

**LONDONDERRY TOWNSHIP (LDT)
BOARD OF SUPERVISORS' (BOS I) MEETING MINUTES
TUESDAY, SEPTEMBER 11, 2018**

CALL TO ORDER: Supervisors Lou Simone, Richard Brown and Gene Wier were in attendance. Lou Simone opened the meeting at 7:31 PM in the Municipal Building.

PUBLIC COMMENTS:

Ryan Jennings, attorney from Buckley, Brion, McGuire & Morris, was recognized. Mr. Jennings is from the office of Kristin Camp, attorney for Boyd and Silva Martin of Windurra USA. Mr. Martin had previously submitted a ZHB application seeking to construct living quarters for two (2) trainers/employees and six (6) equestrian students/employees within the old George Fox School. In a letter dated September 10, 2018 Kristin Camp proposed setting aside the ZHB Hearing Application in favor of an amendment to the current LDT Zoning Ordinance in Section 170-130.4 concerning commercial equine activity. Mrs. Camp proposed the Township further amend Section 170-130.4 to include a limited number of accessory dwelling units for employees and students by right who train or work for a facility. Mr. Jennings suggested the Ordinance could be amended to establish reasonable conditions by which equine organizations could house students and employees. Richard Brown asked if the footprint would remain the same as exists currently and that the only occupants in this portion of the building would be students or employees. Mr. Jennings answered in the affirmative. Lou Simone recommended that Kristin Camp write the recommendation and forward it to Stacey Fuller, LDT's attorney, for review, approval and possible action by the BOS.

The BOS was scheduled to hear a public service presentation from two LDT Girl Scout residents, but the Scouts were unable to attend. They will appear at a future BOS meeting.

BOS II MEETING MINUTES – July 23, 2018: Lou Simone made a **MOTION** to approve the Minutes from July 23, 2018 as submitted. Dick Brown seconded the motion and the vote was 2-0 for approval. Gene Wier abstained as he was not present for the meeting.

BOS I MEETING MINUTES – August 14, 2018: Lou Simone made a **MOTION** to approve the Minutes from August 14, 2018 as submitted. Gene Wier seconded the motion. The vote was 2-0. Richard Brown abstained as he was not present for the meeting.

BOS II MEETING – August 26, 2018: This meeting was cancelled.

TREASURER'S REPORT - AUGUST, 2018: The BOS reviewed the Treasurer's Report as submitted by Alison Emmons and deemed it in order.

LANCASTER COUNTY TAX COLLECTION BUREAU (LCTCB) REPORT: Alison Emmons explained there was a loophole in Act 18 which has now been

rewritten and the issue remedied. Act 18 deals with PA citizens who work in another state for which local taxes are also assessed. In the past the taxes from one state have been off-set up to 1% from the other state with the Township retaining the remaining .25%. Effective January, 2019 LCTCB will be enforcing the revised Act 18 which will reflect the original intent of the law. The estimated loss to LDT next year will be approximately \$22,000.

PENNSYLVANIA LOCAL GOVERNMENT TRUST (PLGIT) ORDINANCE: Two (2) PLGIT accounts have been set up – one General Funds Account and one Liquid Fuels Account. Deposited into the General Funds Account was \$750,000 yielding 2.28% interest and \$100,000 in the Liquid Fuels Account also earning 2.28% interest.

BANK OF MALVERN – CD Renewal: On September 14th (with a 10 day grace period) a General Funds CD #7924 will mature. The BOS gave their consent to reinvest \$614,851.45 with Bank of Malvern at 2.52% interest for 1 year.

