

Londonderry Township Board of Supervisors  
Trails Meeting  
September 27, 2005 @ 7:00 p.m.

The Londonderry Township Board of Supervisors held a special meeting on Tuesday, September 27, 2005, at the Municipal Building, 783 South Geyers Church Road, Middletown, Pennsylvania.

Present:

William Kametz .....Chairman, Board of Supervisors  
Ronald Kopp.....Vice Chairman, Board of Supervisors  
Andy Doherty.....Member, Board of Supervisors  
Anna J. Dale.....Member, Board of Supervisors  
Daryl LeHew.....Member, Board of Supervisors  
Steve Letavic.....Township Manager  
John Kesler.....Road Foreman  
Beth Graham.....Administrative Assistant

Items Addressed:

Special Proposed Trails Meeting

Board Comments:

Chairman -

May I have your attention please? We have this room, obviously packed beyond fire code so we're going to keep the doors open. We're going to keep this as short and sweet as we can. I want to lay down the ground rules. Everyone is going to have a chance to say what they want to say. If I see that we're getting a lot of duplicate responses then we're going to cut it off. The other ground rule is that anybody who has a cell phone, please turn it on silent. I don't want to be interrupted by cell phones going off. We are here to hear your points of view. We know there are concerns out there and this is just a public forum. There's no action that's going to be taken tonight. We're just here to hear your points of view. At this time we're going to open it up to the board for some comments and then we're going to start. Whenever you need to make a statement, you need to come front to the microphone and state your name and your address so that we know where you live in the township for the record.

D. LeHew -

Thank you Mr. Chairman. I think I was at the first meeting, I know I was, at the first meeting that we had at the Londonderry school. We didn't have quite this many people there and it was nice. People made their comments; I made some comments as well about what the township didn't want to do. They brought the meeting here; the Park & Rec. did, and asked us to allow them to get a grant to do a study for the trails. At that point I made the same comment at that meeting as I made at the previous meeting and we authorized them to get the grant money to do the study. I thought about this long and hard and wrote a couple of things down. The plan that was presented to the general public was a gigantic plan for the entire township. In retrospect it probably isn't what it

should be. What it should be is that we have a series of trails and parks that we under use in the township and I think that probably the scope maybe should be limited to the parks that we have and the Lytle easements that they gave us along Swatara Creek. I think that that takes it away from a lot of issues. Another thing that made me think of this way was that we have developments coming into the township. We have School Heights Village. They have to give this township recreation and the way they are developing and want to develop that property, they can do a trail system around that property and entire school. We have a development coming for the board on Monday for Lauffer Road. There's another area that we can utilize. So, I think that the scope that we should do is what we should do is limit the scope for this study.

Ana

I'm relatively new to all of this but having read through the request proposal as well as the information from DCNR and the ..... Greening conservation plan that's out there, I also think, and I've lived in the township for 27 years, I also think that something that is already on the property that the township already owns or in future developments that we may have would be opportune areas. I am not a fan of bigger gov't. I also am not real sure that sometimes when you take monies from the state of the federal government that you also aren't abdicating something of your autonomy. So, I also would be in favor of revising or revisiting how the scope of the study would be done. I am not against any kind of trail system if it does not require taking anyone's land or making someone uncomfortable because I find we all pay taxes, we've paid a lot of money for our property and I think when there is property that sits within the township that will be able to be utilized in that fashion, like when my kids were all playing baseball down at Sunset, T-ball, no offense if there's any T-ball coaches here, but they're not the most exciting things in the world and it would have been nice to maybe go and take a walk around while they were having their practices. Things of that nature that I think we could do. And also with some of the areas that we have developers looking at some kind of development and they're looking also at some cluster options which would open up more green area. I think those would be good things and it also would reduce the burden on the township in terms of financial responsibility. So, I would be in favor of doing a study but changing the parameters of how that study would be done.

