

**LONDONDERRY TOWNSHIP BOARD OF SUPERVISOR'S REGULAR
MEETING
TUESDAY, AUGUST 12, 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. Charles Rogers was recognized and asked about repairs to the drop-off on the edge of Fernwood Road at Route 41. There is approximately 25' to 30' where the edge of the roadway has washed away. Roadmaster Allen Reynolds stated that repairs using black top (as stones would simply wash away) would begin in the next few weeks.

MINUTES OF July 28, 2008 BOS II: As the Minutes had previously been emailed to the BOS, reviewed, and found to be satisfactory, Richard Brown made a motion to approve the Minutes of 07-28-2008 as written. Wayne Grover seconded the motion. The vote was unanimous.

TREASURER'S REPORT: Howard Benner read excerpts from the July, 2008 Final Treasurer's Report. Mr. Benner reported the Earned Income Tax (EIT) distribution will be deposited into the Township's account on 08-13-2008 and the amount deposited will be approximately \$1,000 more than was received last year. Wayne Grover stated the Expense Ratio appears higher than other Townships and Howard was asked to seek an explanation from Lancaster County Tax Bureau (LCTCB). In addition Mr. Benner said the first quarter franchise cable reimbursement was in excess of \$500.00 and this is a percent of Verizon's revenues.

TOWNSHIP REPORTS:

A. Zoning Officer/Building Inspector Reports: The Supervisors reviewed the July, 2008 Zoning Report (dated 08-11-2008) as submitted by Bill Beers. Richard Brown read excerpts aloud. Nine (9) Building Permits were issued with one (1) permit pending submission of Homeowners' Association approval. There were two (2) Road Occupancy permits issued. Total fees collected for all permits totaled \$8,307.67 and \$3,110.00 in construction inspection fees were collected. Seven (7) Use & Occupancy Permits were issued and twenty three (23) 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 Scott and Megan Andress. Mr. Beers filed a civil complaint with the District Court in Parkesburg regarding the issues at 198 Baker Road with a court date set for 08-11-2008. A check was received for the fine of \$1,250.00 and a 60 Day continuance was granted by the Court for the homeowners to finish cleaning up the property. Midge Leitch inquired if

there would be a re-inspection of the property prior to the next court date slated for 10-14-2008. Mr. Beers said "yes".

New Daleville: Richard Brown read excerpts from a Looney Ricks Kiss (LRK) Memo dated 08-08-2008 and a LRK Meeting Report dated 07-18-2008 (both documents were attached to Mr. Beers' Report). Issues regarding Lots 1, 77, and 89 were discussed. Resident Scott Andress pointed out safety concerns regarding Lot 89. Supervisor Brown stated he will go to New Daleville and visit these lots himself. Further, there was discussion about the New Daleville circle/cul-de-sac and the need for revision of the shape for driveway access and emergency vehicles. Bob Johnston will set up a meeting with Jim Weidner of Arcadia to explore corrective alternatives.