TOWNSHIP REPORTS:

A. ZONING OFFICER / BUILDING INSPECTOR REPORT – AUGUST, 2018:

Lou Simone read from Bill Beers' August Report as follows: Four (4) Building permits were issued with One (1) Building permit pending; One (1) Shed permit issued; and one (1) exempt Stormwater permit issued. Several sign permits were issued for Canine Partners. Total permit fees collected were \$2,791.25. Six (6) Use and Occupancy permits were issued which included three (3) Re-sale/rental U & O permits and three (3) Regular U&O permits. There were nine (9) various construction inspections. Census Form C-404 and the Chester County Permit Summary were submitted. Mr. Beers continues to monitor the Eastern Shore Natural Gas (ESNG) site road dirt problems. The owner of 2125 Gap Newport Pike continues to remove vehicles, but has requested an additional 30 days extension of time as he has been in the hospital for additional medical care. The Third Notice for the Morales Enforcement issue was sent via Certified Mail on August 18, 2018. To date no returned letter or green card has been received by LDT. On September 10, 2018 there was a fire observed at Howard Sheehan's property at 691 Street Road. The house collapsed on 02-12-2018 and it is suspected the fire may have been due to an electrical short from the rain. The electric to the house had not been shut off.

B. ROADMASTER: In an email Darryl King reported the groundhog in the garage bay and the communications room was caught. Mr. King continues to mow road banks, repaired the white truck, removed downed trees and, with Clair Burkhart's assistance, installed a 12' piece of 36" pipe to extend a length of pipe under Faggs Manor Road where it was repaved this summer.

C. EMERGENCY MANAGEMENT (EM): Chuck Freese received a Certificate of Completion for an Emergency Management safety course entitled Pipeline Emergency Response and Damage Prevention. This certificate will be added to Mr. Freese's personnel file.

- D. PLANNING COMMISSION (PC):** The August PC and Task Force meetings were cancelled. The PC Meeting scheduled for September 18th at 7:30 PM will likely be cancelled.
- E. OPEN SPACE COMMITTEE (OSC):** The OSC did not meet in August and will likely be cancelled in September.
- F. HISTORICAL COMMITTEE (HC):** Lou Simone read the August Historical Committee Minutes submitted by Chairwoman Diane Henryson. An astronomy night, Stargazers, presentation by Kevin Witman is scheduled for Friday, September 14th at 7:00PM with a rain date of Saturday, September 15th. It was announced that the Daleville Store is now on Facebook with photos depicting the renovation progress. The Tice property at Ewing and Elm Creek Roads is on the market. The Historical Committee hopes to take pictures documenting the character of the home prior to possession by new property owners.
- G. WEBSITE:** The website is up to date.

OLD BUSINESS:

- A. WINDURRA USA ZHB HEARING:** This topic was addressed earlier in the meeting.
- B. MICOLUCCI BUILDING PROJECT:** Lou Simone explained the proposed project to Richard Brown and the audience. Since the original discussion of the project Mrs. Micolucci's mother has passed away and the family continues to consider the best option for Mrs. Micolucci's father.
- C. HONEYCROFT VILLAGE:** Lou Simone noted the next step is for Brian Campbell to submit a revised plan. Recently during a routine training session the Cochranville Fire Company filled a tanker truck from a Honeycroft fire hydrant. This activity brought up a question regarding the ownership of the fire hydrants and who was responsible for paying for the water and how the water was measured. The HOA expressed an interest in the answers to these questions and Lou Simone will call Chester Water Authority to seek the answers. In addition Lou Simone will contact the HOAs for New Daleville and Honeycroft to request resident letters to be sent to Gov. Tom Wolf and Chester Water Authority (CWA) regarding LDT resident concerns on the hostile take-over of CWA by Aqua PA.
- D. BRANDYWINE VALLEY SPCA PROTECTIVE SERVICES 5 YEAR AGREEMENT – Revised Contract:** The original contract was approved and signed by the BOS at the July BOS I meeting. There were errors discovered in the contract (mostly spelling and grammar mistakes) and a new revised contract was issued. The BOS reviewed and signed the revised contract.
- E. GaGa PIT LOCATION:** Gene Wier reported the GaGa Pit will be installed behind the picnic tables on the edge of the soccer field. The Boy Scout leadership must approve the project and Gene Wier will sign an Agreement. Construction is anticipated to begin in October.
- F. CHESTER WATER AUTHORITY / AQUA AMERICA TAKEOVER:** This topic was discussed earlier in the meeting.

