

Londonderry Township Board of Supervisors

Regular Meeting Minutes

March 7, 2016

7:00p.m.

The Londonderry Township Board of Supervisors held their regularly scheduled meeting on Monday, March 7, 2016 at the Londonderry Township Volunteer Fire Company, 2655 Foxianna Road, Middletown, Pennsylvania, beginning at 7:00 p.m.

Present: Bart Shellenhamer, Chairman
Ron Kopp, Vice Chairman
Anna Dale, Member
Mike Geyer, Member
Mel Hershey, Member
Steve Letavic, Manager
Chris Feese, Finance Director
Jeff Burkhart, Code/Zoning Officer
Andy Brandt, Public Works Director
Mark Stewart, Solicitor
Jim Diamond, Solicitor
Andrew Kenworthy, Engineer

Absent: Beth Graham, Office Manager; Mike Johnson, Golf Course Manager; Les Gilbert, EMA Director; Allison Funk, MS4 Environmental Specialist

Salute the Flag

Citizen's Input - None

Approval of Minutes – February 1, 2016

Mrs. Dale motioned to approve the minutes as presented, Mr. Kopp seconded. Motion approved.

Manager's Report – Steve Letavic

Employee Performance Appraisals

Mr. Letavic informed the board that Employee Performance Appraisals will be completed by the end of April and then forwarded to the personnel committee for their review.

Lytle Sewer

Mr. Letavic announced that an agreement, in concept, has been reached with Middletown Sewer Authority to sewer Lytle Development. The legal documents are being worked out with council and once approved there should be sewer at Lytle within 18 months.

Gaming Grant

Mr. Letavic informed the board the township was awarded \$177,000.00 in Gaming Grant Funding toward infrastructure. He has been working with PA American Water on the best way to use the funds.

Treasurer's Report – Chris Feese

Payment of Invoices

Ms. Feese requested approval of payment for the following expenditures:

General Fund	\$81,819.70
Golf Course Fund	\$26,804.65
Liquid Fuels	\$11,108.63
Escrow	\$0
Fire Company	\$0
ICC	\$0
Debt Service	<u>\$12,813.78</u>
TOTAL	\$132,546.76

Mr. Kopp motioned to approve the payment of invoices, Mr. Hershey seconded. Motion approved.

Equipment Purchase

Ms. Feese informed the board that the following have met the bidding requirements and requested to purchase from Co- Stars or State Contract. The purchases are part of the five-year plan Equipment Replacement Schedule. Counsel has reviewed and approved the leases for each piece of equipment.

2015 Caterpillar Excavator MA3 Purchase

RESOLUTION 2016-5 Financing with CAT Financial for Caterpillar Excavator

Mrs. Dale motioned to approve the purchase the 2015 Caterpillar Excavator and Resolution 2016-5, Mr. Geyer seconded. Motion approved.

2016 Silverado 3500 4 WD Crew Cab Purchase

RESOLUTION 2016 -6 Master Lease with Fulton Bank for Silverado 3500

Mr. Geyer motioned to approve the purchase of the 2016 Silverado 3500 truck and Resolution 2016-6, Mrs. Dale seconded. Motion approved.

RESOLUTION 2016-7 Money Purchase Pension Plan and Trust

Ms. Feese explained that approximately every six years, the IRS requires that all Pennsylvania Pension Plan documents be updated and resubmitted for review and approval. Mechanically the plan will function as before and there are no changes to the mechanical administration of Londonderry Township's pension plan.

Mr. Hershey motioned to approve Resolution 2016-7, Mrs. Dale seconded. Motion approved.

Zoning & Codes Report – Jeff Burkhart

Affirm February Action on Resolution 2016-3 Plan Revision for New Land Develop., Sewer Planning Module for Loretta J. Rea, 1018 Locust Grove Rd

Mr. Burkhart requested the board to re-affirm their intention at the February 1, 2016 meeting was to move to approve Resolution 2016-3 Loretta Rea as it was not clear at that meeting.

Mr. Geyer motioned to approve 2016-3, Mrs. Dale seconded. Motion approved.

Minor (Final) Subdivision / Lot Add-On Plan – Loretta J. Rea, 1018 Locust Grove Rd
Mrs. Dale motioned to approve the Preliminary Plan, Mr. Kopp seconded. Motion approved.

Mrs. Dale motioned to approve the deferral of curbs, gutters and sidewalks, Mr. Kopp seconded. Motion approved.

Mrs. Dale motioned to approve the plan, Mr. Kopp seconded. Motion approved.

OLSDS Procedure Appeal Request – Tom and Kathy Jones, 4454 Woodcrest Drive
Mr. Burkhart explained that the owners have submitted a written appeal stating that they will not be in this locality during most of the time period and therefore; in order to comply with the OLSDS requirements for pumping and inspection, are requesting that they do the inspection sometime during the month of March 2016 before they leave the area in April for an extended period of time. Mr. Burkhart cited that Section 18-109 of Chapter 18, of the Township Sewers and Sewage Disposal Ordinance provides the procedure for the Board to grant relief based upon such written appeal if the Board sees fit.