I favor most of, probably everything that Ana just said. In addition to that I'm kind of glad that we've got such a large turn out tonight of concerned citizens. By assumption I believe that probably a lot of you are here regarding a news letter that was printed by a township resident. Some of the wording in that letter, I think the emphasis that I got was "land grab" and it's my belief that no one on the Park & Rec. Board nor no one on the Board of Supervisors is in favor of grabbing anyone's land. I think that what we need to do is listen to the folks here on the Park & Rec. Board and with great respect, they have volunteered their time, they don't get paid for any of this, I would hope that everyone in the audience would treat them with the greatest respect and that while they speak that you'd give them a chance to speak as they would give you a chance to speak.

I also want to emphasize that we as a board are the final decision on any of this happening. Park & Rec. is just an advisory board that brings their plans and scope of work to us for our approval. What they are working on now may in the end not be what we are going to approve because this board is the final say on any projects that happen in the township. I also want to go on record that I am not in favor using eminent domain in any way, shape, or form to take a private land for any type of use. I also agree with what Ana says that we have a lot of park systems here now that we don't use down at Brayburn, up at Sunset could be used more fully if we had some more recreational opportunities. At this time I'm going to ask Scott if he has any statements he wants to make and then I'm going to open it up. Scott is the chairman of the Park & Rec. Board.

Scott – Chairman of the Parks & Rec. Board

We on the Parks & Rec. Board have developed this request for proposal, based on what we feel is in the best interest of the 5,224 residents of Londenderry TWP as well as the surrounding municipalities. The township is on the verge of major development; it's no secret that our growth here in Londenderry TWP is out pacing that of Dauphin County by more than thirty percent. We're growing here faster than any of the local municipalities around us and several major developments are in the works right now. If we're ever going to establish a system of trails within the township, now is the time to do it. The request for proposal that has stimulated all of this interest this evening here is part of a process to hire an engineer to study the entire township and develop a master plan for walking and hiking trails within the township. And as was mentioned, we applied for a grant from DCNR to fund doing this study. We received that grant so our Trails committee has put together this request for proposal to go out and hire an engineer to look at the entire township as to where it would be feasible and practical to try to build trails within the township. It is the Parks & Rec. Board's intention that all future housing subdivisions in all future housing subdivisions consideration be given to connection to a trail system. It is, and always has been the intention of the board that motorized vehicles be prohibited indefinitely from the use of a trail system. Several individuals have brought legitimate issues and concerns to our Parks & Rec. Board. The board takes these very seriously and these concerns have been noted on pages four and five of the request for proposal. The board is committed to preserving the privacy, safety, and the existing land use to the greatest extent possible. Unfortunately, an attempt to foster a negative attitude towards this trail study, the trail committee have been accused of several issues that are false, exaggerated, or irrelevant to the entire process. All of those issues have been discussed in one or more of the Parks & Rec. meetings and the board feels that the request for proposal is fair to all of these issues. Parks & Rec. Board understands that there are many concerns with any type of development within the township. We, the board, understand these concerns but feel that the positive aspects of this project for the entire community greatly outweigh the negatives. Thank you.

Don John – 3802 E Harrisburg Pike

We got a grant to survey this and do all this, but once this work starts, who will be paying the bill, taxpayers or another grant? Does anybody here answer that right now?

Who'll be paying the project to implement it or to build it?

Don – can anybody answer that?

No, we don't have that money yet. That money is not appropriated at this point.

Don - In the Parks & Rec. Board is pushing for this trail, right?

It's in their scope.

Don - There wasn't a petition coming around, I mean a lot of people sign their name, I mean, just parks & recs going around and say do this, right; more or less?  
We had that letter sent to us in the mail, that's why I'm here, Mark Stambaugh, I think.  
It's a couple of trails. It's just one trail we're talking about probably, right? Right now, is that the scope, is that what you were saying right Daryl?

