

**LONDONDERRY TOWNSHIP BOARD OF SUPERVISOR'S REGULAR
MEETING
TUESDAY, OCTOBER 14, 2008**

The meeting of the Londonderry Township (LDT) Board of Supervisors (BOS) was called to order at 7:30 PM by Supervisor-Chairman Richard Brown. Supervisors Richard Brown, Wayne Grover, and Midge Leitch were present. Bob Johnston, LDT Engineer, was also present.

COMMENTS FROM THE PUBLIC: Robert A. Hotchkiss, CEO, Southern Chester County Emergency Medical Services, Inc. (SCCEMS) addressed the BOS. 2008 is the 25th Anniversary of SCCEMS and Mr. Hotchkiss graciously presented to the BOS and LDT a plaque "In Recognition Of Your Support and Funding of SCCEMS MEDIC 94". Mr. Hotchkiss expressed his appreciation for the funds LDT has provided. Supervisor Brown thanked all the members of SCCEMS for their services and the Township will continue to support their efforts.

There were no other comments from the public.

MINUTES OF September 22, 2008 BOS II: As the Minutes had previously been emailed to the BOS, read, and found to be satisfactory, Richard Brown made a motion to approve the Minutes of 09-22-2008 as written. Midge Leitch seconded the motion. The vote was unanimous.

TREASURER'S REPORT: Treasurer Howard Benner was not in attendance and, as some of the bank statements had yet to be received, a Treasurer's Report was unavailable. Mr. Benner will submit a Treasurer's Report at the BOS II meeting on 10-27-2008.

TOWNSHIP REPORTS:

A. Zoning Officer/Building Inspector Reports: The Supervisors reviewed the September, 2008 Zoning Report (dated 10-14-2008) as submitted by Bill Beers. Richard Brown read excerpts aloud. Three (3) Building Permits were issued with one (1) permit pending review. There was one (1) Road Occupancy permit issued. Total fees collected for all permits totaled \$508.00. Five (5) Use & Occupancy Permits were issued and eight (8) various construction inspections were conducted. Mr. Beers conducted a routine monthly site inspection with the New Daleville Builders and the Architect's representative (LRK-Looney Ricks & Kiss) regarding construction issues and meetings will now be scheduled for every 90 days. On 10-14-2008 Mr. Beers attended a Court Hearing in District Court in Parkesburg regarding the issues at 198 Baker Road. A 30-day continuance was granted by the Court to allow the homeowners to finish cleaning up the property. Mr. Beers also issued an enforcement

letter for unlicensed and non-inspected junk cars on the lot at the entrance to Country Walk Subdivision.

- B. Roadmaster:** Supervisor Brown announced the pipe/end wall repair at Faggs Manor Road is complete and the asphalt repair will be soon.
- C. Emergency Management (EM):** Richard Brown explained an Emergency Management resolution was necessary to be compliant with National Incident Management System (NIMS). Dr. Brown made a motion to approve and adopt Resolution #2008-02. Wayne Grover seconded the motion. The vote was unanimous. Resolution 2008-02 was signed by the three Supervisors.
- D. Planning Commission (PC):** Richard Brown read excerpts from a letter written by PC Chairman, Rich Henryson, to the new owner of the property formerly owned by Mrs. Anna B. Francis. The letter welcomed Mr. Rocco Abessino to LDT, notified him of his options in regards to the Redwing/ Thistlewood plans, and advised him of possible actions to be taken. In addition Dr. Brown noted that Consultant David Sweet had submitted new revised Ordinance Amendment language for BOS review. The next PC meeting will be on Tuesday, October 21st at 7:30 PM.
- E. Parks & Recreation (P&R) Committee:** There was no meeting of the P&R held in September. The next meeting will be Thursday, October 16th at 7:30 PM. Supervisor Leitch inquired if the P&R was required to meet once a month. Dr. Brown's response was "No".
- F. Open Space (OS) Committee:** There was no meeting of the OS Committee held in September. The next OS meeting will be held on Wednesday, 10-15-08, at 5:30 PM.
- G. Historical Committee (HC):** Richard Brown announced the next meeting of the HC will be on Tuesday, October 28th at 7:00 PM.
- H. Newsletter/Website:** Supervisor Brown stated the 2008 Fall LDT Newsletter was mailed October 6th and thanked Midge Leitch and Jennifer Zduniak for their hard work. Supervisor Leitch praised Jennifer's expertise in design and organization. There has been one (1) response to LDT's request for emergency information for residents with special needs.

