

**LONDONDERRY TOWNSHIP BOARD OF SUPERVISOR'S REGULAR
MEETING
Tuesday, July 08, 2008**

The meeting of the Londonderry Township (LDT) Board of Supervisors (BOS) was called to order at 7:36 PM by Supervisor-Chairman Richard Brown. Supervisors Richard Brown, Wayne Grover, and Midge Leitch were present.

COMMENTS FROM THE PUBLIC: Mr. Dave Regester, representing Manor Presbyterian Church (formerly Faggs Manor), addressed the BOS regarding a proposed new/replacement sign for the church. Mr. Regester presented a picture of the existing sign and the replacement sign to the BOS for review. The new sign will replace the existing sign and the new sign orientation will change by 90° with two (2) pillars which will match the church facade. In addition the new sign will be further away from the road than the current sign and the written text will be visible from both sides. After discussion it was decided the BOS will review the matter with Zoning and Permits Officer, Bill Beers, and Secretary, Janice Hearne, will send a letter to the church.

MINUTES OF June 23, 2008 BOS II: As the Minutes had previously been emailed to the BOS, reviewed, and found to be satisfactory, Wayne Grover made a motion to approve the Minutes of 06-23-2008 as written. Midge Leitch seconded the motion. The vote was 2 in favor with one abstention as Supervisor Brown was not present at the 06-23-2008 Meeting.

TREASURER'S REPORT: Howard Benner read excerpts from the Preliminary June, 2008 Treasurer's Report. Once all the end-of-the-month bank statements are received and reconciled Mr. Benner will submit a FINAL report. Mr. Benner stated the loan has been paid two (2) years in advance of the due date with the Open Space fund having a current balance of approximately \$17,000 and growing. Richard Brown made a motion to accept the June, 2008 Preliminary Treasurer's Report as written and Wayne Grover seconded the motion. The vote was unanimous.

TOWNSHIP REPORTS:

A. Zoning Officer/Building Inspector Reports: The Supervisors reviewed the June, 2008 Zoning Report (dated 07-07-2008) as submitted by Bill Beers and Richard Brown read excerpts aloud. Three (3) Building Permits were issued, with one (1) permit extended, and four (4) Building Permits are pending submission of additional fees. Total fees collected for all permits totaled \$1,422.32 and \$870.00 in construction inspection fees were collected. Eight (8) Use & Occupancy Permits were issued and nineteen (19) 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 raised by Mr. Scott Andress in his letter

received April 30, 2008. Mr. Beers filed a civil complaint with the District Court in Parkesburg regarding the problem at 198 Baker Road with the court date to be determined. In addition Mr. Beers reviewed the Holley Mehew Zoning letter with Londonderry solicitor, Stacey Fuller, and issued a letter on June 09, 2008.

- B. Roadmaster:** Assistant Road Foreman, Bob Mills, reported that he and Roadmaster Allen Reynolds had cleaned ditches and gutters on Elm Creek Road. Mr. Mills requested the evergreen trees on Paxson Road be trimmed back this fall since in the winter the ice and snow on limbs creates a hazard for the snow plow mirrors. Richard Brown said he would talk to Bootsie Pannell regarding trimming the trees. Upon Allen Reynolds' arrival to the meeting he noted further that the pipe on St. Malachi (north of the church) had been reset. Also a pipe had been reset on Wertz Road. Mr. Reynolds is ready to begin road repairs at Fernwood Road and Route 41. Supervisor Leitch asked about the repairs to pot holes on Old Hilton Road and Mr. Reynolds replied the repairs are scheduled to be done soon.
- C. Emergency Management (EM):** No Report.
- D. Planning Commission (PC):** Chairman Rich Henryson reported the 90 day extension offered by Mr. Cohen had been reviewed and the BOS had acknowledged the extension offer at their BOS II Meeting on 06-23-2008. Bob Johnston reported there are two (2) sets of surveys for the Heinzman property which must be resolved. Lisa D'Andrea, Engineer for Mr. and Mrs. Heinzman, will address the PC at their meeting next week. In addition there are still several inconsistencies on the plan and there are no signed and sealed plans. Further, the driveway is a PennDot issue yet to be resolved.
- E. Parks & Recreation (P&R) Committee:** Eileen Koenig said P&R did not have a meeting in June and the next meeting is scheduled for Thursday, 07-17-2008 at 7:30 PM. They will be working on planning an activity for the fall.
- F. Open Space (OS) Committee:** Richard Brown had talked with Hank Detering and there was nothing of immediate concern to report. The next meeting of OS will be held on Wednesday, 07-16-2008 at 5:30 PM.
- G. Historical Committee (HC):** Supervisor Leitch noted that on June 24th Dr. Elmer Laffey spoke on the history of St. Malachi Church. He was extremely informative and there was a large and appreciative audience. All of the speakers this season have been extremely interesting and those in attendance have expressed an interest in having more speakers next season. There will be no more speakers until the fall, but if citizens know of speakers whom they believe to have information about the Township, please contact Diane Henryson, other PC members, the Supervisors, or the Township secretary.
- H. Newsletter/Website:** Supervisor Leitch reported the next LDT Newsletter will be published in August or September. Secretary Hearne shared a request by several residents to place archival BOS and BOS II Minutes on

the website. Currently the policy is to remove the previous Minutes and post the most current. Bill Wuhrman, Webmaster, had been consulted previously and said there was plenty of room to have an archival area on the website. The BOS decided leaving the Minutes on the website for one (1) year (i.e. 24 Meeting Minutes) would probably be best. Secretary Hearne will work with Bill Wuhrman to complete this task.