Scott – there's a lot of untruths in that letter. Those areas are indicated in the proposal. There have been several areas identified as a priority of study and those areas are indicated in the proposal: focus points for this trail have been the Swatara Creek corridor, Conewago Creek corridor, and linking together our existing recreational facilities. The goal of the trail system are threefold and that's providing safe and scenic places for individuals and families to walk, run, and ride bicycles. Providing a safe means of non-motorized travel within the township and providing a means of linking residential areas, township recreational facilities, and the recreational facilities of our neighboring municipalities in order to provide an integrated park system. That's what we set out to do with our trail studies. Also included in our points of focus are the Roundtop Game Lands, Middletown Reservoir, and nine other trail and park systems that terminate in or near our township. Two of the most prominent of these are the Derry Township park system, trail system which is going to be terminating at the Clifton Bridge area of the township and the Conewago trail system, which terminates just over the line into Lancaster County. This being said, the study is this: the study is, and has been from the start, a comprehensive study, the engineer is instructed to investigate options within the township for trail development. Again, please remember this is only a requested proposal to select an engineer to perform a study. There's no trails laid out at this point, there's no definite lines, any lines drawn on a map right now: we're drawing outside of the formal plan.

Don - I think a lot of people are here tonight because they're worried about them going through their property. And I'm not a land owner, but I've hunted on this land for over thirty years. I think that's why there are a lot of people here tonight. There is a trail down the road about three miles, if anybody's interested. That's been open for about ten years.

Terry Hoover – 2218 E. Harrisburg Pike

The man that sent this letter Steven M. Letavic, he's not here tonight, is he?

Yes, he's our manager.

Terry - How many people received this?

Steve – we tried to get that out to as many people as we could.

Terry - How?

Steve – I don't know.

Terry – Where did you send it to?

You sent only the ones that signed the original agreement at Londonderry School.

Steve – That's not true.

Terry – Yes, it is.

No Sir, that's not true.

Terry – Yes, it is. And I know how a lot of other people here got this letter.

Chairman – Wait a minute. I'm the chairman, direct it to me. What's your question?

Terry – right here it says, plain as day, “we would like to encourage any residents interested.” How are the residents going to know it, if the only ones that got it were certain people? You should have sent it to everybody in this township!!! You send the newsletter to everybody in the township. You send everybody else to everything in this township.

Chairman – how did you get the letter?

Terry – this? I got this in the mail because I was one of the original Londonderry people.

Chairman – How did all these other people find out about this tonight?

Terry – a lot of these people got this letter.

Chairman – we advertised it, also.

Terry – Yes, exactly; on your window and in the Middletown Press & Journal.

Chairman – That's what we have to do. That's the requirement.

Terry – This should have been sent to everybody in the township. Daryl himself brought it up. The main connections to ... want to be liars; Labor Park and Sunset. How are you getting to them points?

That's why they're hiring an engineer.

Terry – No, they're going to hire an engineer just like what's on the paper. The only way you're getting to Lytle's is either down Deodate Road or down 230; the routes that are on that paper right now. That's the only way you're getting there.

Chairman - That's not true. What was stated here about the Lytle Development is in their Rec. plan, they have to provide a certain amount of recreation because of the amount of homes they have there. They can have an internal trail system built within that development which is three hundred something acres, which would service the whole area from Swatara Creek the whole way up into that development. It doesn't have to connect,

Terry - it is exactly, and

Chairman - it doesn't have to connect and the Brayburn Park, Sir, can be connected right out of Brayburn Park, right into the School Heights Village right into Londonderry School.

Terry – Exactly, any of them can, but you're not going to get from point A to point B without going through something.

Chairman – That's why the studies...

Terry – I've lived here for over thirty-five years, and we all moved here for one reason: to get out of places like Middletown and everyone else into the country.

Chairman – I understand your concern. I think you also should understand what our position was when we started this meeting. We're not here as a board to take anybody's land by any means. If we can integrate a trail system in existing land with the park system we already have or if we can get it into new developed areas that are large tracks of land, then that's up front. That's not coming and taking your land down along route 230. That is not the intent or purpose of this at all. And this board, I can assure you, is not going to vote for anything like that.

Terry – I sure hope they ain't. I will remember a lot of names come next election if it does.

Chairman – next.