Mr. Geyer motioned to amend the required pumping schedule for 4454 Woodcrest Drive to allow the owner to pump prior to their normally scheduled cycle of June 1, 2016- June 31, 2017 with the pumping is to occur in March 2016, Mr. Hershey seconded. Motion approved.

Module Exemption Request – Steve and Bonita Wisniewski, 1650 Locust Grove Rd
Mr. Geyer motioned to approve the request from Raudenbush Engineers to have a Municipal Official sign Part 8 c (1) of the Planning Module Exemption Form as presented for Steve and Bonita Wisniewski, 2011 Locust Grove Rd., Mr. Hershey seconded. Motion approved.

**MS4 Environmental Department – Steve Letavic
Progress Report**

Mr. Letavic submitted Ms. Funk's written progress report for the work completed during the month of February.

MS4 Best Management Practices Manual

Mr. Kopp motioned to approve the MS4 Best Management Practices Manual, Mrs. Dale seconded. Motion approved.

Public Works Report – Andy Brandt

Mr. Brandt submitted a written progress report for work completed during the month of February and intended work for the month of March.

Golf Course and Bar & Grill Report – Steve Letavic

Mr. Letavic submitted Mr. Johnson's written progress report for the month of February and upcoming projects for March.

**Engineer's Report – Andrew Kenworthy
DCIB**

Mr. Kenworthy informed the board that notice to proceed was given on February 19th. He is waiting for the contractor to submit a schedule for approval.

537 Plan

All items have been addressed and they are expecting approval shortly.

Storm Sewer Repairs

General permits are being submitted and all work will be performed by our Public Works Department.

Solicitor's Report – Mark Stewart

Indemnity Agreement with DTMA – Wright Sewage Exchange

Mr. Kopp motioned to approve the Indemnity Agreement with DTMA – Wright Sewage Extension, as presented, Mr. Hershey seconded. Motion approved.

Executive Session

Chairman Shellenhamer recessed the regular meeting to an Executive Session for an ongoing investigation and potential litigation at 7:34pm and announced the meeting would reconvene after the Executive Session.

Mr. Hershey motioned to adjourn the Executive Session at 7:50pm, Mr. Geyer seconded. Motion approved.

Chairman Shellenhamer reconvened the regular meeting at 7:51pm

Proposed Approval of Floodplain Enforcement Compliance Agreement with York Haven Power Company

Chairman Shellenhamer informed the crowd that the board will hear Public Comments in regards to the York Haven Agreement after Jim Diamond, Solicitor, explained the facts. Chairman Shellenhamer went on to explain the rules for everyone in attendance and made note that anyone who does not follow the rules will be asked to leave or removed by a police officer.

Jim Diamond, Township Solicitor, explained the facts of the Proposed Approval of Floodplain Enforcement Compliance Agreement with York Haven Power Company and the position the township is in.

Public Comment

The following individuals spoke in regards to their concern for their ability to keep their cabins on the islands, FEMA compliance and their desire for options to having to remove their cabins:

Derrick Krehling, 258 Spruce St., Middletown – Lot 2, Shelley Island
Tracy Bechtold

Ronnie Nye-Keller, 1245 Hummelstown Road - LS031, Shelly Island

Bob Kahole, Londonderry Township

Dwayne Boyer, 73 Water Street, Goldsboro – 5 cottages on various islands

Joanne Little, 44 S. Harrisburg Street, Steelton
Scott Walter, Baltimore City – Lot 83, Shelly Island
Craig Gates, Lebanon
Marlin Goodling, Londonderry Twp. – Poplar Island
Joshua Thompson, Hummelstown – Lot 114, Shelly Island
Duke Petrovich, Kennedy Lane
Tim Rider, Bainbridge – Shelly Island
Scott Seltzer, Hill Island

Executive Session

The Board recessed the regular meeting to an Executive Session at 8:56pm to consult with legal counsel about potential litigation and settlement of potential litigation, with Chairman Shellenhamer announcing that the regular meeting would reconvene after the Executive Session.

Mr. Hershey motioned to adjourn the Executive Session at 9:12pm, Mr. Geyer seconded. Motion approved.

Chairman Shellenhamer reconvened the regular meeting at 9:13pm

Chairman Shellenhamer called for a motion to approve the agreement of the Floodplain Enforcement Compliance Agreement with York Haven Power Company, hearing none, the motion was tabled until the April 4, 2016 meeting.

EMA Report – Les Gilbert (Absent)

No Report.

New Business - None

Old Business - None

Mrs. Dale motioned to adjourn the regular meeting at 9:20pm, Mr. Hershey seconded. Motion approved.