

**LONDONDERRY TOWNSHIP (LDT)
BOARD OF SUPERVISORS' (BOS I) MEETING
TUESDAY, DECEMBER 14, 2010**

CALL TO ORDER: Supervisors Richard Brown, Midge Leitch and Gene Wier were in attendance as was Bob Johnston, Engineer. Richard Brown opened the BOS Meeting at 7:32 PM.

COMMENTS FROM THE PUBLIC: Doug Lapp, Fire Chief of Cochranville Fire Company was recognized. Chief Lapp explained that last weekend the Fire Company had escorted Santa throughout the Township and found it impossible to traverse Wrigley Boulevard as there were parked cars on the street. Chief Lapp strongly suggested that there should be NO PARKING within 15 feet of any corners on Wrigley Blvd. and that Wrigley Blvd. be deemed a snow emergency route. The Fire Company and the BOS are in full agreement that emergency vehicles MUST be able to get through in any emergency. Bob Johnston will call the Fire Company to arrange for first responder equipment to be brought into New Daleville and an evaluation made on the exact location where vehicles can be parked safely. The BOS thanked Chief Lapp for coming and for the Fire Company's work throughout the year.

MINUTES OF NOVEMBER 22, 2010 BOS II MEETING: As the Minutes of the 11-22-2010 BOS II Meeting had been previously read by the BOS, Richard Brown made a motion to approve the Minutes. Gene Wier seconded the motion and the vote was unanimous.

TREASURER'S REPORT – NOVEMBER, 2010: Howard Benner read excerpts from the November Treasurer's Report. Richard Brown made a motion to approve the Treasurer's Report as written. Midge Leitch seconded the motion and the vote was unanimous. Richard Brown asked Mr. Benner about additional funds being paid prior to the end of 2010 on the Open Space loan. Mr. Benner responded that on December 07, 2010 there was an additional bank transfer in the amount of \$50,000.00 to pay down the loan.

TOWNSHIP REPORTS:

A. ZONING OFFICER/BUILDING INSPECTOR REPORT – NOVEMBER:

Richard Brown highlighted portions of the Zoning Officer's November, 2010 Report. There were three (3) building permits issued with one (1) building permit pending. There was one (1) demolition permit issued. Total fees collected for permits were \$1,297.00. Four (4) Use and Occupancy permits were issued and six (6) various construction inspections were conducted. Mr. Beers continued to monitor the conditions of the Roop settlement agreement and obtained a registration for a 2002 Ford pickup. Mr. Roop had sold the red dump truck, but had purchased a new used truck and will provide the registration to the Township. Mr. Beers issued an Enforcement Notice regarding unlicensed vehicles at the entrance to Country Walk

Subdivision and had received confirmation of the certified letter. A property along Rt. 41 was also issued an EFN, but no confirmation had been received regarding the certified letter sent to the resident. There were two (2) complaints regarding 200 Baker Road and Mr. Beers talked with the co-owner of the property. The co-owner said she will undertake a cleanup.

- B. ROADMASTER:** Supervisor Brown said he and Roadmaster Allen Reynolds were exploring ways to assist New Daleville with snow removal prior to the Township accepting dedication of the New Daleville roads in the Spring.
- C. EMERGENCY MANAGEMENT (EM):** Richard Brown read a report from LDT Emergency Management Coordinator, Chuck Freese, regarding a recent meeting with the OCTOREM group. Under discussion was the identification of private contractors with specialized equipment, such as heavy wheel loaders, to mitigate severe winter events such as were experienced in the Chester County area last winter. Richard Brown said that LDT's emergency equipment list was in order.
- D. PLANNING COMMISSION (PC):** Rich Henryson had submitted a November PC Meeting Report. Richard Brown said that Mr. Cohen, developer for Londonderry Shops, his attorney, engineers and architects appeared before the PC. They reviewed their plan submission for the proposed shopping center. There was an extensive discussion of storm water management, the sewage system and traffic control. Also presented was an architectural rendering of the site. Bob Johnston will review the plan and a 90-day extension was offered from 12-26-2010 until 03-26-2011. The next PC Meeting will be held on Tuesday, 12-21-2010 at 7:30 PM.
COHEN / LONDONDERRY SHOPS EXTENSION OFFER AND BOS ACKNOWLEDGEMENT: Robert Johnston said the new plans were presented less than 30 days ago and they have changed dramatically from those submitted four (4) years ago. Gilmore is in the process of preparing another review letter. Richard Brown made a motion to acknowledge the Cohen / Londonderry Shops offer of extension from 12-26-2010 until 03-26-2011. Gene Wier seconded the motion and the vote was unanimous.
- E. OPEN SPACE (OS) COMMITTEE:** There was no OS meeting held in November. The next meeting will be held on Wednesday, 12-15-2010 at 5:30 PM
- F. HISTORICAL COMMITTEE (HC):** No Report. No meeting will be held in December. The next HC meeting will be on Tuesday, 01-25-2011 at 7:00 PM.
- G. WEBSITE/NEWSLETTER:** Midge Leitch reported the website is up-to-date and there will be a Winter Newsletter.

