

London Britain Township Board of Supervisors Meeting

October 24, 2016 approved 11/14/16 BOS meeting

Property Maintenance Code Hearing

David Owens, Chairman of the Board of Supervisors opened the hearing at 7:00 pm. In attendance were Supervisors Glenn Frederick and Aileen Parrish, Secretary Carolyn Matalon, Treasurer Nette Stejskal, Planning Commission member Les and Stephanie Town and several residents. David Owens made a motion to continue the hearing until November 14, 2016. Aileen Parrish seconded and the motion carried unanimously.

Board of Supervisors meeting

David Owens, Chairman of the Board of Supervisors opened the meeting at 7:05 pm. In attendance were Supervisors Glenn Frederick and Aileen Parrish, Secretary Carolyn Matalon, Treasurer Nette Stejskal, Zoning Officer Dave Gargula, Township Attorney Tom Oeste, Township Engineer Pat Walsh, Planning Commission member Les and Stephanie Town, Park and Recreation member Bill Maslanka and several residents.

Old Business

Flint Hill Farms Distillery-

Township Attorney Tom Oeste noted that the Board of Supervisors received a letter dated 10/24/16 via electronic email today from Michael S. Gill (Flint Hill Farms Distillery attorney) which lists 16 requests to modify the Conditional Use Decision (Resolution #16-17) that was accepted on 10/7/16 by Flint Hill Farms Distillery. Township Attorney Tom Oeste advised the Board of Supervisors that they cannot make any changes tonight. If any changes were made the Township would have to advertise. Michael S. Gill did not expect any changes to be made tonight.

Michael S. Gill expressed that the Conditional Use Decision and Order issued on September 26, 2016 and accepted on 10/7/16 by Flint Hill Farms Distillery was accepted so that Flint Hill Farms Distillery (FHFD) could move ahead with the land development plan. The FHFD letter dated 10/24/16 proposed modifications to the Conditions set by Resolution #16-17 and accepted on 10/7/16 by Flint Hill Farms Distillery were discussed as follows:

#4 & #9

Michael S. Gill- After completion of the conditional use process FHFD received a cost estimate for the Yorklyn DE barn relocation and the cost is cost prohibitive. In Lieu of the relocation, FHFD requests adding 2500 sq ft of space to the existing barn 1250 sq ft.

#8

Michael S Gill- FHFD requests modification to construct a 1500 sq ft shed for storage of whiskey barrels.

Tom Oeste - Originally FHFD asked for the Yorklyn barn relocation to use for whiskey storage. Now FHFD states for safety reasons they can't store whiskey barrels in the additional requested space of 2500 sq ft to the existing barn. In addition to the request for a 2500 sq ft addition FHFD is requesting an additional 1500 sq ft.

Supervisor Aileen Parrish- asked why FHFD can't make the square footage addition to the existing barn smaller.

Tom Oeste asked what the additional 2500 sq ft would be used for.

FHFD partner Rick Kokoska- The additional space will be used for a larger tasting room than originally proposed. He stated that they are allowed 12,000 sq ft and they are not asking for that.

#6

Michael S Gill- FHFD would like tours to include not only facility but crop production areas.

Glenn Frederick- Steep slopes are a concern for safety.

Rick Kokoska- Golf carts would be used to tour the crop production areas.

#7-

Michael S Gill and Tom Oeste -Both agreed that the replica could probably be replaced with similar.

#11-

Michael S. Gill- The installation of a water meter is cost prohibitive. He questioned the need of a water meter. He stated that it is not probable that the installation of a water meter will happen.

Rick Kokaska- If the water usage is comparable to a 5 bedroom home why aren't homes required to have a water usage meter.

Township Secretary Carolyn Matalon - A water meter is installed at the Shoppes of LB.

#13

Michael S. Gill-The modification request is to allow outdoor storage of spent grains for composting purposes.

Rick Kokaska-There is existing compost at the property now from our brewery Twin Lakes that has been there for a year.