OLD BUSINESS:

- A. Country Walk:** HOA President, Joe Sacks, was recognized. Mr. Sacks expressed interest in an update on the Country Walk developer's punch list and an estimated time for completion of the outstanding items. Bob Johnston noted that three (3) letters have gone out from Gilmore & Associates to developer, Wilmer Hostetter, regarding landscaping issues. Gilmore & Associates plan to do a walk-through in Country Walk to document all landscaping items which require replacement. The existing Country Walk trees which unacceptable will be tagged, Gilmore staff will travel to the nursery and tag suitable replacement trees. There is one species of tree, the Honeylocust, which has not fared well at Country Walk. Further, Mr. Johnston noted Ryan Homes has set a schedule for completing its part of the punch list. The basin is in need of some repairs regarding minor sealing, landscaping, and elevation issues. There was a

minor problem with scuffing of the road and sidewalks, but Mr. Johnston recommends a special technique (not a patch) for repairs rather than replacement. Mr. Sacks added that the grass walking trail has been mowed. The BOS and Mr. Johnston requested Secretary Janice Hearne keep Mr. Sacks informed on the progress of the punch list.

- B. Dambro/Londonderry Meadows:** Mr. Johnston explained the original plans called for asphalt berms for water runoff. However, these berms have proved problematic for some vehicles. The plans have been revised and Page excavating will eliminate these berms. In addition the plans call for sidewalks and according to Federal law these must be ADA accessible. In a previous BOS meeting, Mr. Dambro's attorney, Jerry McCormick, suggested sidewalks on the outer perimeter of the street. Supervisor Brown stated the BOS would not be in favor of removing the sidewalks. Dr. Brown further stated Mr. Dambro's engineering firm's deficiency resulted in this situation and they must comply with LDT and County ordinances. Further these are not just local, but Federal regulations. Mr. Dambro chose sidewalks in lieu of trails with both sides agreeing to this. Consequently sidewalks must be installed. Additionally, Mr. Johnston noted that driveways do not meet requirements for ADA access.
- C. Heinzman Subdivision Plans:** The signed and sealed Heinzman plans were hand delivered to LDT. Mr. Johnston obtained a copy of the cover letter and plans and has written an email to Lisa D'Andrea, Mr. Heinzman's engineer. Mr. Johnston will follow up with a letter. Mr. Johnston recommends the BOS sign off on the plans as there is only one minor error on the Deed Description for Lot #2.
- D. New Daleville:** There was nothing new for New Daleville.
- E. West Wind Farms:** Mr. Johnston has written a review letter, but has received no response from the West Wind Farms developers.
- F. Fawn Lane/Heather Knoll Road Dedication:** Mr. Johnston explained that 2 years ago it was suggested the establishment of a \$5,000 Maintenance escrow for future repairs. However since the price of fuel has increased drastically there is no guarantee \$5,000 will be adequate. Developer, Robert Shaffer, will now not agree to an additional \$5,000. Mr. Johnston said the developer is still paying for road related expenses. The PennDOT liquid fuels cut-off for adding roads for 2009 was October 1st. Richard Brown pointed out the HOA may not have money for roads and therefore would be in favor of a Maintenance Bond which would probably cost less than \$5,000. Mr. Johnston stated he would call Mr. Shaffer to see if he can negotiate an agreement for a Maintenance Bond. Supervisor Leitch stated Mr. Shaffer should continue to maintain the roads until LDT can include Fawn Lane in Liquid Fuels.
- G. Walmoore Holsteins, Inc.:** Richard Brown noted Walt Moore has relocated the proposed milking center and the new location appears to comply with LDT ordinance setbacks. The application is in the hands of Permit Officer, Bill Beers.