- B. Roadmaster:** Following some discussion the BOS gave their permission for Roadmaster Allen Reynolds to execute the PennDOT Winter Service Agreement. Mr. Reynolds said the Agreement amount is \$15,000.00 for one year which is the same as last year. Engineer, Bob Johnston, asked about fuel escalation costs. Mr. Reynolds will talk to PennDOT and report back to the BOS.
- C. Emergency Management (EM):** Secretary Hearne completed the National Incident Management System (NIMS) IS-00700 Introductory Course.
- D. Planning Commission (PC):** Midge Leitch said the Stubenberg Riding Ring will be on the Agenda for the next meeting on Tuesday, August 19th.
- E. Parks & Recreation (P&R) Committee:** Supervisor Leitch said P&R is interfacing with the Historical Committee on the LDT 275th Anniversary celebration slated for June, 2009. P&R is working on a Halloween Party with more details available at the next BOS meeting. In addition there was discussion regarding dumping of yard waste in the Nature Preserve. The BOS suggested having Allen Reynolds order a sign saying "NO DUMPING". There was a question as to where to place the sign and it was suggested Marty Detering might assist Mr. Reynolds in this task. The next P&R meeting will be Thursday, 08-21-2008 at 7:30 PM.
- F. Open Space (OS) Committee:** Richard Brown read excerpts from the Minutes of the OS meeting held on 07-16-08. The next OS meeting will be held on Wednesday, 08-20-08 at 5:30 PM.
- G. Historical Committee (HC):** Supervisor Leitch noted there have been in excess of 100 recipes received for the LDT Cookbook. The HC has been working diligently on the LDT 275th Anniversary booking singers and tents. They are also planning a Spring Lecture Series. The next HC meeting will be on Tuesday, 08-26-2008 at 7:00 PM.
- H. Newsletter/Website:** Supervisor Leitch reported the next Newsletter is in need of more articles. Howard Benner will give Midge Leitch information about Township residents who have volunteered and worked to help the Iowa flood victims. This article will also appear on the Township website.

It was felt these LDT area volunteers should be recognized for their contribution to the flood victims.

OLD BUSINESS:

A. New Daleville Escrow Release #13: On 07-17-2008 Arcadia submitted a letter requesting release of \$27,999.00 from the escrow account leaving an escrow balance of \$1,076,036.00. In a letter dated 07-31-2008 Bob Johnston of Gilmore Associates stated they were "in agreement with the quantities of work for the three items submitted" and recommended the "release of \$27,999.00". Mr. Johnston explained this release is for work done on concrete sidewalks, a portion of the treatment plant, and paved paths in the open space area. The BOS directed Secretary Hearne to call the bank which holds the escrow account and request the balance on the line of credit plus any interest accrued. The Township must authorize the bank to release the funds and show proof of a motion by the BOS approving the funds release. Richard Brown made a motion to approve Release #13 for New Daleville in the amount of \$27,999.00 with a remaining balance of \$1,076,036.00. Midge Leitch seconded the motion. The vote was unanimous.

B. New Daleville – Address Email to Supervisor Leitch: This issue was discussed and documented in the second paragraph of the Zoning Officer Report above.

C. Roads Added For Liquid Fuels Compensation: Bob Johnston reported this will be ready to be sent to PennDOT once two (2) items are complete:

1. **Hemlock Drive** – Need a recorded copy of the resolution for Country Walk
2. **Fawn Lane** – LDT requires a \$5,000 financial security bond. Mr. Johnston has been in contact with Bob Schaeffer, Heather Knoll developer, regarding the financial security bond as well as \$1,000 to cover expenses owed to LDT in the amount of \$361.00 plus additional township/engineer expenses. Acceptance of a road is done by Resolution and must be recorded by the Chester County Recorder of Deeds. Secretary Hearne will call CC Recorder of Deeds to inquire just what is necessary to record a Resolution.

Once the above documentation is complete it can be sent to PennDOT.

D. Heinzman Subdivision Plans: Lisa D'Andrea of Medveczky Associates appeared before the BOS to ask for approval of the Heinzman Subdivision Plans. Lisa said there was a minor modification on the plan delineating the 12' minimum width of the driveway. The property owners have submitted a new application to PennDOT for the new 12' driveway accessing Route 41, the culvert extension, and paving material. Lisa had eleven (11) copies of the plans to give Secretary Hearne, but it was discovered that the second copy had not been signed and sealed. Mr. Johnston informed everyone that ALL sheets must be signed and sealed. Ms. D'Andrea said she would take the plans back and sign and seal the second sheet. The BOS was also informed the current Highway Occupancy Permit had expired. Ms. D'Andrea asked that the BOS

approve the Heinzman Plan contingent on the second page being signed and sealed. Richard Brown made a motion to accept the Heinzman Subdivision with two (2) conditions:

1. The Highway Occupancy Permit be applied for and received.
2. All plans be signed and sealed on each page.

Midge Leitch seconded the motion. The vote was unanimous.