Aileen Parrish- Why wasn't this mentioned at the Conditional Use Hearing since FHFD has had spent grains stored at the property for a long time. What kind of grains will be stored?

Rick Kokaska- We didn't think about it at the time and would like a 20 x 20 area for spent grain storage. The grains for brewing beer are the same grains used for making whiskey.

#22

Michael S. Gill- There is a need to disturb the riparian buffer in order to comply with Condition #25.

Glenn Frederick- Possibly the wording of the condition should be modified to say not to be disturbed except for the purpose of constructing a water line and pump from the pond on the Property to the Existing barn to supply water for the fire suppression system. Installation of an emergency generator and fire hydrant.

#23

Tom Oeste- The GVWR should be changed to 26,000 lb.

Rick Kokaska- FHFD cannot dictate what the PA Liquor Control Board sends for pickup of the finished product.

Tom Oeste- FHFD previously agreed to no tractor trailer shipments or deliveries. The PA Liquor Control Board product pickup will be researched further.

#25 & #24 (#24 was not included on the 10/24/16 letter)

Michael S Gill The problem with this condition is a timing issue. Sprinklers will be installed but FHFD is asking for an 18 month timeline from when the distillery commences operations.

Tom Oeste- States that prior to issuance of C/O a fire suppression must be installed. FHFD will be operating a fire based system inside of a very old wood barn so there is a concern that FHFD have an operational fire suppression system.

#26

Michael S Gill – FHFD will comply with ADA compliancy to the extent that the operation is required to.

Tom Oeste- The reasoning is that all operations open to the public should be open to all even if not required to be ADA compliant.

Resident Barbara Schroeder- Has been talking with the ADA helpline and discussed if the proposed tours of the crop area would be available to the handicapped. She asked who they are consulting with for ADA compliance.

Rick Kokaska- The FHFD engineer has been advising them on ADA compliance.

Michael S Gill- What the law requires in terms of accessibility for this operation will be provided.

Tom Oeste- Stated that the building code requires certain ADA compliance.

#28

Michael S Gill and Tom Oeste agreed to add the words "whiskey fungus" of the first sentence of the condition.

#34

Michael S Gill- There may be outdoor music and they should not be prohibited. It shouldn't be audible off of the property line.

Tom Oeste-This request will be taken under advisement.

Aileen Parrish -Understanding the lay of the land you will find that the sound echoes down the valley and along the creek. The Township wants to be mindful of the residents who have lived here a long time and their wishes.

Michael S Gill- Maybe tie the outdoor music to the outdoor area which is closer to Flint Hill Rd.

#15

Michael S Gill and Tom Oeste discussed the outdoor seating area

#14

Rick Kokaska- FHFD owns a brewery and we want to drink our beer at our property.

Tom Oeste-The intent of the condition is not meant to prohibit use of alcohol at the resident's home located on the property.

#35

Michael S Gill- This condition modification request is not included in the 10/24/16 letter. If there is no additional premium to FHFD then it is not a problem to name the Township as an additional insured on its liability policy. FHFD questions why the Township is asking to be named as an additional insured.

Tom Oeste- The Township wants your insurer to insure the Township in case of a suit.

Michael S Gill- Will clarify with the insurer the premium information.

Tom Oeste will consult with the Board of Supervisors further about the issues and then talk with Michael S. Gill after that. At that point any future changes will be advertised.

Salt Bids - 2016

Carolyn Matalon opened the bids and the bids received are as follows:

David Owens made a motion to accept the bid of Cargill Salt for the amount of \$83.67 plant/delivered for Item #1 and Item #2 in the amount \$73.88.delivered. It was noted that the lowest bid from Morton Salt was not accepted because they could not meet the 2-3 delivery day time.

Aileen Parrish seconded and the motion carried unanimously.

