

**LONDONDERRY TOWNSHIP BOARD OF SUPERVISOR'S REGULAR
MEETING
Tuesday, May 13, 2008**

The meeting of the Londonderry Township (LDT) Board of Supervisors (BOS) was called to order at 7:31 PM by Supervisor-Chairman Richard Brown. Supervisors Richard Brown and Midge Leitch were present.

COMMENTS FROM THE PUBLIC: Jennifer Zduniak had questions about the culvert under her driveway which is migrating upwards and is clogged. She asked about who was responsible for repairs. Richard Brown said the Township will look at the situation and evaluate the problem. Mrs. Zduniak requested a letter from the Township documenting the findings. Marty Detering requested evaluation and repairs be considered on the culvert at Baker Road and Elm Creek Road as she has observed it has a crack which she feels is a safety hazard. The Road Master will look into this.

MINUTES OF April 28, 2008 BOS II: As the Minutes had previously been emailed to the BOS, reviewed, and found to be satisfactory, Midge Leitch made a motion to approve the Minutes of 04-28-2008 as written. Richard Brown seconded the motion. The vote was unanimous.

TREASURER'S REPORT: Howard Benner presented a corrected Final Treasurer's Report for March, 2008 (there was a small correction necessary) and the Final Treasurer's Report for April, 2008. Mr. Benner explained the correction and read excerpts from the April Report. Midge Leitch made a motion to accept both Reports as written and Richard Brown seconded the motion. The vote was unanimous.

TOWNSHIP REPORTS:

A. Zoning Officer/Building Inspector Reports: The Supervisors reviewed the April 08, 2008 Report as submitted by Bill Beers and Richard Brown read excerpts aloud. Eight (8) building permits were issued and five (5) building permits pending plan submission were reviewed. One (1) shed permit and one (1) Road Occupancy Permit was issued. Total fees collected for all permits totaled \$4,842.27 and \$2,150.00 in construction inspection fees were collected. Two (2) Use & Occupancy Permits were issued and nine (9) various construction inspections were conducted. There was no discussion.

B. Roadmaster: Allen Reynolds reported he is awaiting a phone call with approval from PennDot to use liquid fuels money for the scratch coating maintenance work on the LDT roads as specified during the 2008 Road Maintenance Inspection. Mr. Reynolds this was simply a formality. Mr. Reynolds said Zoning Officer, Bill Beers, had sent a registered enforcement letter to the property owners at 198/200 Baker Road for unlicensed vehicles, trash and litter. Permission was granted by the BOS

for Mr. Beers to file papers in District Court as there was no response to the registered letter by the property owners.

- C. Emergency Management (EM):** No Report.
- D. Planning Commission (PC):** No report.
- E. Parks & Recreation (P&R) Committee:** Marty Detering reported a meeting was held on 04-17-2008 with Eileen Koenig and Marty Detering present. Under discussion were plans for next year and how to assist the Historical Committee for the 275th LDT Anniversary in 2009. The May P&R Meeting has been cancelled. Richard Brown complimented the P&R on their pictorial display in the LDT meeting room.
- F. Open Space (OS) Committee:** Richard Brown read excerpts from the OS Minutes of 04-16-2008. The committee discussed two (2) properties which might have conservation opportunities in the future and Walt Moore's attorney has not yet contacted the Township regarding a parcel of land he recently purchased from PECO and which Mr. Moore's attorney indicated was to be placed in the Agricultural Security Area.
- G. Historical Committee (HC):** Midge Leitch invited the audience to come to the Municipal Building on May 28th to hear Phillip Edwards talk about "Life in Londonderry Township" and he will bring with him some of his extensive Indian artifact collection. On June 24th Dr. Elmer Laffey will talk about the history of St. Malachi Church. Refreshments will be served and both events begin at 7:00 PM. In addition the HC is in the process of creating a LDT cookbook. The HC is asking not only for recipes, but LDT pictures as well.
- H. Newsletter/Website:** Jennifer Zduniak said the Spring Newsletter was mailed on 04-09-2008 and should be in residents' mailboxes momentarily.

