

Londonderry Township Board of Supervisors

April 3, 2006

The Londonderry Township Board of Supervisors held their regular scheduled Board meeting on Monday, April 3, 2006 at the Municipal Building, 783 S. Geyers Church Road, Middletown, PA 17057 beginning at 7:00 p.m.

Present:

Ronald Kopp, Chairman, Board of Supervisors
Anna J. Dale, Vice-Chairman, Board of Supervisors
Andy Doherty, Member, Board of Supervisors
Daryl LeHew, Member, Board of Supervisors
William Kametz, Member, Board of Supervisors
Robert Knupp, Township Solicitor
Daryl Becker, Township Engineer
Steven Letavic, Township Manager
Beth Graham, Township Administrative Assistant

Items Addressed:

1. **Salute the Flag**
2. **Citizen's Input**
None
3. **Colebrook Road Project:**
Mr. Kopp informed the public that Monday March 27, 2006, Senator Piccola and Representative Hickernell, presented the Township with a \$250,000 check to help fund the improvements on the drainage problem for Colebrook Road. The project is funded and will go forward.
4. **Solicitor Appointment:**
Jones and Henninger is the new Solicitor Company and Peter Henninger is our Solicitor.
Motion to appoint Peter Henninger as Solicitor was made by Mrs. Dale and seconded by Mr. Doherty, motion carried.
5. **Manager Report – Mr. Letavic**
-Fire House Building Permit fees- Mr. Letavic asked that the fees be waived. Motion was made by Mr. LeHew, seconded by Mr. Doherty, motion carried
-441 Water line- Mr. Letavic updated the board on where this was at, the Township has an executed agreement with the Air Force to cover this water line and Mr. Letavic will be bidding that project this week.
-Keystone flying club- Mr. Letavic gave the board an update on this situation. He has been working with them through the winter months for alternative sights. This topic will be on the April 18th work session agenda and a resolution will be made at that time.

-Lower Dauphin Regional Comp. Plan-

Mr. Letavic was asked by Supervisor Doherty to put this under the manager report and Mr. Letavic turned it over to Mr. Doherty. Mr. Doherty updated the board and citizens on the last meeting. The big thing that came out of the meeting was the inter municipality agreement and instead of having a third party look at and make up the agreement, the three municipalities are going to look the agreement and bounce it back and forth until all three are ok with the final product. Mr. Doherty asked for input from the other Board members. Mr. Kopp asked what the time frame would be for the agreement to be finished. Mr. Doherty stated that it depends on the individual municipalities and how long they take to get it back and forth. Mr. Doherty stated the future meeting dates. They were: May 24- Seminar where DEP, Harrisburg, and Derry Sewer Authority are going to speak, July 26- Land Preservation & Conservation, September 27-Transportation Impact & information, and November 29-Recreation. Times and places are going to be different, but the public can call into the Township office for those as the dates get closer.

6. **Engineer's Report- Darrell Becker**

-Kim John Letter of Credit- Kim John is asking for release of letter of credit, a reduction in the amount \$4,614.00, for sidewalk construction. This leaves a balance of \$33,686.00. Mr. Becker recommended that the board release the \$4,614.00 at this time.

Mr. Kopp asked for a motion to release, Kim John, the \$4,614.00 on the letter of Credit. Mr. LeHew made the motion, Mrs. Dale seconded it, and the motion carried.

-R.E. Wright- Developer of the Rochele Rd. sub-division, received approval 5+ years ago, but no improvements were done and the approval is now subject to any new ordinance's that have been passed. So, they submitted a revised plan for Rochele Road. The only changes are related to Storm water management. Mr. Becker is not recommending approval at this time, until a revised plan is received. Mr. Becker stated that it will probably be next month when the plan is received.

-Colebrook Road time table- Phase I & II will be bid at the same time and submit them to the Township for review at the same time. Mr. Becker stated that it would take ten weeks to complete both Phases start to finish. (See attached schedule). Mr. Letavic stated that letters will be going in the mail to residents tomorrow (April 4, 2006) regarding project.

