

**LONDONDERRY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES**

September 5, 2017

7:00 P.M.

**<http://www.facebook.com/londonderrytownship>**  
**[www.londonderrypa.org](http://www.londonderrypa.org)**

The Londonderry Township Board of Supervisors held their regularly scheduled meeting on Monday, September 5, 2017, at the Municipal Building, 783 S. Geyers Church Road, Middletown, Pennsylvania beginning at 7:00 p.m.

**PRESENT:** Ronald Kopp, Chairman  
Mel Hershey, Vice Chairman  
Anna Dale, Member  
Michael Geyer, Member  
Bart Shellenhamer, Member  
Jeff Burkhart, Code/Zoning Officer  
Andrew Kenworthy, Engineer  
Jim Diamond, Solicitor

**ABSENT:** Steve Letavic  
Mike Johnson

**ATTENDEES:** Andy Brandt  
Tyler Erb  
Sam Risteff  
Lake Frederic Island Residents

**NOTE:** Chairman Kopp explained that the citizen input section would be done in two sessions. The first session will pertain to comments regarding agenda items only. The second session will pertain to comments regarding non-agenda items.

**Salute the Flag**

**Citizens Input (Agenda Items Only) – None**

**Approval of Minutes – August 7, 2017**

Moved by Shellenhamer, seconded by Dale, the minutes of September 5, 2017 be approved. Motion carried.

Chairman Kopp stated that the Board is working on the budget and asked if the committee had anything to report at this time. Supervisor Shellenhamer replied that it did not.

**Treasurer's Report**

The Chairman requested approval to pay the following expenditures for the month of August:

GENERAL FUND	\$	169,357.47
GOLF COURSE FUND	\$	136,873.22
LIQUID FUELS	\$	9,236.63
ESCROW		-0-
LVFC		-0-
DEBT SERVICE	\$	23,936.41
TOTAL	\$	339,403.73

Moved by Dale, seconded by Geyer the expenditures for August 2017 be approved. Motion carried.

**Code/Zoning - Jeff Burkhart**

Moved by Shellenhamer, seconded by Hershey the time extension for the preliminary land development plan for School Heights Village be approved. The requested plan approval extension date of June 5, 2018 is one day later than the presently anticipated meeting of the Township Board of Supervisors in June 2018. Motion carried.

Moved by Dale, seconded by Shellenhamer the plan application and approval processes for the Jonathan D. Parmer Preliminary/Final Subdivision Plan to Conewago Township be deferred. Motion carried.

**MS-4 Environmental Department – Tyler Erb**

**Environmental Education Grant –** The final workshop, “Green Cleaning”, will occur on September 9<sup>th</sup>.

**Private BMPs** – All private BMPs have been inspected with Love's Truck Stop having a few maintenance issues. These were explained to them via a letter and an additional inspection was scheduled for October 2<sup>nd</sup>.

**Inlet Cleanings** – Worked with public works and Kline's to pump out inlets and pipes that were marked as priority from inspections. A total of 13.66 tons of sediment was removed during the process.

**Swatara Creek Buffer** - Met with a consultant and have devised a plan to plant the area with a customized seed mix that thrives in riparian areas. The plan will decrease the need to mow the area to once or twice a year for maintenance purposes, with higher mowing needs in the first year (mow to 6" when it reaches 12").

**TMI** – Mowed a site at TMI to help them prep for a meadow planting. Have been discussing options for the planting moving forward.

**Public Works Report** – Andy Brandt

A report containing a list of work done in the month of August and work planned for the month of September was presented and is on file. One change was made to the schedule for September and that was that the crack sealing work will be done on the 18<sup>th</sup> and 25<sup>th</sup>.

Several complaints have been received from the residents of Londonderry Estates regarding storm water drainage issues. On August 15<sup>th</sup>, Andrew (HRG), Jeff and myself met with several residents to determine the problem. In Andrew's opinion, the problem is not the Township's. Over the past 30 years, residents have changed the location of some of the sand mounds resulting in a change to the contour of the land and the water route which created a drainage issue. In an attempt to alleviate some of the problem, we will cut the gutter down along the east side of Steinruck Road. Chairman Kopp questioned whether there were any issues in the winter with the water freezing and causing a safety hazard. Andy responded that to the best of his knowledge, this has never been a problem.

Andrew informed the Board that the details were provided from an old subdivision plan created in 1973 and are not the same as they are today. All public facilities are in accordance with the plan as approved at that time.