E. Deeds of Dedication: This was a non-issue per Robert Johnston.

F. AES/Sparrows Point Pipeline Update: It was announced there will be three (3) more information meetings in the next two (2) days:

1. 08-13-2008 – Nottingham, PA Park – 9:00 AM
2. 08-14-2008 – Exton, PA – 8:30 AM
3. 08-14-2008 – Broad Run Park, Downingtown, PA – 2:30 PM

Supervisor Grover gave a synopsis on the Brandywine Conservancy meeting on the proposed pipeline. In LDT the new pipeline will likely follow existing gas lines, but the exact route is proprietary information due to National Security. In addition there are proposals for new utility lines and reclamation of property or the use of eminent domain for railroad lines. Mr. Grover stated there is a grass roots campaign for residents to voice their opinions through their PA Senators and Congressmen who, for the most part, are against these proposals. Homeowners were encouraged to write letters to their Senators and Congressmen voicing their opinions. In the view of Mr. Grover the railroad and electrical lines are the major issue.

G. Southern Chester County Emergency Medical Services, Inc.

(SCCEMS) Request for 2009: LDT received a letter from SCCEMS dated 08-07-2008 requesting 2009 financial support based on .1 mils of assessed value (exempts not included) in the amount of \$12,348.00. Treasurer Howard Benner said the 2008 Budget amount was \$11,000.00 which has not yet been paid. Supervisor Leitch asked if this was in addition to the LDT contribution to the Cochranville Fire Company. Mr. Benner answered in the affirmative. Wayne Grover asked if the BOS would like to invite SCCEMS to a BOS meeting in the fall. Secretary Hearne was directed to invite members of SCCEMS to attend the BOS meeting in October.

H. Ordinances (3): Richard Brown made a motion to authorize LDT Solicitor, Stacey Fuller, to resubmit the following three (3) Ordinances to the Chester County Planning Commission for 247 Review:

1. Ordinance Amending the Existing Zoning Ordinance Regarding Schools – Public, Private and Trade, and Community Utility.
2. Ordinance Regarding Erosion and Sedimentation Control
3. Ordinance Amending the Existing Subdivision and Land Development Ordinance, as Amended, and Existing Zoning Ordinance, as Amended, Regarding Erosion/Sedimentation Control

Wayne Grover seconded the Motion. The vote was unanimous.

I. 537 Plan: Richard Brown asked Bob Johnston about the 537 Plan. Mr. Johnston replied it is nearly complete. A Septic Management Ordinance

is needed and Mr. Johnston will acquire a copy from another township to use as a model. The booklet and maps are finished and in a 3-Ring binder.

NEW BUSINESS:

- A. Pesticide Spraying Event:** Bill Beers brought up an incident involving sprayed pesticide in LDT and the death of a horse. Richard Brown said the event occurred on 07-22-08 when soybeans were sprayed by a farmer who rents the field from Lou Guerrina. One horse died and another was sickened, but recovered. Bill Beers was directed to contact DEP, inform them of the incident, and request an investigation.
- B. Lancaster County Tax Collection Bureau (LCTCB):** This was discussed during the Treasurer's Report above.

ANNOUNCEMENTS:

- A. Parkesburg Library Thank You Letter:** Richard Brown read aloud the letter from Parkesburg Library Corresponding Secretary, Peg Marten, in which she thanked LDT for their \$2,000 contribution.
- B. Mills Property to Agricultural Security:** Supervisor Brown stated letters have been sent to the Chester County Planning Commission and the Chester County Agricultural Land Preservation Board. The LDT Planning Commission will discuss approval at its meeting on 08-19-2008.

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 Wayne Grover to adjourn the meeting at 8:55 PM. The vote was unanimous.

Respectfully submitted,

Janice H. Hearne
Administrative Secretary