OLD BUSINESS:

- A. 2008 Road Improvements Bids:** Robert Johnston reported that the contract for Martin Paving had gone out but had not yet been returned to LDT.
- B. Mindy Acres HOA – Re: Water Inlets to Basins Letter:** Supervisor Brown read aloud the letter received from the Mindy Acres HOA Directors dated 06-05-2008. In this letter the Directors ask if the Township or the HOA has the responsibility to maintain and repair the stormwater inlets to the basins. Secretary Hearne will locate the Mindy Acres HOA documents, Supervisor Brown will review the documents, and a letter will be written to the Mindy Acres Directors.
- C. Speed Limit on Route 41 in LDT:** Supervisor Leitch said there is a small section in the Township on Route 41 where the speed limit is 55 MPH. Following discussion it was decided LDT will write a letter to PennDot with a request to lower the speed limit to 45 MPH.
- D. Country Walk (CW) Deed of Dedication:** Mr. David Patten, attorney for Mr. Wilmer Hostetter, addressed the BOS. Richard Brown stated the BOS was in receipt of a letter from the Township solicitor, Stacey Fuller, regarding the documents to be signed. Solicitor Fuller had approved the Maintenance Agreement, but had issues with the lettering of Exhibits in the Letter of Credit. Mr. Patten noted the Maintenance Agreement was signed by Mr. Hostetter and the Fulton Bank. Richard Brown made a motion to accept the Country Walk Deed of Dedication, the Maintenance Agreement – pending consultation with LDT Solicitor Fuller regarding the presence of two (2) Exhibit “A”s – and the Resolution #2008-01. Wayne Grover Seconded the motion. The vote was unanimous. The BOS signed Resolution #2008-01, the Maintenance Agreement, and the Amendments to the Declaration with copies for Mr. Patten and LDT. Mr. Patten received a copy of the actual Deed which Mr. Patten will have recorded with the Register of Deeds.
- E. Robert Mills Sr. & Jr. – Agricultural Security Area Proposal, Parcel #46-04-0002, 90.6989 Acres:** Richard Brown thanked Mr. Mills for his application submission which will place his land in the Ag. Sec. Area. The application will be forwarded to the County, advertised, and signs posted as delineated by the Chester County. Land Preservation Board requirements.
- F. Mileage Reimbursement Increase:** Chairman Brown announced there has been a Federal mandate increasing travel reimbursement for employees and others where appropriate from 50.5 cents to 58.5 cents

per mile, effective July 1, 2008. Richard Brown made a motion to approve the increase in mileage reimbursement from 50.5 cents to 58.5 cents. The motion was seconded by Wayne Grover. The vote was unanimous.

NEW BUSINESS: None

ANNOUNCEMENTS:

- A. Five (5) Amendments Pending:** Richard Brown announced there are 5 amendments in-process: four (4) Zoning and one (1) Subdivision and Land Development. The following are brief descriptions provided by Supervisor Brown of each amendment:
- a. Chapter 130. Subdivision and Land Development – Change the title in Section 130-54 from “Stormwater Management” to “Erosion/ Sedimentation Control and Stormwater Management”.
 - b. Chapter 170. Zoning – Revise Section 170-86 “and the Londonderry Township Erosion and Sedimentation Control Ordinance”. (This is a designation change).
 - c. Chapter 170. Zoning – Section 170-86-C “Any forestry or reforestation activity shall be conducted in strict accordance with the standards in Sect. 6.3 of the Erosion and Sedimentation Control Ordinance.”
 - d. Chapter 170-13. Zoning – Regarding schools – public, private, trade - creating consistency among other sections regarding schools.
 - e. Zoning – Regarding Steep Slopes. Additional Act 247 Review is required. Consequently this revision must go back to the CCPC for further review. The language has been revised to coincide with the Erosion and Sedimentation Ordinance.

Richard Brown made a motion to forward the five (5) items to the County for 247 Review. Midge Leitch seconded the motion. The vote was unanimous.

- B. AES/Sparrows Point Mid-Atlantic Pipeline:** Midge Leitch noted there is a meeting scheduled for Thursday, July 31, 2008, 7-9 PM, at the Brandywine River Museum Lecture Room on US Route 1, Chadds Ford, PA. She urged all interested residents to attend and asked Secretary Hearne to post notices and information on the front door. In addition Secretary Hearne was asked to locate a map showing the proposed location of the pipeline within the boundary of LDT.

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 Midge Leitch and seconded by Wayne Grover to adjourn the meeting at 8:43 PM. The vote was unanimous.

Respectfully submitted,

Janice H. Hearne
Administrative Secretary