Mark Stambaugh

I'm the guy who sent the untruth letter out, supposedly. However, there was nothing in the letter that had not been discussed at the Parks & Trails subcommittee or the trail subcommittee and there was nothing in the letter that wasn't brought up in one of the meetings; either the park meeting and rec meeting or subcommittee. That was all... I've been attending the subcommittee. I felt kind of lonely here by myself, but I've been here. I'm fully aware of the supervisors in the township were not at the committee and did not

put this together. But I thought there was some things that the supervisors should know and I thought the people should know. Some of the facts in that letter have been gleaned either by actions taken by the Commonwealth of Pennsylvania; two of them in Allegheny County. We brought up the fact that there were rapes in Conewago Trails, I think if you read the paper; they just arrested a man for two of them. Two of them are still out there. I contacted Lancaster County, who has a Trail Maintenance Group. I talked to the head of the Lancaster County Trail Maintenance Group. Lancaster County spends \$3,500.00 - \$4,000.00 per year, per trail mile to maintain the trails; does not include maintaining the bridges that they've had to build: those are additional funding items. If the scale of the trails, the Heritage trail is the one from Columbia up through the Swatara Trail, the Conewago Trail and the 230 Trail, which I have seen one in the original map, that was in the Londenderry TWP, and have listened to the discussions at the trail committee meeting. If they were put together at the \$4,000.00 per trail mile for the 96 miles of trail, I think the math can be done by the township commissioners themselves. I talked to Middletown, they said that they can't do the Middletown Reservoir over to the township because of the bond issue that they have with their unit but they would be willing to lease it to the township for a dollar a year if we needed that 46.7 parks of space for additional parks in the township because they really have no use for it and have to maintain it for fire hydrants and the fact that they said that water would be available for agricultural irrigation as part of their bond issue. The pictures out front they took on Friday afternoon why walking up the trail. I don't have pictures of the two gentlemen who were pertaining, I won't say what they were doing but I didn't feel, I wasn't armed so I didn't want to take a picture of those gentlemen. I didn't take a picture of the silver colored Plymouth that was sitting on the parking lot of the Conewago Trail, who had at least eight visitors that afternoon, who walked over to his window and then walked back to their car and drove away. I didn't think that picture would be apropos either. I did take pictures of the pornography, but we ... those because they were quite explicit as they laid out. One was child pornography and the other showed a picture of what the two gentlemen were participating in that I walked up on at lunch time. The other thing going is, there is no restrooms on the trails. We've also brought on the Parks & Rec. that the liability issue consist of one foot off the trail, you're liable, the property owner is liable. You are exempt on the trail, but one inch off the trail, you're also, John brought up at the one meeting case back of a lawsuit where a tree limb fell on somebody walking on the trail and the property owner was held liable for not having properly trimmed the trees. I am building my house in the township, I plan to retire here. I really don't want everybody and his brother; the public, I have no problems with people fishing in the stream, I have no problem with people who live in the township hunting there, I have given everybody who's asked, permission to do that. I give them permission to trap, I give them permission to just walk on my little 180 acres. I don't want the public, I want my neighbors to use my property if they want to use it. That's all I'm saying. And, so, and I understand about this: I sat at the parks committee and I listened to them talk about where are they going to get enough gas? ... money to buy the gas to mow the park? They deferred it; they said where are we going to get the money to fix the drinking fountain at the park? They said we don't have any money, we deferred it. If my understanding is correct I believe fifty-seven thousand dollars in that fund, the grant that we're getting from the state is a matching grant; which means the twenty-four thousand dollars that

we're getting from the state, we're taking twenty-four thousand dollars out of the fee-in-lieu-of fund to match that grant to hire an engineer to do a study on this township when we have a committee whose discussion at two meetings was, "where are we going to get enough money to mow the grass?" I believe that the township, you know, there's four-hundred seventy-one acres up at Roundtop, alright, and they already have trails on it, you can walk there all day long. And the other thing everybody should know is, the part about the no hunting, the picture for the posted no hunting is outside, the little sign for the lewd and lascivious acts will be prosecuted; I don't know of anybody who puts that up unless they have a reason to put them up. Go down and look, just walk in, read the signs, walk one mile up into the trail. I walked 2 1/2 miles. The further away from the parking you get, the cleaner the trail. Then you turn around and come back. Go up 743 and walk back. The first mile of the trail is identical to this mile of trail. The second mile is not a problem, it's real nice. The side trails are there. I just think you're creating one major problem in the township and the township doesn't need it. Thank you.