OLD BUSINESS:

- A. 2008 Spring Road Inspection Tour:** Robert Johnston, Engineer, reported that the bid packets had not yet been sent as LDT is waiting on a response granting permission to use liquid fuels money for the necessary maintenance repairs. Mr. Johnston reported on a lawsuit which is currently in the PA Supreme Court regarding liquid fuels money and paying the prevailing wage for maintenance repairs. Paying the prevailing wage could cost LDT an additional 5-15%. It is PSATS recommendation to consult our Solicitor. Richard Brown said since this issue is under litigation and no ruling has been handed down, LDT should go ahead with the bid process as we have in the past. Mr. Johnston said once PennDot approves the liquid fuels expenditure the bid packets are ready and he will advertise for bids.
- B. Londonderry Meadows Fire Hydrants (4):** Mr. Johnston said the fire hydrants have been placed on the plot plan by the Cochranville Fire Company and Gilmore is in agreement with the placement. The developer is responsible for paying for and installing the fire hydrants per LDT Solicitor, Stacey Fuller. Page Excavating has not been given permission to install the hydrants. Richard Brown will call the Fire

Chief and discuss the number (4 verses 3) required. Dr. Brown indicated there has been no decision regarding a potential tax to defray rental and maintenance costs. In the future due to the added expenses for fire protection, it may be necessary to assess a fee for all residents as all residents derive benefits from the fire protection coverage. Mr. Johnston said sometime in the future Chester Water will require a letter indicating Township responsibility for rental and maintenance fees for the fire hydrants. The rental fees will begin at a mutually agreed upon date.

C. New Daleville Escrow Account Release of Funds: In a letter dated 05-09-2008 Mr. Johnston recommended releasing \$189,843.68 leaving \$1,104,035.00 in the escrow account. The water treatment plant is operational. The BOS decided they would withhold approval of releasing the escrow funds pending review of the compliance issues regarding architectural and construction standards as submitted in a letter/email from Scott and Meghan Andress. Tim Cassidy of the Planning Commission (PC) is looking into the issues concerning Arcadia and Looney, Ricks, and Kiss Architects. Midge Leitch will email Tim Cassidy on the status of his research.

D. Heather Knoll (HK): Greg Papiernik and Marshall Billig, HK Board Members, were recognized. Mr. Papiernik had submitted a letter to the BOS dated 05-12-2008 in which he delineated questions previously posed to the PC at their April meeting and would like the BOS to address. The BOS stated the Township does not need to grant approval for by laws as long as there is no conflict with Township ordinances. Mr. Johnston said the road dedication is in process. There are issues with the HK homeowners regarding the Bartoli Mushroom operation and the BOS suggested a face-to-face meeting with Mr. Bartoli to resolve those problems. Noise and light pollution are the main items to be resolved. The BOS said that there is no noise ordinance in the Township, but that Mr. Bartoli has complied with all previous requirements and will submit a plan to the PC showing the proposed berm revision and plantings. Further Mr. Bartoli has agreed to erect a stop sign to alleviate a safety concern. Dr. Brown thanked Mr. Papiernik and Mr. Billig for coming.

New Business: None

Announcements: Richard Brown announced the following:

- A. Rick Pullin's Holding Tank Agreement has been executed.
- B. The Township building now has lovely new exterior paint.
- C. A diseased Norway maple was removed and replaced with a Magnolia in the LDT front yard.
- D. Midge Leitch announced the HC is looking for recipes from residents along with old LDT pictures.

- E. The HC welcomes Mr. Phillip Edwards as speaker at the 05-27-2008 HC meeting. He will be bringing Indian artifacts and is a fascinating speaker.
- F. The BOS granted permission for Secretary Janice Hearne to attend a professional meeting sponsored by Chester County Secretaries in Government Association (CCSIGA) on 05-20-2008 in Downingtown.
- G. The LDT office will be closed on Memorial Day, May 26th as well as May 27, 28, 29, and 30, 2008. The BOS II Meeting will be held as previously scheduled and advertised followed by the Task Force Meeting.

The bills were reviewed and paid in the usual manner.

ADJOURNMENT: As there was no further business before the Board a motion was made by Richard Brown and seconded by Midge Leitch to adjourn the meeting at 9:00 PM. The vote was unanimous.

Respectfully submitted,

Janice H. Hearne
Administrative Secretary