OLD BUSINESS:

- A. BVA / CHRISTINA BASIN RESTORATION AND TOTAL MAXIMUM DAILY LOAD (TMDL) IMPLEMENTATION PLAN MEETING 12-15-2010 AT 9:00 AM:** Dick Brown explained that at the last BOS Meeting the BOS voted to join the BVA group. Bob Johnston will attend the 12-15-2010 meeting on behalf of LDT.

B. COHEN / LONDONDERRY SHOPS – Subdivision Application

Submission: Bob Johnston announced that Mr. Shimon Guy, Engineer for Mr. Sander Cohen, had submitted subdivision plans to the Township. As these plans have been changed significantly from those submitted four years ago, Gilmore & Associates will prepare another review letter.

C. DAMBRO / LONDONDERRY MEADOWS – Sidewalks: Bob Johnston said there was nothing new to report, but that he expected to talk with Mr. Dambro's attorney, Jerry McCormick, after the new year.

D. NEW DALEVILLE (ND) – Punch List, Escrow Release #19 and Deed of

Dedication Documents: In attendance were David Della Porta, Kemp Littlepage of Cornerstone Communities, Kris Hay, Contractor for Brubacher; and Tim Smith, Northeast Inspections. Richard Brown read the David Della Porta Escrow Release #19 letter dated 11-30-2010.

DEED OF DEDICATION: Regarding the Deed of Dedication documents, Bob Johnston said he had reviewed them and would send his comments to engineers at Lake Roeder on 12-15-2010. Richard Brown said the earliest the Township could have the New Daleville roads placed on Liquid Fuels would be April, 2011. Consequently, the roads will not be dedicated until April. Bob Johnston said he would have the paperwork ready for acceptance in April as well. Tim Smith said there were a few minor items on the punch list to be completed and David Della Porta said he was unaware of any outstanding issues with the HOA. There was discussion regarding the basins which are wet not dry. Landscaping on the berms was changed from the top to the bottom of the berm and Tim Smith has been diligent in inspecting for signs of burrowing animals with relocations carried out when necessary. Once the development has been turned over to the HOA it will be their responsibility to inspect and maintain the basins.

ESCROW RELEASE #19: As the punch list was nearly completed, Bob Johnston recommended the release of \$666,807.00 from the escrow fund, retaining \$50,000.00 to cover any outstanding issues. Richard Brown recessed the BOS meeting to place a call to HOA Director Doug Otter. Mr. Otter was unavailable, but Dick Brown will contact him on Wednesday, 12-15-2010 to ascertain if there are any HOA concerns or issues. David Della Porta said he was comfortable with having the BOS retain \$50,000.00 in Escrow. Richard Brown made a motion to approve Release #19 in the amount of \$666,807.00 on the condition of verbal assurance from Doug Otter that the HOA was in agreement that all New Daleville issues had been remedied. Gene Wier seconded the motion and the vote was unanimous. It was further agreed that the Township would take dedication of the roads at the earliest date that they can be added to the Liquid Fuels List. David Della Porta asked about the 18 month Maintenance Bond. Richard Brown said the BOS would contact Township attorney, Stacey Fuller, for her opinion and advice on this issue. The BOS thanked everyone for coming.