Thank you sir.

Brian Ierley 1700 Swatara Creek Road

I have some major concerns. There's a lot children that live down the Swatara Creek Road. Everyday, we have 30, 40, 50 cars that drive 60, 70 miles an hour up and down these roads. I was here about a year and a half ago at one of the township meetings with a legitimate complaint about that, about the drugs, about the drinking. The State Trooper that was there that night made the comment that he was the only patrol officer in this area because of a lack of police officers. If we have an emergency out there or something or somebody is going on, is it going to take two hours for a cop to show up to help us out? If he's on patrol now; we have a half mile difference from Grossco's to my residence Olden fields. It's a party place; every night they could come out there and arrest people for drugs, for drinking, litter is unbelievable. It gets cleaned up, people clean up litter and two days later it's the same. The speeding is unbelievable; someone's going to die if you put a trail out there because someone's going to get hit by a car. It's just a matter of time, something could happen now already because it ain't being patrolled. Sooner or later, if you put a trail out there, you're going to have somebody dead because of the speeding and it's not your fault, it's not the state police, they don't have the man-power they can't patrol it; I'm lucky to see a state police officer come down that road once a month. If you have traffic in there, it's going to be bad. The other thing is the property owners that live out there have little areas that they can clean up and fish and they let other people fish that we know but next thing you know you're going to have drunks and you're going to have drinking and people fishing all night long having parties. Who's going to take care of that? It's a major concern. I don't think you have enough space between the creek and the trail to be safe.

Thank you.

Barb Letavic – 860 South Deodate

I was asked to join the study committee for the trails. In reading the scope of work there's a couple requests that I would respectfully make of you folks before we vote on it



to maybe change it so that all parties can have a win, win here. The first is that there is wording, at least two different places in the scope of work, that says, "eminent domain will be the last possible option for any trail developed in the township." My request would be, could we please change it so that eminent domain is just off the table? Eminent domain will not be used. It's not only a potential violation of Fifth Amendment rights, our own senator; Senator Piccola has introduced legislation in the State House to limit the use of eminent domain to absolute public necessity. I don't know what the correct interpretation of that is but to me absolute public necessity would be right of ways for emergency personnel or utilities to homes that don't have proper utilities but not for a trail. To me, that's an absolute public necessity. The second thing is that there are blue sheets, which is the list of folks that were in the original meeting last August. I would request that you look at specifically putting those property owners names and addresses in the scope of work so that it's very clear that those people don't want their land studied but they don't want the trail on or adjacent to their land. Keep that on a live list so that not just those of us who were privileged enough to get our names on the list then, but that anybody else could be excluded if they would like to. Part of the issue with Clean and Green is that you have to have ten acres to be covered by Clean and Green. He (Mr. Morris) and I both own properties that's just borderline ten acres. You can have property seized or condemned or even if you willfully donated it over for a trail to be used. If the property dropped below ten acres, you can no longer be a part of Clean and Green. What that means to us as taxpayers is that not only do I owe the difference for that particular year because of Clean and Green and what I would have paid; I have to pay six years of back taxes on it too. So, I owe seven years taxes on whatever is left on my property after the trail goes through and then for the rest of the time I own it I owe the increased taxes because I can't use Clean and Green anymore. That's just something to think about. Lastly, there are references in the document, "an absolute last resort would be the building of trails through residential private property or along utility and toe paths." I would ask that you'd consider taking that option completely off the table also: and say that non recreational easements just will not be used under any circumstances. They were not intended for recreational use. If you don't have recreational easements, you just shouldn't be studied. That's all.

