

**LONDONDERRY TOWNSHIP BOARD OF SUPERVISOR'S REGULAR
MEETING
TUESDAY, SEPTEMBER 9, 2008**

The meeting of the Londonderry Township (LDT) Board of Supervisors (BOS) was called to order at 7:33 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: Mr. Walt Moore of Walmoore Holsteins, Inc. was recognized. Mr. Moore addressed the BOS concerning his proposal to build a holding pen adjacent to the barn housing the milking parlor on his farm located at Route 41 and White Horse Road. This will be a combination structure on the south side of the big barn away from Route 41. Once the new structure is operational the existing milk house will be shut down. The new structure will measure 84 ft. x 141 ft. and will incorporate a holding pen, cow handling area, and an employee lunch room. The manure system is already in place and Mr. Moore will tie into it for the new structure. The BOS informed him that the appropriate action is for him to present his proposal to the Planning Commission which meets next Tuesday, September 16, 2008 at 7:30 PM. The BOS thanked Mr. Moore for coming.

There were no other comments from the public.

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 08-25-2008 as written. Midge Leitch seconded the motion. The vote was unanimous.

TREASURER'S REPORT: Howard Benner read excerpts from the August, 2008 Final Treasurer's Report. Supervisor Grover had a question regarding the transfer of funds from checking to Open Space. Mr. Benner explained that $\frac{1}{2}$ of the funds from the Lancaster County Tax Collection Bureau (LCTCB) distribution is deposited into the general fund account while $\frac{1}{4}$ of the funds is deposited into the Open Space account. Mr. Benner met with several LCTCB employees who were very helpful. Lori Sauder provided statistics showing an additional \$3,324 received by LCTCB as a result of the LDT mailing to 35 households based on Real Estate Transfer records. In addition, Earned Income Tax receipts when comparing receipts from 11/06-08/07 and 11/07-08/08, showed an increase in receipts of 18.7%. Mr. Benner will supply two (2) more years of Real Estate Transfer Tax records to assist LCTCB in updating their records. Midge Leitch made a motion to accept the Treasurer's Report as read. Wayne Grover seconded the motion. The vote was unanimous.

TOWNSHIP REPORTS:

- A. Zoning Officer/Building Inspector Reports:** The Supervisors reviewed the August, 2008 Zoning Report (dated 09-08-2008) as submitted by Bill Beers. Richard Brown read excerpts aloud. Ten (10) Building Permits were issued with two (2) permits pending review. There were two (2) Road Occupancy permits issued. One (1) demolition and one (1) sign permit were issued. Total fees collected for all permits totaled \$9,368.90 and \$3,210.00 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. Mr. Beers attended a Court Hearing in District Court in Parkesburg regarding the issues at 198 Baker Road. A fine of \$1,250.00 was paid and a 60 day continuance was granted by the Court to allow the homeowners to finish cleaning up the property.
- B. Roadmaster:** Supervisor Brown read from a hand written report by Roadmaster Allen Reynolds stating the pipe repairs at Faggs Manor Road are complete, but the guard rail will be installed soon. The Fernwood Road repairs, east of Route 41, will begin in the next few weeks.
- C. Emergency Management (EM):** Richard Brown reported an Emergency Management Travel Authorization letter was distributed to all LDT Emergency Management Personnel as requested by Karl Mehn, Deputy Director for Emergency Management for Chester County. This document will allow LDT emergency personnel to pass through security areas should this be necessary. On 09-11-2008 at 6:00 PM there will be a meeting of the Octorara Emergency Management in the LDT Meeting Room.
- D. Planning Commission (PC):** Rich Henryson said the PC heard a presentation on the proposed Stubenberg Riding Ring which will be situated on a 98 acre parcel located at the corner of Hilton and South White Horse Roads. The parcel is Zoned AP which has no provision for a riding ring. David Sweet will write new zoning language and the Task Force will review it. In addition the PC reviewed the new drawings for West Wind Farms and these will require further review. The next PC meeting will be on Tuesday, September 16th at 7:30 PM.
- E. Parks & Recreation (P&R) Committee:** Supervisor Brown read the Minutes from the P&R meeting held on 08-21-2008. The P&R Committee is assisting the Historical Committee on preparations for the LDT 275th Anniversary celebration slated for June, 2009. P&R is working on ideas for children's activities. P&R has decided not to pursue plans for a Halloween Party at this time. Richard Brown reported that previous complaints regarding dumping of yard waste, leaves, and grass clippings along the fence bordering Fred Fortuno's property have been resolved by Hank Detering, Open Space Chairman, who spoke with the Barnsgate II HOA. There appears to be no immediate need for a "NO DUMPING" sign. The next P&R meeting will be Thursday, 09-18-2008, at 7:30 PM.

