

London Britain Township Board of Supervisors Meeting

November 25, 2013_{approved 12/9/13 BOS mtg}

Zoning Hearing

David Owens Chairman of the Board of Supervisors opened the Zoning Hearing at 7:00pm. In attendance were Supervisors Aileen Parrish and Glenn Frederick, Secretary Carolyn Matalon and Park & Recreation Board member Bill Maslanka.

David Owens made a motion to continue the hearing to Monday January 27, 2013 @ 7pm. Aileen Parrish seconded and the motion carried unanimously.

Board of Supervisors meeting

David Owens Chairman of the Board of Supervisors opened the Board of Supervisors meeting at 7:10pm. In attendance were Supervisors Aileen Parrish and Glenn Frederick, Secretary Carolyn Matalon, Treasurer Nette Stejskal, Planning Commission member Les Town and members of WGFC and Avondale Fire Co and several residents.

WGFC and Avondale Fire Co- Aileen Parrish had contacted both Avondale Fire Co. and WGFC to discuss the percentage of coverage in the Township now that WGFC has a station located in in the Township. Both companies are represented at the meeting tonight. WGCF and Avondale Fire Co both agreed that both companies work well together with providing a service to the Township. Both WGFC and Avondale Fire Co presented incident and response data of the fire engines and ambulances to the Supervisors.

Aileen Parrish thanked both fire companies for the information presented and the service provided. The Township will take all of the information into consideration and is not prepared to discuss any percentage of coverage changes at tonight's meeting.

Business

Nichol property subdivision- Township attorney Tom Oeste suggested a Resolution for the Nichol property to put all directives to Hillcrest Assoc. in writing for the the Nichol/London Britain Station property.

Tom Oeste read Resolution #13-13 which reads as follows:

RESOLUTION #13-13

A RESOLUTION OF THE LONDON BRITAIN TOWNSHIP BOARD OF SUPERVISORS
CONDITIONALLY ACCEPTING AN EXTENSION OF TIME UNDER SECTION 508(3) OF THE PENNSYLVANIA MUNICIPALITIES
PLANNING CODE FOR THE FINAL PLAN FOR LONDON BRITAIN STATION

WHEREAS, in April 2007 RML Associates 1, LLC filed an application for Final Subdivision Plan approval for London Britain Station; and

WHEREAS, on August 27, 2007 Walsh Engineering, Inc., Township Engineer, issued a letter to the Applicant reviewing the Final Plan for compliance with the Township Subdivision and Land Development Ordinance and other applicable laws and regulations; and

WHEREAS, the Applicant, in response to the review letter, submitted a revised (last revised 10/16/07) Final Plan to the Township under cover letter of Hillcrest Associates dated November 12, 2007; and

WHEREAS, in January 2008 the Applicant requested that the Township suspend review of the Final Plan, and thereafter, at the Applicant's request, the Applicant offered and the Board of Supervisors accepted repeated extensions of time of the decision period under Section 508 of the MPC, the latest extension to expire on November 30, 2013; and

WHEREAS, the Board advised the Applicant by letter sent on September 18, 2013 that it did not intend to grant any further extensions of time unless the Applicant made substantial progress toward addressing all outstanding review issues before November 30, 2013; and

WHEREAS, the Applicant's representative and engineer, Hillcrest Associates, appeared at the November 11, 2013 Board of Supervisors public meeting without having made any progress on the Final Plan and requested an additional 120-day extension; and

WHEREAS, the Board indicated it would defer its decision on the offered extension until the Board's public meeting on November 25, 2013 to permit the Applicant to substantiate work done on the Plan since the Board's September 18, 2013 letter.

WHEREAS, by letter dated November 19, 2013, Hillcrest Associates purportedly responded to a review letter issued by the Township Engineer on September 29, 2011, and attached certain documents which are virtually identical to documents submitted to the Township in 2008; and

WHEREAS, the Hillcrest November 19, 2013 letter requests in essence that any further review be "held until a later date" due to the amount of past and future review fees.

NOW, THEREFORE, be it and it hereby is resolved by the Board of Supervisors of London Britain Township as follows:

1. The Board of Supervisors hereby agrees to an extension of time for decision on the Final Plan until the Board's February 10, 2014 public meeting. The Applicant's offer of a 120-day extension is not accepted.

2. The Board directs the Township Engineer, in consultation with the Wastewater Engineer Joe Boldaz and the Township Solicitor if necessary, to review the latest Final Plan submission and, on or before December 16, 2013, send to the applicant a comprehensive review of the Final Plan, indicating all items that need to be addressed and the citation to the applicable ordinance, statutory or regulatory provisions to which there has not been compliance. The cost of the review and letter shall be paid by the Applicant in the normal course

3. The Board will expect the Applicant to revise the Final Plan and accompanying documents in accordance with the review letter and submit the revised Final Plan and substantive responses to all comments in the Walsh review letter to the Township Secretary by January 31, 2014.

4. The Board will make a decision on the Final Plan or consider a further extension request from the Applicant at the Board's February 10, 2014 meeting depending on the status of the Final Plan at that time. The Board advises the Applicant that if the Applicant does not comply with the terms of this Resolution, the Board will consider denying the Final Plan Application at its February 10, 2014 meeting.

5. The Township Secretary is requested to send an executed copy of this Resolution to the Applicant by certified mail return receipt requested forthwith.

6. This Resolution shall be effective immediately.

RESOLVED AND ADOPTED this 25th day of November, 2013.

Aileen Parrish made a motion to adopt Resolution#13-13 as read. David Owens seconded and the motion carried unanimously.