G. LONDONDERRY MEADOWS STOCKADE FENCE INSTALLATION: In an email dated 09-10-2018 Regester Associates requested permission to access the LDT owned Open Space area in Londonderry Meadows for the purpose of installing a stockade fence. Worker safety concerns will be addressed. Lou Simone made a **MOTION** to grant Regester and fence installers access to the LDT / Londonderry Meadows Open Space property. Richard Brown seconded the motion and the vote was 3-0 in favor.

NEW BUSINESS:

- A. EASTERN SHORE NATURAL GAS (ESNG) PIPELINE PROJECT:**
Richard Brown reported he had inspected the area today, September 11th, and made notes regarding the deficiencies. He felt the remedies should be to repave the road, remediate the disturbed soil, reposition the silt fences and reseed the grass. Richard Brown will ask ESNG to fix the road as described by Richard Brown.
- B. STORMWATER MANAGEMENT ACT – HIGH TUNNELS ORDINANCE MODIFICATION:** Lou Simone provided a copy of an article by Anthony T. Verwey, Gawthrop Greenwood attorney, entitled Municipal Alert: Gov. Wolf Signs Law Providing Exemption for High Tunnels. This article states Gov. Wolf signed into law Act 15 of 2018 which amends Act 167 known as the Stormwater Management Act. This amendment will require municipalities to modify ordinances based on the addition of an exemption regarding high tunnels used in agricultural applications. “High Tunnels” are generally a structure that is covered with a plastic or woven textile covering. Act 15 requires all municipalities who have adopted a Stormwater Ordinance to amend the ordinance to comply with this amendment. Lou Simone noted LDT could use existing verbiage to amend LDT’s existing ordinance.
- C. COCHRANVILLE FIRE COMPANY / HONEYCROFT – Water/Fire Hydrants – Ownership, Training and Rt. 41 Hydrant:** This topic was discussed earlier in the BOS I meeting.
- D. WATER / CHESTER WATER AUTHORITY:** This topic was discussed earlier in the meeting.
- E. AQUA AMERICA – New Daleville & Honeycroft:** This topic was discussed earlier.
- F. SHEEHAN COLLAPSED HOUSE FIRE (09-10-2018):** This topic was discussed earlier.

ANNOUNCEMENTS / CORRESPONDENCE:

- A. OFFICE HOURS COVERAGE – Thursday, September 13, 2018:**
Alison Emmons
- B. STARGAZERS NIGHT: Friday, SEPTEMBER 14, 2018 at 7:00 PM.**
RAIN DATE: Saturday, SEPTEMBER 15, 2018 at 7:00 PM.
- C. COCHRANVILLE FIRE COMPANY – Annual Meeting: Monday, SEPTEMBER 17, 2018 at 7:00 PM.**

- D. **PLANNING COMMISSION MEETING:** Next Meeting is Tuesday, SEPTEMBER 18, 2018 at 7:30 PM. TASK FORCE MEETING immediately following PC Meeting. Meeting likely to be cancelled.
- E. **JOHN LAWRENCE – SENIOR EXPO:** Wednesday, September 19, 2018 from 10:00 AM until 1:00 PM, Chester County Technical College High School, 280 Pennock’s Bridge Road, West Grove, PA. Lunch will be served but an RSVP is required by September 10th (610-869-1602 or 610-593-6565).
- F. **OPEN SPACE COMMITTEE:** Next Meeting on Wednesday, September 19, 2018 at 5:30 PM. Meeting likely to be cancelled.
- G. **BOS II MEETING:** Monday, SEPTEMBER 24, 2018 at 7:30 PM. This meeting may be cancelled.
- H. **BOS I MEETING:** Tuesday, OCTOBER 09, 2018 at 7:30 PM.

PAY BILLS: Bills were reviewed and paid in the usual manner.

ADJOURNMENT: As there was no further business before the BOS a **MOTION** was made by Louis Simone and seconded by Gene Wier to adjourn the meeting at 8:20 PM. The vote was 3-0 in favor.

ADDITIONAL DISCUSSION: Bob McComsey stayed after the meeting to discuss with the BOS the Windurra well water and sprinkler issues at the George Fox School site. He has been unsuccessful contacting and getting responses to his questions and concerns with Chester Water Authority.

Respectfully submitted,

Janice H. Hearne
Administrative Secretary