- F. Open Space (OS) Committee:** Richard Brown read excerpts from the Minutes of the OS meeting held on 08-20-08. The next OS meeting will be held on Wednesday, 09-17-08, at 5:30 PM.
- G. Historical Committee (HC):** The BOS granted permission to Chairman Diane Henryson to develop a list of 275th LDT Anniversary celebration patrons who could be contacted with a request for donations to help defray the cost of the celebration. These patrons would be recognized in the Anniversary program:
- a. Individuals donating \$50 would be acknowledged as members of the Silver Medallion Club;
 - b. Businesses donating at the \$200 level would be acknowledged as members of the Gold Medallion Club;
 - c. Businesses donating at the \$250 level would be acknowledged as members of the Platinum Medallion Club;

Parking at the time of the celebration needs to be addressed.

Recipes for the cookbook have been flowing in and historical pictures will be added. The next HC meeting will be on Tuesday, 09-23-2008 at 7:00 PM.

- H. Newsletter/Website:** Supervisor Leitch reported the next Newsletter is ready to go to press. Included in the current Newsletter is another request for information from Township residents with special needs during emergency situations. The Winter edition is being planned and anyone with articles or subjects for articles should communicate them to Midge Leitch or Jennifer Zduniak.

OLD BUSINESS:

- A. Country Walk:** HOA President, Joe Sacks, and Treasurer, Ed Beideman, were in attendance. Bob Johnston noted that in a letter dated 08-26-2008, Gilmore & Associates responded to attorney David C. Patten that Gilmore & Associates could not recommend closing the letter of credit because the developer has open items to complete on the original punch list covered under the letter of credit. In addition a 08-26-2008 letter from Gilmore & Associates to Mr. Wilmer Hostetter, developer, outlined a revised Country Walk Preliminary Punch List of Outstanding Construction Items. A \$5,000 in-house escrow replenishment check was requested and received. Mr. Johnston said the escrow fund is enough to complete the punch list. Also Mr. Sacks asked if it would be possible to acquire a written completion schedule from Mr. Hostetter. Mr. Johnston will make the request. There was additional concern regarding issues with sidewalks, curbs, and the effects of winter on the infrastructure. The HOA members were assured there would be no release of escrow funds without review by the BOS. Richard Brown made a motion to decline releasing the remainder of the Letter of Credit monies to Mr. Hostetter as described in the Gilmore letter of August 26, 2008 to Mr. Hostetter's attorney, Mr. David Patten, until the remaining items on the punch list are satisfied. Wayne Grover seconded the motion. The vote was unanimous.