7. **Department Reports:**
Zoning & Codes- Jim Foreman

BUILDING PERMIT REPORT

FOR THE MONTH OF MARCH 2006

March

Building Permits issued	6
Zoning Permits issued	6
Estimated construction cost	\$262,400.00
Zoning Permit Fees collected	\$300.00
Building Permit Fees collected	\$2,969.00
Year to date Est. Construction Cost	\$591,300.00
Year to date Zoning Permit fees	\$600.00
Year to date Building Permit fees	\$6,358.00
Building Permits finalized	5
Total estimated construction cost	\$664,950.00

Golf Course- Mike Johnson & Sam Risteff

Mr. Johnson gave the financial report (see-attached copy) for March 2006. Mr. Risteff stated that the old equipment was in good shape and the new equipment was working out very well. The golf course had eight carts left to fix-valves needed to be adjusted. The course in looking good and the staff started back this week. They will be doing fertilization of park and there was a water problem, but did drainage on # 17, 16 & 12 and this alleviate the problem. Mr. Johnson stated that Tuesday AM & PM league's are being advertised to increase the numbers. He is also meeting with the ladies league in two weeks to discuss improvements and suggestions. Also Mr. Johnson reported that three local courses have closed and He is hoping to get their golfers.

-Parks and Recreation- Steve Letavic

Mr. Letavic stated that Mr. Angeloff could not make it, but he asked if Steve would give an update of what they have been working on. Job descriptions have been made and a new reporting structure is in place and moved the parks and rec. part-time employees under the public works department. They will be working with Matt Naples, who be reporting to John Kesler. Working with Mr. Angeloff and the Parks & Rec. Board to get a list of Capital items that they would like to see constructed within the parks, get them prioritized, get prices, and then use the fee in lieu of to purchase or build some of those items, at the board's discretion.

Mr. Kopp suggested that Braeburn be cleaned up and the fencing is looking very rusted and bad. Can we get them painted to make that look better? Mr. Letavic stated that Mr. Angeloff and Himself will be touring the parks and look for things that need to be fixed, cleaned up, or replaced.

8. **New Buisness:**

Mr. Doherty- **Sub-Division- Chapelshire** – We gave them deferments on sidewalks and street lighting. We have two developer's that are looking at the township now, School Heights and Lauffer Hills, we are requiring both to put sidewalks in. I think to keep consistent we need to consider pulling that deferment from Chapelshire prior to any home construction. Mr. Kopp asked Mr. Foreman to answer this question. Mr. Foreman stated we have only been requiring them when we have one-acre lots and that it did not make a whole lot of sense to the planning commission to require sidewalks in the country on ten-acre lots. Mr. LeHew stated that he did think that sidewalks were needed in the country and that he did not think that was a comment that needed to be made by the zoning officer. Mr. Kopp asked Mr. Doherty for clarification on what he was asking. Mr. LeHew stated that what he was saying was there was a reference was made to Stephania Drive, had we put sidewalks there, and they were over one-acre lots, they would have had places to walk and do things when we did the road. They complained about not having that when we were doing the roads. That defeats what his (Mr. Foreman's) comments were, anything over an acre go to a third. Being consistent is all I have ever said, if we do it once we should do it all the time, I am in favor with Mr. Doherty. Mr. Kopp- We are going to experience this same project on Autumn Wood drive. Mr. Doherty- that is already built. Mr. Kopp- We deferred it from last year to this year. There was some discussion about Autumn Wood and it was stated that the public would be in about that project as well and sidewalks would be important out there as well.

Mr. Doherty- **Removal of Cluster Option from the Zoning Book**- He would like to remove this option from the books, for now, until the Board can do some research on the option further. Mr. Doherty sited that there were inconsistencies and some parts of the Code that are vague. Mr. LeHew stated that he agreed with Mr. Doherty, not removing the whole, but the wording should be reviewed. As it stands now if they meet those options in there, we have no choice. I think the Township should have a choice and at least remove the shall, because that means you will. Maybe as moving the word or changing it would be better than allowing a builder to come in and say, we meet this and we want to put it where we want to put it. The Board has no choice. Mr. Doherty referred to the fact that at an earlier date Mrs. Dale had put before the Board to change this, and that it did not hit home with Mr. Doherty at the time. But since then he has seen what Mrs. Dale was talking about. Right now we have two developers looking at us and wanting to do the Cluster Option. It may be that the fact it is on our books that is attractive