	Bidder		Compass LTR RECD NB	Morton Salt 5 BUSINESS DAY DELIVERY	Cargill	Eastern Salt
1.	Treated Rock Salt *specifications attached to bid	700 T APPROX	PLANT _____ PLANT TOTAL _____ DELIVERED _____ DELVD TOTAL _____	PLANT \$82.00 PLANT TOTAL \$57,400.00 DELIVERED \$82.38 DELVD TOTAL \$57,666.00	PLANT NB PLANT TOTAL NB DELIVERED \$83.67 DELVD TOTAL \$58,569.00	PLANT \$90.00 PLANT TOTAL \$63,000.00 DELIVERED \$91.25 DELVD TOTAL \$63,875.00
2.	Bulk Deicing Salt- White to Opaque	100 T APPROX	PLANT _____ PLANT TOTAL _____ DELIVERED _____ DELVD TOTAL _____	PLANT \$64.00 PLANT TOTAL \$6,400.00 DELIVERED \$64.88 DELVD TOTAL \$6,488.00	PLANT NB PLANT TOTAL NB DELIVERED \$73.88 DELVD TOTAL \$7,388.00	PLANT \$78.00 PLANT TOTAL \$7,800.00 DELIVERED \$78.50 DELVD TOTAL \$7,850.00
	100 % Bid Bond required			X	X	X

Roads Discussion

Indiantown Rd-

896 to Flint Hill - FB modified then double chip seal is recommended. No scratch needed.

Flint Hill to Glen Rd- mill and patch sections

Glen Rd to London tract- edges sporadically need to be scraped. FB modified is recommended. Scratch coat in areas. A stop ahead sign is suggested for the end of Indiantown at London Tract Rd.

North Creek Rd-

Mercer Mill to Township line- mill patch and chip seal

Good Hope to Mercer Mill- maintain and single chip seal in 7-10 years. There is an opening of the center line at #122.

Parsons Rd

Overlay (possibly similar to Strickersville). The road is shaded so it will need (in both directions) and then consider the same procedure on Sharpless.

Chambers Rock Rd-Aileen Parrish asked if there is any signage that could be placed on Chambers Rock Rd approaching Arc Corner from each direction warning drivers of the entrance ahead with an advisory speed on it.

Stoney Ridge and Millstone Court

Cul de sac at the end of Stoney Ridge- 19mm asphalt is needed in the bulb and a few hundred feet up the road. Fix drainage and then mill 6" of existing road in the cul de sac.

Stoney Ridge/Most of the road – check on the pipes and chip seal

Laetitia Lane and Morgan Hollow and Springer and Ketchum Ct

Possible use underdrain approximately 200' at the intersection of Ketchum Ct, Laetitia and Morgan Hollow. Laetitia and Morgan Hollow is a bus turn around. Is breaking up because of the buses and because of the hydric soils.

Morgan Hollow entrance to Ketchum Ct- reprofile the road. Possibly mill out and use 19mm asphalt. Then the next year possibly us FB from Ketchum to the end of Morgan Hollow.

Nette Stejskal suggests that Joe get advice on using FB in the area.

There being no further business Dave Gargula, Pat Walsh and Joe Ferguson left the meeting at 9:36pm.

Windsor- School District & County Taxes on Windsor HOA parcels

Nette Stejskal and the Board of Supervisors discussed not continuing to pay the taxes on the HOA properties still owned by the developer. The property belongs to the developer and she should be paying the taxes. The Township paid some previous years taxes out of the letter of credit when it took over the development of the subdivision.

Windsor resident Bruce Yost and the Board of Supervisors discussed the possibility of the HOA land going to sheriff sale and the outcome of that decision. The BOS decided not to continue to pay the taxes on the HOA parcels and ask Township Attorney Tom Oeste to assure that all the Subdivision documents are correct and let the parcels go to sheriff sale.

The Board agreed to forgive future Township taxes on the Windsor HOA Township taxes. Nette Stejskal will do a motion for this at a future meeting.