Londonderry Township Board of Supervisors  
Regular Meeting  
September 5, 2017  
Page Four

**Golf Course and Bar Grill Report – Sam Risteff**

Sam presented an update on the renovations to the golf course and the wells. He stated they will be contacting the SRBC for a waiver to continue the emergency certificate.

Supervisor Hershey questioned whether the well will have to be retested upon receipt of the waiver. Sam responded that if they concede that the waiver from the last test is sufficient, then we will not have to go through the process again.

**Engineer's Report – Andrew Kenworthy**

No report.

**Solicitor's Report – Mark Stewart**

Solicitor Stewart informed the Board that he had two items, one of which would be an action item.

He explained that included in the packets received by the Board is a Storm Water Management Best Practices Agreement with Royalton Borough. This refers to a storm water drain located at 818 Shippen Street in the Borough of Royalton which is operated and maintained by the Borough. However, the drain is located in the Township. Therefore, the Borough has proposed that the Township enter into an agreement whereby the Borough will have full responsibility for maintaining, operating, and carrying all costs associated with the drain. The Township will have the right to inspect the drain. This is a fairly standard agreement, but requires a motion for approval.

Moved by Shellenhamer, seconded by Hershey that the Storm Water Management Best Practices Agreement between the Borough of Royalton and the Township of Londonderry be approved. Motion carried.

In another matter, the Township received correspondence from FEMA dated August 31, 2017, (copy attached) regarding the Township's need to take corrective actions involving its compliance with the flood plain requirements and the Community Assistance Visit specifically regarding the islands owned by York Haven Power (Cube Hydro). The letter will be available for review and will also be posted on the Township's web site.

In part, the letter reads "The Federal Emergency Management Agency (FEMA) supports this compliance agreement and its' implementation as a corrective action to address the

Londonderry Township Board of Supervisors  
Regular Meeting  
September 5, 2017  
Page Five

identified violations. FEMA does not support any change to the compliance agreement that would include the continued use of the existing structures.”

**EMA Report** – Les Gilbert  
No Report

**New Business** – None

**Old Business** – None

**Executive Session** – None

Chairman Kopp stated that this concluded the business portion of the meeting at 7:20 p.m. and opened the floor for comments from the audience.

Chairman Kopp stated anyone interested in addressing the Board should come to the podium, state your name, your address and whether you're a resident of the Township. Three minutes per person will be allowed to address the Board and you are reminded that this is not a question and answer session nor a debate. We know this is an emotional issue, but we must, and will have, an orderly meeting. If things get out of line, people will be asked to leave and the meeting will be closed. As elected officials we are charged with upholding the ordinances that we took the oath of office to uphold.

Chairman Kopp asked if the group had a spokesman to express the groups concerns.

Ashley Griffith  
1435 Red Bank Rd.  
Dover, PA 17315

Ms. Griffith stated she is one of the legal consultants for the Lake Frederic Home Owners Association. She read a letter from the Association in which they reiterated their displeasure with the lack of response and cooperation by the Township to their concerns and plans regarding their numerous attempts to prevent the removal of their summer homes on the Lake Frederic Islands.

Londonderry Township Board of Supervisors  
Regular Meeting  
September 5, 2017  
Page Six

Adam Shaffer  
Shelly Island Lot 116

Mr. Shaffer read a letter from Steve Meredith of Senator Toomey's office stating that FEMA would have no legal standing to obstruct development or continued inhabitancy on the islands as long as those developments occur within FEM's and Londonderry Township's guidelines (copy attached). Mr. Shaffer further stated that he believed Mr. Diamond and Mr. Letavic were misrepresenting what FEMA has told the Association and others. It is his belief that the Township is refusing to work with the homeowners in helping them to become compliant. He stated they have been working for 17 months on a plan that would cost the Township nothing and would also help the other islands.

Roy Hanson  
Lot 108 Shelly Island

Mr. Hanson stated he does not understand why the homeowners are not being given the chance to come into compliance and why they are being stonewalled. It is his understanding that FEMA will allow the homeowners to go on with no penalty to themselves and the residents of the Township will not lose their flood insurance. He believes they should be allowed to try their compliance plan.

Ron Grierson  
853 S. Deodate Road

Mr. Grierson expressed his concern as a 31 year resident of the Township and one who does not live or vacation on the island regarding the amount of resources that are being drawn away from the Board because of this one issue. It is his opinion that this affects only a small part of the Township and a small part of the residents. There are infrastructure needs that need to be addressed in a timely manner and because of this issue, hiring of additional personnel is not an option.