H. Act 537 Plan (Sewage): Mr. Johnston stated he found a new municipal ordinance with sewage management which might be applicable to LDT plus DEP appears to approve of this one. Mr. Johnston needs to review this ordinance to see if it meets LDT requirements.

NEW BUSINESS:

A. Information Systems Security Survey: The Center for Rural Pennsylvania has awarded a research grant to Penn State Altoona to measure the computer security readiness of boroughs and townships throughout PA. The results of this research will be reported to the PA legislature. The study requires a separate survey to be completed by a policy maker for the municipality (Supervisor), a clerical employee regularly processing municipal data, and an information technology support employee who services the computer system. After reviewing the questionnaire the BOS decided Supervisor Midge Leitch, Secretary Janice Hearne, and Webmaster Bill Wuhrman would each respond to the survey.

ANNOUNCEMENTS:

- A. Planning Commission Vice-Chairman Resignation:** Supervisor Brown announced Tim Cassidy has resigned as Vice-Chairman of the LDT Planning Commission citing time constraints. Mr. Cassidy's resignation was reluctantly accepted as he has been a tremendous asset to the PC. The BOS thanked Mr. Cassidy for his service. Mr. Steven Brumfield has graciously volunteered to fill the vacancy on the PC. He is enthusiastic and comes with a great deal of knowledge and resources. He knows HOAs, documentation and legal requirements, and has significant knowledge of land use and subdivision development. The BOS expressed their desire to welcome Mr. Brumfield to the PC.
- B. Ordinances (5):** LDT Solicitor, Stacey Fuller, is in the process of advertising the five (5) Ordinances as appropriate on October 13th and 20th in the Daily Local. The Ordinance Hearings will be at the BOS II Meeting on October 27th.
- C. Agricultural Security Area – Robert H. Mills, Sr. & Jr. Property:** The Hearing for the inclusion of the Mills property into the Agricultural Security Area will be at the BOS II Meeting on October 27th. The Hearing has been advertised in the Daily Local on October 13, 2008.
- D. Alert – Burglaries in and around LDT:** Information about these burglaries has been posted on the LDT website, the front door, and the LDT meeting room.
- E. Senator Pileggi's Letter (newsletter@senatorpileggi.com):** Richard Brown announced a "Tour of Walmoore Farm" is on the above website. It is a fascinating video and quite well done. There is a 30-minute video, photos and is well worth watching.
- F. Southeastern Chester County Refuse Authority (SECCRA) Agreement:** Supervisor Brown read excerpts from an article dated 10-08-2008 in the Chester County Press. In part the article indicated that on

Monday, October 20th at 7:00 PM London Grove Township (LGT) will present an agreement for public review allowing SECCRA to expand its landfill and provide financial and recreation benefits to LGT. On November 5th the LGT BOS will vote on the agreement. Upon approval the agreement calls for LGT to receive a \$3 per ton fee for solid waste disposal at the landfill. The fee will increase by 25 cents per ton every two years thereafter. In addition there will be a one-time payment of \$200,000 at the signing of the agreement; a one-time payment of \$200,000 at the onset of waste disposal in the expansion area; an annual road maintenance payment of \$25,000; an annual development and recreation fee of \$15,000; and ownership of a 72.4 acre farm property that SECCRA currently owns and will be used for recreation purposes by LGT.

ACCOUNTS PAYABLE: The bills were reviewed and paid in the usual manner.

ADJOURNMENT: As there was no further business before the BOS a motion was made by Richard Brown and seconded by Midge Leitch to adjourn the meeting at 9:02 PM. The vote was unanimous.

Respectfully submitted,

Janice H. Hearne
Administrative Secretary