Marsha Raynes – 1922 E. Harrisburg Pike

We don't want anything on our land. I agree with this lady. I'd like to see the study done that people don't want anyone on their property to look at it to not be included in the study, it'd be a good idea for the township.

Mark Ditman – 3225 E. Harrisburg Pike

Not only are we looking at increased property taxes but increased insurance premiums. I am not interested in any type of maintenance no matter what.

Suzanne Epler – 3078 Brinser Road

I've seen rattlesnakes and it's dangerous ... concerned about the vandalism & dangers on trails.

Lois Patti – 297 Roundtop Road

Most of the year there's hardly anybody on the trails that we have now. Why are we going to spend more money on trails that won't be used? We have parks in place. Why do we need more?

Dave Graybill – Water Street

The public landing on Water Street was scary at first but now people won't say that they wouldn't want it. It's an opportunity for people to enjoy the beauty of our township. Having interconnecting trails and parks will help keep the rural feel of the township even though there are developments coming in that we cannot stop. I don't think we should be taking land: must be mindful of those concerns but also the positives of the trails in the future.

John Wilsbach – Schoolhouse Road

I think it's a no-brainer. We don't need this and don't want this and we don't want to pay for this. We should use money for other things in the township. Somebody wants to utilize trails go elsewhere. We don't want this and we don't need this.

D. Major – Stephania

How do I get to the trails? I don't have a lot to lose. Everybody's property is going to go up. Maybe we should talk to neighboring townships to see how they dealt with planning. I say we should at least consider it.

Kathy Laverty – River Road

Where would the trail be?

Scott – the Susquehanna Greenway is doing the study on the Heritage Trails

M. Houtz – Swatara Creek Road

We don't need a trail down there. Everyday I see people using that road.

R. Kopp

I think we've heard your concerns and appreciate the turn out tonight. If you leave here tonight and you do not want your property studied, sign the roster. We have a tablet with your names and address. We do not want to spend the money on a feasibility study for something that we can't use money to build later. I think, at this point, we've got a good sense of the concerns of the citizens of this township and I think if we had half of these people at our regular township meetings we would be tickled because we do need your input because we only know what affects us in our areas where we live and obviously there's people here that pretty much criss-cross the whole residence of this township and that's really great. I just want to thank you for coming and allowing us to hear your opinions.

When will you make your decision?

The decision will be made Oct. 3<sup>rd</sup>, it's on the agenda.

Will you guys vote publicly or is this behind doors?

No, this is a public vote.

Scott – Give us another month of review to change the scope of work before we present it to you. We're going to take it off the agenda on Oct 3<sup>rd</sup>.

We need to, as a board, digest and relook at the scope of work so that it is sensitive to the concerns that the citizens have tonight.

Mark Stambaugh – 4 of the 5 members have said they will not use Eminent Domain for trails.

Dr. Rambler – I would prefer that the study not be done if we aren't going to go forward with the trails.

R. Kopp - The request for proposal that Scott outlined in the beginning of the meeting, is what we are dealing with now. We have received a grant for this study. We don't want to spend that money foolishly.

Daryl - Please review the minutes from tonight's meeting and utilize what Ana has said and what I have said and what the members of the audience have said and apply that to the scope because if that is not applied to that scope and presented to us you won't get a positive vote at that point or you may not get a negative, you may not get any vote. Apply the scope that we've outlined here earlier so we have something to review when it comes before us again. I'd like to see it before November so that we have the opportunity to review where we are going here with the study if we go at all.

You're going to go with what you've seen tonight?

Yes.

Steve – can we make copies of scope of work available to the public before the November vote?

Ana - We need a way to get more information out to the public. We're trying to compile E-mail addresses to keep people abreast of what goes on in the township. That information will not be sold; it is only for information purposes.

Beth – (the township was given Beth's e-mail) [bgraham@londonderrytp.org](mailto:bgraham@londonderrytp.org)

The Middletown chapter of the Red Cross is providing a two day training session to be able to go and help the victims of the Katrina Hurricane. Information is on the door.

Thank you for coming to tonight's meeting.