Windsor- Bruce Yost asked if additional landscaping could be done. NS stated that since the area is currently being maintained by the Township any requests should come to the Township for their approval.

Treasurer Report

Nette Stejskal read the October 24, 2016 Treasurer Report (report attached)

Bills Over \$1000

Parke Barnes Spangler	\$5530.00	Avondale Fire	\$8212.16
D. Gargula	\$2646.88	Hydraterra	\$2990.00
MSI	\$1424.00	J R. Pierson	\$1290.00
WG Fire	\$19161.70	Nat'l Lands Trust	\$16400.00
Fords Auto Truck	\$1213.61	Traffic Lines	\$6250.78

General Fund- David Owens made a motion to acknowledge the ACH transactions for the payment of interest and principal on DVRFA loans, the payroll taxes, bank fees, insurance and Pcard purchases. 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# 14773-14799 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# 7141-7169 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, Windsor Sewage Fund, and Capital Fund. Glenn Frederick seconded and the motion carried unanimously.

Parks Fund- David Owens made a motion to pay bills with ck#2750-2751 from the Parks Fund. Glenn Frederick seconded and the motion carried unanimously.

Parks Fund- David Owens made a motion to approve the transfer to the General Fund. Glenn Frederick seconded and the motion carried unanimously.

Open Space Fund- David Owens made a motion to pay bills with ck#128 from the Open Space Fund. Glenn Frederick seconded and the motion carried unanimously.

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

Windsor Sewer Fund- David Owens made a motion to pay bills with checks#1025-1027 from the Windsor Sewer Fund. Glenn Frederick seconded and the motion carried unanimously.

Capital Fund- David Owens made a motion to approve the transfer to the General Fund. Glenn Frederick seconded and the motion carried unanimously.

Capital Fund- David Owens made a motion to pay bills with checks #1413 from the Capital Fund. Glenn Frederick seconded and the motion carried unanimously.

Capital Reserve Fund- David Owens made a motion to approve the transfer to the Capital Fund for road improvements. Glenn Frederick seconded and the motion carried unanimously.

Highway Fund- David Owens made a motion to pay bills with checks# 6505-6508 from the Highway Fund. Glenn Frederick seconded and the motion carried unanimously.

Windsor LOC Account- David Owens made a motion to pay bills with checks#153-154 noting that ck# 150 is void from the Windsor LOC Account. Glenn Frederick seconded and the motion carried unanimously.

Wilkinson/Niven View Escrow Account-David Owens made a motion to pay bills with check #235 from the Wilkinson/Nivin View Escrow Account. Glenn Frederick seconded and the motion carried unanimously.

Misc Escrow Account- David Owens made a motion to pay bills with ck#182 noting that ck# 181 is void from the Misc Escrow Account. Glenn Frederick seconded and the motion carried unanimously.

New Business

Resolution #16-19 PA Small Water & Sewer Program Grant- Glenn Frederick read Resolution # 16-19 which requests a grant in the amount of \$61,698.00 to be used for the protection of groundwater resources by supplying electricity to the Windsor waste water treatment plant through solar energy. Glenn Frederick made a motion to adopt Resolution #16-19 as read. Aileen Parrish seconded and the motion carried unanimously.

Letter of Commitment for Small Water & Sewer Program Grant- David Owens read the letter of Commitment which states that the Township has committed to provide the funds to match not less than 15% of the total project cost to install the solar energy system for use at the waste water treatment plant that services 16 homes in the Windsor Farms development.

Supervisor David Owens abruptly left the meeting at approximately 10:30pm., following an intense exchange which started with the Planning Commission's request to review the 10/24/16 Flint Hill Farms Distillery letter.

Business from the Floor

A Zoning Hearing has been scheduled for Sylvia Gosztonyi on 11/3/16 @ 7:00 pm.

Adjournment –Aileen Parrish made a motion to adjourn the meeting at 11:00pm. Glenn Frederick seconded and the motion carried unanimously.