Richard Sill  
821 Roundtop Road

Mr. Sill stated he is a resident of the Township and right now he is not very proud of the Township and especially the Board. His daughter and grandchildren were raised on the

Londonderry Township Board of Supervisors  
Regular Meeting  
September 5, 2017  
Page Seven

island and while he is very proud of the federal, state and local governments with what is happening in Texas, he is not very proud of Londonderry Township.

Don John  
3802 E. Harrisburg Pike

Mr. John stated he is a live-long resident of the Township and he does not have a cottage on any of the islands. However, he believes the people here tonight deserve an answer this evening so that they can proceed with their plans.

Wendy Lorenzo  
Shelly Island

Ms. Lorenzo has been on Shelly Island since 1980. She recently experienced the death of her daughter from a heroin overdose here in the Township where she lived. She further stated that she is trying to keep the cabin for her grandson and if you force her to lose it, she will be financially, as well as mentally, ruined. She does not have the financial capability to remove the cabin from the island.

Katrina (Kitty) Moore  
Lot 15 Shelly Island

Ms. Moore stated that for four generations (56 years), her family has enjoyed the benefits of living and growing up on Shelly Island. She further stated that her father had repeatedly called the Township office to inquire about obtaining permits and was repeatedly told not to worry about the permits. She would like for the Township to partner with the islanders to continue to work together to come to an equitable solution. The islanders have no problem with coming into compliance.

Moose Abel

Mr. Abel stated first of all he would like to inform the Board that he was at a party the other night and someone (indicating the Board) made a comment about having their drinking parties someplace else. He wished to inform the Board that as everyone here knows, he does not drink. He further requested that the Board consider the businesses

in the area and, yes, he repairs boats. He would just like the Board to consider the children and think about their needs.

Lisa Shenfeld  
Bainbridge

Ms. Shenfeld stated that this is a very emotional time for her, having just recently lost her husband. She has spent many, many years on the islands. She and her husband raised two sons who have become responsible young men, thanks in part to their upbringing on the islands. If the Township pursues this, they will be taking away the camaraderie between the families. Not everybody has a blighted property or is an alcoholic, partying all the time. She remembers when her husband went to Jim Foreman with questions about permits and was told not to worry about it that he was out on the island. She requested the Board to stop making rash decisions and give them a chance.

Larry Toth  
Lower Paxton Township

Mr. Toth expressed the support of himself and the 60 some residents of Beech Island for the residents of Shelly and Beshore Islands in their ongoing effort to save their properties. He informed the Board that Beech Island has formed an association and a partnership with the people on Hill Island, approximately 120 properties, as well as the portion on Shelly known as Bares Tip, which is privately owned. He assured the Board that the residents "will not go quietly into the night", a reference to the movie *Independence Day*. We ask that the Board make the decision on this matter – not some island hand, island lawyer and not a township manager. The Board has the legal authority to make these decisions and we ask that you truly look into this because there have been lots of instances where information has been kept from you folks. Decisions have been made in an uninformed manner. All we ask is that the Board listen to these people from Beshore and Shelly and you will be hearing more from us as well.

Erin Popernack

Ms. Popernack informed the Board that she is the owner/proprietor of a business in the Township known as Discovery Kids. She is extremely disappointed in the corrupt



Londonderry Township Board of Supervisors  
Regular Meeting  
September 5, 2017  
Page Nine

behavior that she is hearing from the Board members. She stated that she pays \$9000 in taxes and finds it very disappointing to hear this. She recently met with Representative Mahaffie who told her of the good morals and honesty of the people of Londonderry and Middletown. She was told they are very ethical people. She believes that this is not happening in the Township. She wanted to know what will happen to the taxes she pays on her commercial property and what is going to happen to them if all these numbers go away because she knows it is a lot of money they are paying.

Joanne Little  
641 N. Second Street  
Steelton, PA

Ms. Little stated she has a lot on Shelly Island, Lot #128. She wanted to reiterate that they do pay taxes and even though they do not have a representative voice where they can vote in the Township elections, they do contribute to the tax base and have faithfully done so for years. They would like to be able to continue to do that. The other thing she wanted the Board to know was that even though there are only 30 people in the Township that have property on Shelly and Beshore Islands, they still have the same rights as anybody else in the Township. They do not have less rights and she would just like to remind the Board of that fact.

Being no other comments, Chairman Kopp called for a motion to adjourn the meeting.

Moved by Shellenhamer, seconded by Dale the meeting adjourn at 8:45 p.m.

