policy and the Township is not preventing buses from entering the development. I understand the bus picks up and discharges on the public road and the students are not required to cross the road to board the bus. Parenthetically, I have heard bus contractors and school district transportation personnel say that it is safer for the students to board as heretofore described under the protection of the bus's flashing red lights then for the bus to pull out onto the public road from the development road. In any event, the Township is not responsible for the school district's decision not to enter the development.

Lastly, the Township's consistent policy has been to not accept dedication until everything is completed. I see no reason to deviate from that policy in this case.

The Board of Supervisors is in agreement with the Township attorney.

WGFC- The WGFC would like to possibly place a fuel tank at the Township location which could be accessed by separate key systems by both the WGFC and the Township.

The Board of Supervisors will discuss this matter and address it again at a future meeting. Radar (WGFC) will research prices on a 500 gallon tank.

Minutes

1/3/11 Reorganization- Aileen Parrish made a motion to adopt the minutes of 1/3/11 as read. David Owens seconded and the motion carried unanimously.

1/3/11- Aileen Parrish made a motion to adopt the minutes of 1/3/11 as read. David Owens seconded and the motion carried unanimously.

1/24/11 Glenn Frederick made a motion to adopt the minutes of 1/24/11 as read. David Owens seconded and the motion carried unanimously.

Old Business

TMH- Aileen Parrish noted that we are waiting on reports and invoices from TMH for the services they provide at Windsor and the Shoppes of London Britain.

Sewage Operator Bid- Pat Walsh will work on putting together the Sewage Operator RFP.

Windsor sewage permit- Carolyn Matalon reported that it is still under review by DEP.

There being no further business Township Engineer left the meeting at 9:50 pm.

WGFC Lease- Glenn Frederick made a motion, upon completion of the lease document with WGFC which is tentatively approved, to be signed outside of a meeting. David Owens seconded and the motion carried unanimously.

New Business

Heating System for the Township Building- A quote was received for a new heating system for the Township building. Glenn Frederick will research the electric rate for the Township.

Open Space Tax- Land trust members Carl Kriebel, Jerry Darke, Mark Gormel and Ms. Austin discussed the maintenance needs for the Open Space with the Board of Supervisors. There was discussion of a referendum for an Open Space Tax which would be used for maintenance. There was also discussion of meeting this need through the existing Park Fund and not an additional Open Space Tax. More research and discussion is needed.

Botanical Survey Native Plants- David Owens discussed the need for distribution of native plants that are in danger to our area. The Board decided a special committee should be formed to discuss this further. Carl Kriebel will contact members of the Open Space and Trail committee.

Adjournment

David Owens made a motion to adjourn the meeting at 11:00PM. Aileen Parrish seconded and the motion carried unanimously.