- B. Fawn Lane Road Dedication:** Mr. Johnston has been in contact with LDT solicitor, Stacey Fuller. He is continuing to work on the Agreement with Mr. Robert Shaffer. A check for \$5,500 was received from Mr. Shaffer, but the Township was asked not to deposit the check (\$5,000 for the escrow fund and \$500 for engineering and other fees) as there were issues to be resolved. Mr. Johnston said Mr. Shaffer has not yet signed the Developer's Agreement.
- C. Deeds of Dedication:** Bob Johnston reported Fawn Lane is not yet finished. There was no motion for a Resolution.
- D. Roads Added for Liquid Fuels Compensation:** Bob Johnston will submit **Hemlock Drive** in Country Walk to PennDOT for liquid fuels compensation. Two (2) items are necessary before the application is complete:
1. A copy of the signed and executed LDT Resolution
 2. A Deed of Dedication document signed and recorded by Mr. Hostetter.
- Mr. Johnston will submit the PennDOT application once he receives copies of the two (2) documents requested above. He will contact PennDOT to ascertain the latest date possible for the submission of the 2008 applications for liquid fuels compensation.
- E. New Daleville Retaining Wall Lot 89:** In response to an inquiry from Mr. Scott Andress, a New Daleville resident, Mr. Johnston reported that Mr. Tim Smith of Northeast Inspections made a field review regarding a retaining wall on Lot 89 in New Daleville made necessary by an elevation change to accommodate garage construction. The configuration of the wall (27 inches high and 43 feet long) does not require guard rail installation.
- F. New Daleville – Columba Circle:** In response to Mr. Scott Andress' request about Columba Circle in front of his residence, Mr. Johnston and Mr. Jim Weidner of Arcadia conferred and Mr. Weidner sent an email dated 09-04-2008 indicating that "a stone extension at the rear of Columba Street" would be installed to increase the width of the road by four (4) feet. Installation was to be completed by 09-10-2008. Mr. Johnston said Mr. Smith of Northeast Inspections would observe the work. Ultimately this area will be paved by Arcadia.
- G. New Daleville LDT Inspection Fees for On-Lot Items:** In an email dated 09-12-2008 to Mr. Johnston, Mr. Jim Weidner of Arcadia made a request that the Township bill the home builders directly for inspections during the construction of the New Daleville lots. The BOS declined.
- H. West Wind Farms:** Mr. Johnston cited the PA Dept. of Environmental Protection (DEP) letter of 09-03-2008 regarding the West Wind Farms Sewage Facilities Plan revision. Mr. Johnston noted the lot sizes for West Wind are currently approximately 1 acre not the 65,000 sq. ft. (or approximately 1 ½ acres) required to accommodate well, septic and secondary septic fields. Lot #27 was not approved. In response to Supervisor Brown's question regarding the end result, Mr. Johnston said

the lot lines may need to be changed. These issues will be discussed at the PC during its next meeting on 09-16-2008. A written response to the DEP must be within 30 days or by October 3, 2008. Mr. Johnston will draw up a response.

- I. **Heinzman Subdivision Plans:** Richard Brown said nothing has been received by LDT or Gilmore regarding the signed plans on all pages and the proof of Highway Occupancy Permit as previously agreed to by Mr. Heinzman's engineer, Lisa D'Andrea. In addition a request for \$1,000 additional escrow has not been received. Mr. Johnston will call Lisa D'Andrea tomorrow and email the results to LDT.
- J. **Subdivision/Land Development Fee Schedule:** It was decided this topic would be reviewed at the next Task Force Meeting on 09-22-2008. The BOS would like to have a new fee schedule ready by January, 2009 in preparation for the Organization Meeting. Mr. Johnston said he would give a copy of the 2006 "Work in Progress" Fee Schedule to Zoning & Permits Officer, Bill Beers, and Commonwealth Code Inspection Services (CCIS) for their review and ask that they pencil in suggestions. The BOS can then review these suggestions and finalize a new Fee Schedule.
- K. **Ordinances:** There has been no response to date from the Chester County Planning Commission. Township Solicitor, Stacey Fuller, submitted the Ordinances on 08-18-2008 for Act 247 Review.
- L. **Act 537 Plan:** Mr. Johnston submitted a draft copy of the Act 537 Sewage Facilities Plan for On-Lot Disposal. Included in this document are plans for the maintenance, oversight, enforcement, cleaning, pumping and inspections of on-lot sewage disposal. There is a Holding Tank Ordinance and maps included. Built into this document is a vehicle whereby it can be easily revised.
- M. **Chester County Secretaries in Government Association (CCSIGA) Meeting:** Secretary Janice Hearne requested permission from the BOS to attend the September CCSIGA professional meeting to be held in Downingtown, PA on 09-23-2008 at 8:30 AM. The BOS granted this request.

ANNOUNCEMENTS:

Supervisor Brown asked Secretary Hearne to announce the following:

- A. **Southern Chester County Emergency Medical Services (SCCEMS) Request:** Mr. Robert A. Hotchkiss, CEO of SCCEMS, will address the BOS at the October 14, 2008 meeting.
- B. **Chuck Freese, Township Emergency Management Coordinator, has requested placement on the September 22, 2008 BOS II Meeting Agenda.**
- C. **Harry Terrill's "Celebration of Life" will be held on 09-13-2008 from 11:00 AM – 5:00 PM at the American Legion Hall, Lancaster, PA.** Mr. Terrill was employed by Commonwealth Code Inspection Services (CCIS) and served the Township as a building inspector.

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 9:10 PM. The vote was unanimous.

Respectfully submitted,

Janice H. Hearne
Administrative Secretary