to a developer. To remove it until it can be properly revised or at a minimum to revise it now. Mr. Kametz- stated that he would not be in favor of removing it entirely. Based on past experience, He would like it to be an option for the Board for those projects that would be in the best interest of the Township to use the Cluster option. But He would like to see the wording change to have control over the decision for using the option. Mr. LeHew- if we were to withdrawal this option, this is a legal question, from the zoning temporarily until we review, would that put us in any kind of legal situation. Mr. Henninger- When you say withdrawal, I would have to take a look at that, but I think you would have to go through the same process like you have to do with any kind of amendment to your Zoning Ordinance. That is going to be your planning commission and the county, but I can check into that and have a solid answer for you at the work session meeting. Mr. Henninger will research how to remove from the books temporarily. He is not sure if this would be subject to a moratorium. He feels there probably must be parameters set, sole and absolute discretion probably can not be used, but he will research it and find out if it can be worded like that. Mr. Kopp- stated that the direction for this issue is to have Mr. Henninger & Steve look at the language of the cluster option and provide options at the next Work Session on April 18, 2006.

Mr. Doherty- **Remove "Fee in Lieu of"**- He would like to remove the option of receiving money in lieu of land from developers, the citizens would like to see the land over us taking money from developers. If we make them give up land the developers may not want to look at the township for development. Mr. Kopp- noted that it is already set up that it is the Board's discretion of if there is a Fee or the land given up. Also, He stated that the Township doesn't want to end up having twenty little parks all over the place, we want regional ones. There would be no way that we could maintain all those little parks.

Mr. Kametz- asked if there is a way for the Board to come together and talk about all these little things in their totality and come up with a strategy to handle them, versus as we come across them to handle them one at a time. Mr. Letavic- is planning a retreat "training" to see other developments and zoning maps for Supervisors, to see what is out there and what you would like to see here in this Township and then tie that all into the Lower Dauphin Comp Plan. Mr. Kametz- asked a question of the Solicitor, if it is ok that we do a retreat like this with out public input? Mr. Henninger- No, you should be ok, it is really a training and educational thing, if you are not talking about specific changing of things, it is just a free exchange of information and ideas, you will be ok. Mr. Kopp- stated that the Board would like to move forward with the fact finding retreat.

9. **Citizen-**

Horace Hardey - Asked about an update on the 230 diner, the place is starting to deteriorate and you can see through the roof again. Mr. Kopp- asked if Mr. Foreman would give an update. Mr. Foreman- Sometime ago the Solicitor meet with the Lawyer from the diner and a mutual agreement was made to post-pone hearing until June of '06. We got a conviction in the local court and it was appealed to Dauphin County court and that is when the agreement was made.

This agreement gave the diner time to try and solve the problems and if the problems were solved then the current outstanding fines of \$6,000 would be reduced or possibly waived. We have not seen any changes as of late, other than a for sale sign out front. Mr. Kopp- asked if there would be a possibility that we could require them to put a security fence up to keep people from parking and driving in and out of the parking lot? Mr. Foreman- that was supposedly part of the agreement, but I think it was suggested that they put a chain out front, but nothing was done. Mr. Kopp- also stated that the same thing is going on in the lot across from the Tool Shed and it is not always good things going on. There is a lot of junk there at Deodate and 230. Mr. Foreman- stated that he talked to owner and he is going to have someone come down and clean it up and he is going to look into putting a fence on the Deodate road side. Also, Mr. Foreman is working with the State Police on the not so good activity that is going on there. Mr. Foreman stated that only the Lawyers could get the 230 up to date on the agreement.

Horace Hardey- What are we responsible for at Swatara Creek with regards to the damn debris? Mr. LeHew- yes the state is taking care of that. Mr. Letavic- DEP is aware of that and they have assured me that they will clean it up. Mr. LeHew- the EMA director contacted them and they told him that they were aware of it and they are behind schedule and you are not going to push them to get it done any faster. Mr. Kopp- The damn removal was a Middletown project, Londonderry had nothing to do with the decision to take it out or have to pay for any of it.

Mr. Kopp called the adjournment of the meeting Mr. LeHew made the motion and Mr. Doherty seconded, meeting Adjourned at 8:10 pm