E. NEW DALEVILLE – Commercial Property: In attendance were Art Sagnor, attorney for David Kahn; David Kahn of Signature Homes;

Melanie Connor, Day Care Owner; Lisa D'Andrea, Medveczky Associates; and Mike Powell, Signature Homes. Art Sagnor displayed a new drawing in which the buildings consisted of 9,000 sq. ft. as compared to the original plan of 12,500 sq. ft. The new plan for the larger building eliminated the second floor mezzanine, but would retain the high ceilings for play areas. The second, smaller building would no longer contain office space, but would now house an infant facility scaled back from 24 to 12 infants. The second floor of the second, smaller building would continue to be a live-in unit. With this new plan all parking would be contained entirely on-site eliminating the need for on-street parking. By utilizing this smaller building plan and relaxation of the buffers there would be space available for 28 parking spaces. In response to a question by Bob Johnston, Melanie Connor said there were State requirements for a Child Day Care, but no Federal regulations. Richard Brown said this plan appears to address the parking issue, but the BOS would need to consult with David Sweet and Stacey Fuller to establish standards for a Conditional Use of a Child Day Care into the Zoning Ordinance. David Kahn and Art Sagnor expressed the hope to avoid a Conditional Use. Richard Brown said that should LDT amend the ordinance, the new ordinance must be comprehensive to avoid having to revise the ordinance at a later date. Midge Leitch asked that David Kahn or Art Sagnor email the revised drawing concept, as well as the original plan, to Secretary Janice Hearne. Secretary Hearne will distribute these renderings to the BOS. Art Sagnor asked permission to contact Stacey Fuller, but Midge Leitch said Stacey would contact Art as necessary. The BOS thanked everyone for coming.

- F. CANINE PARTNERS FOR LIFE (CPL):** Bob Johnston said he had met with representatives of CPL on Thursday, 11-11-2010 and had requested the Meeting Minutes. In addition CPL had written questions to Gilmore & Associates and Gilmore had responded. Mr. Johnston said he had no expectations regarding a time frame for plan submission.
- G. LED LIGHTING:** Howard Benner said he had contacted PECO but they advised he wait until after January 1st as the policies and grants were likely to be changed.
- H. COCHRANVILLE LAWN SERVICE:** Chris Yerkes was in the audience requesting information about snow plowing in New Daleville. The BOS said Chris should contact Doug Otter, New Daleville Board of Directors, directly to ascertain the street snow plowing status, rates, liability, etc. The BOS did not take action on the lawn service contract.
- I. TOWNSHIP BUILDING CLEANING:** Karen Erskine has agreed to clean the Township building once a month and will act as an independent contractor.

NEW BUSINESS:

- A. COCHRANVILLE FIRE COMPANY – Agreement:** The BOS reviewed and signed the Agreement. A check for the contract amount of \$39,273.00 will be sent to the Fire Company after January 1, 2011.

- B. 2011 TRANSFER STATION PERMITS:** As of 12-14-2010, 15 permits had been issued.
- C. AUDIT PROPOSAL – Umbreit Korengel & Associates, PC:** Howard Benner reported he had met with Tim Umbreit and they had briefly reviewed the LDT accounting system. Mr. Benner presented the BOS with an Audit Bid dated 12-06-2010 at a fixed fee of \$2,500.00. Bob Johnston said several municipalities with whom he works have described Umbreit Korengel & Associates, PC as extremely professional. Mr. Benner said Mr. Umbreit indicated his firm would perform an overview of the Liquid Fuels account as the PA state auditors perform a thorough audit once each year. The general fund will receive a complete audit and Umbreit will file the audit with the state for the year 2010. Richard Brown made a motion to accept the Umbreit Korengel & Associates proposal to audit the Township books for the year 2010 for a fee of \$2,500.00. Gene Wier seconded the motion and the vote was unanimous. The BOS signed the contract and Mr. Benner will forward a copy to Umbreit Korengel and Associates, P.C.

ANNOUNCEMENTS / CORRESPONDENCE:

- A. NEXT BOS II MEETING 12-27-2010 at 7:30 PM - TASK FORCE MEETING has been cancelled.**
- B. LDT OFFICE CLOSED: Thursday, 12-23-2010 and Monday, 12-27-2010**
- C. ORGANIZATION MEETING, ORDINANCE HEARING, BOS I MEETING: Monday, January 3, 2011 at 7:30 PM**
- D. TRANSFER STATION: The Transfer Station will be OPEN on December 26th.**

PAY BILLS: 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