Hillcrest Representative Matt Longo expressed a concern that the Resolution states that the plan reviews need to be done. Matt Longo stated that the 1/31 revision date is ok but if the revisions are submitted can the clock be stopped again. Tom Oeste responded by stating that the Supervisors expectation is that the plan is moved so that it is moved forward or ended. It is the applicant's option to withdraw the plan. The Township consultants will do a complete review and nothing will be deferred. Township attorney Tom Oeste stated that Hillcrest Assoc. will continue to work on this plan in due diligence to completion but again it is noted that the applicant can withdraw the plan if their intention is not move forward. Glenn Frederick noted that a signed copy of the Resolution #13-13 was given to Matt Longo/Hillcrest Assoc. at the meeting tonight.

Windsor Treatment Plant- Township Treasurer Nette Stejskal stated that the current invoices not billed to the Gilman's are May-Sept 2013, \$5600 for the Subdivision punchlist and \$12000 in billings. On the latest invoice from Fred Walton approximately \$500 is charged for addressing punch list items for Martha Gilman. Nette Stejskal stated that the Township should not pay for this. Fred Walton should be billing Martha Gilman directly. The Supervisors instructed Nette Stejskal to notify Fred Walton he is not to work on punchlist items for Martha Gilman until she is current with her bills and then bill her directly. The Windsor developer Gilman does owe the Township approximately \$37000. David Owens made a motion to authorize Township attorney Tom Oeste to pursue the money owed to the Township by the Gilman's for the Windsor treatment plant. Aileen Parrish seconded and the motion carried unanimously.

There being no further business Tom Oeste left the meeting at 8:30pm.

Treasurer Report

Nette Stejskal read the November 25, 2013 Treasurer Report (report attached)

Bills over \$1000

<u>Parke Barnes Spangler</u>	3068.81	Cargill	7290.47
Walton Water	2114.62	G & A Clanton	1190.00
BMO Corp	2030.16	Econo Sign	1134.12
E Marl b Twp	9000.00		

General Fund- David Owens made a motion to acknowledge the ACH transactions for the payments of interest and principal on the DVRFA Loan, Selective Insurance, Federal and State payroll taxes and Pcard . Glenn Frederick seconded and the motion carried unanimously.

General Fund – David Owens made a motion to pay bills as represented by General Fund M&T with checks# 14051-14065 from the General Fund. Glenn Frederick seconded and the motion carried unanimously.

Plgit-General Fund- David Owens made a motion to pay bills with ck# 6166-6183 from the Plgit General Fund. Glenn Frederick seconded and the motion carried unanimously.

Plgit General Fund- David Owens made a motion to approve the transfers to the Park Fund, Open Space Fund , Capital Fund and Capital Reserve Fund. Glenn Frederick seconded and the motion carried unanimously.

Parks Fund- David Owens made a motion to pay bills with ck#2653-2655 from the Parks Fund. Glenn Frederick seconded and the motion carried unanimously.

Parks Fund- David Owens made a motion to acknowledge the transfer of funds from the Parks Fund to the General Fund. Glenn Frederick seconded and the motion carried unanimously.

Open Space Fund- David Owens made a motion to acknowledge the transfer of funds from the Open Space Fund to the General Fund. Glenn Frederick seconded and the motion carried unanimously.

Capital Fund- David Owens made a motion to acknowledge the transfer of funds from the Capital Fund to the General Fund. Glenn Frederick seconded and the motion carried unanimously.

Highway Fund- David Owens made a motion to pay bills with check# 6265-6276 from the Highway Fund. Glenn Frederick seconded and the motion carried unanimously.

2014 Budget- The 2014 Budget Millage will be increased .26 mills.
Increase equates to: .01 Emerg services, .25 capital fund (roads)
This is approximately \$52 increase for each 200,000 of assessed value

Aileen Parrish announced there were 10 budget work sessions, some attended by residents.

2014 Budget public work sessions- Nette Stejskal read the minutes from the Budget sessions held on 9/11, 9/23, 10/4, 10/11, 10/21, 10/23, 10/28, 11/19. Aileen Parrish made a motion to accept the minutes of the public work session held on the dates listed above. Glenn Frederick seconded and the motion carried unanimously.

New Business

Parker Graham property- Aileen Parrish stated that the property owners have been working for several years with Natural Lands Trust (NLT) to preserve their property. Originally NLT had gotten Ms Parker and Mr Graham help with the NLT administrative costs. The Township a few years ago had committed \$5000 toward the preservation of the Parker/Graham property. They are asking for additional money to cover the Parker/Graham legal costs. There has been pledge from LBTLT of \$1000 and the White Clay Watershed Assoc has pledged \$1000. Aileen Parrish is asking the Board for an additional \$3000 from the Township to protect and preserve the 11 acre property. David Owens made a motion to give \$3000 to the Parker Graham preservation. Glenn Frederick seconded and the motion carried unanimously. A Board member will sign the check outside of the meeting.

Resolution #13-14- David Owens made a motion to approve Resolution #13-14 which contributes an additional \$3000 towards the preservation of the Parker/Graham property located at 751 Broad Run Rd. Aileen Parrish seconded and the motion carried unanimously.

Glenn Frederick will install flexible ducts for the heating in the garage. The approximate cost is \$800-\$1000.

Business from the floor

Gutter Guard- David Owens made a motion to grant the contract for gutter installation of Shur Flo guards to Everything Gutter in the amount of \$2898 to be installed in January 2014, weather permitting. Aileen Parrish seconded and the motion carried unanimously.

Adjournment

Aileen Parrish made a motion to adjourn the meeting at 9:30 PM. David Owens seconded and the motion carried unanimously.