

MINUTES

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EAST NOTTINGHAM TOWNSHIP
BOARD OF SUPERVISORS
SPECIAL MEETING
OCTOBER 26, 2005

The Special Meeting of the East Nottingham Township Board of Supervisors was held in the Township Building on October 26, 2005. Those present were: Chairman Thomas J. Olivieri, Vice-Chairman Samuel A. Goodley, Supervisor Charles D. Shelton, Township Manager Eugene P. Boneker, Secretary Pat Brady and a few guests.

The Meeting was called to order at 7:00 P.M. by Vice-Chairman Goodley.

The Pledge of Allegiance was led by Vice-Chairman Goodley.

Motion made by Supervisor Shelton seconded by Vice-Chairman Goodley to approve the agenda.

Discuss Bids-Motion made by Vice-Chairman Goodley seconded by Supervisor Shelton to discuss

this at the November Board of Supervisors Meeting .

Aye: Shelton, Goodley, Olivieri

Nay: -0-

Motion made by Chairman Olivieri seconded by Vice-Chairman Goodley to put on the November agenda to discuss the possibility of a 4 way stop sign at that intersection, until the light can go in.

Aye: Olivieri, Goodley, Shelton

Nay: -0-

Donation to Oxford Library- Motion made by Vice-Chairman Goodley seconded by Supervisor

Shelton to pay \$8,000. to the Oxford Library, which was already in the budget.

Aye: Goodley, Shelton, Olivieri

Nay: -0-

Recognition of Visitors- No Comment

Motion made by Chairman Olivieri seconded by Vice-Chairman Goodley to adjourn the meeting at

7:09 P.M..

Respectfully Submitted,

ATTEST: _____

Pat Brady, Secretary

* SEE FOLLOWING PAGES _____

Thomas J. Olivieri
Chairman

Samuel A. Goodley Jr.
Vice-Chairman

Charles D. Shelton
Supervisor

(4)- Secretary opened sealed bid at 8:03 P.M. from **Martin Andzulis** in the amount of **\$11,787.87**, with a deposit check for \$1,700.

(5)- Secretary opened sealed bid at 8:04 P.M. from **Hazleton Equipment** in the amount of **\$29,376.**, with a deposit check for \$3,000.

Award Bid- Motion made by Vice-Chairman Shelton seconded by Supervisor Miller to award the bid to Martin Mulch Products in the amount of \$32,600.00.

Aye: Shelton, Miller, Levandowski


Nay: -0-

(E)- 2007 Fire Protection Contact- Contract required signatures only, no motions

(F)- Authorize Secretary to advertise for Organizational Meeting. Motion made by Vice-Chairman Shelton seconded by Supervisor Miller to authorize the Secretary to advertise for the Organizational Meetings for the Board of Supervisors, Planning Commission and the Board of Auditors.

Aye: Shelton, Miller, Levandowski

Nay: -0-

 **(G)- Adopt Resolution for Missing Minutes from 10/24/05 & 10/26/05-** Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to adopt Resolution #35-2006.

Vice-Chairman Shelton stated for the record he felt it should be noted that the mistake made with these minutes was not a mistake the Secretary, Pat Brady made, it was a mistake made by the manager of the township at that time.

Aye: Shelton, Levandowski

Nay: -0-

*Supervisor Miller abstained from voting.

*It is to be noted that the Missing Original Minutes from 11/29/04 BOS Special Meeting have been found and will be placed in the Minutes Book.

TAPE CHANGE 8:15 PM.

(H)- Adopt Resolution for purchase of new loader- Motion made by Vice-Chairman Shelton seconded by adopt Resolution #36-2006 for the purchase of a John Deere Loader JD 624J.

Aye: Shelton, Miller, Levandowski

Nay: -0-

(I)- DocStar Proposal- tabled to a later date

(J) & (K) done above, opening & awarding of bids

(L)- Waterway Road- Vice-Chairman Shelton stated this is in reference to the young girl who lost her life on Waterway Road. A letter is coming from Art Hershey Vice-

COPY

EAST NOTTINGHAM TOWNSHIP

RESOLUTION NO. 35-2006

**A RESOLUTION EVIDENCING THE APPROVAL OF MINUTES OF MEETINGS OF
THE EAST NOTTINGHAM TOWNSHIP BOARD OF SUPERVISORS HELD ON
OCTOBER 24, 2005 AND OCTOBER 26, 2005**

WHEREAS, the Township of East Nottingham Township is required, as a matter of law under the Pennsylvania Second Class Township Code and the Sunshine Act to record and retain minutes of all public meetings of the Board of Supervisors; and

WHEREAS, the Board of Supervisors of East Nottingham Township desires to record and retain minutes of such public meetings both as a requisite of law and to keep and maintain consistent and accurate records of the business conducted and action taken at its public meetings; and

WHEREAS, it has been determined, through a review of the records of East Nottingham Township, that the Township records, and specifically, that record book which contains copies of meeting minutes of the meetings of the Board of Supervisors signed by the Board of Supervisors, is lacking in signed copies of minutes for meetings held on October 24 and October 26, 2005; and

WHEREAS, although the aforesaid record book is lacking signed copies of the minutes, nevertheless, the minutes for each of the meetings were posted on the official East Nottingham Township website; and

WHEREAS, it has been the practice of the Township Supervisors, and was, at the time of the meetings in question, to approve the minutes of all Board of Supervisors meetings at the next following meeting, to then sign the minutes, only then making the minutes available for posting on the Township website; and

WHEREAS, it has been determined that there are no circumstances under which meeting minutes were or are posted on the Township website until after approval; and

WHEREAS, based on the policy and procedure existing in October, 2005, and the fact that the meeting minutes were posted on the Township website, thereby publishing them as the approved meeting minutes for the meetings held on October 24 and October 26, 2005, the present Board of Supervisors has determined that the unsigned meeting minutes posted on the Township website constitute the record of the proceedings and actions taken at the two meetings, respectively; and

WHEREAS, there are no circumstances or evidence to indicate the contrary or that the lack of signed meeting minutes is other than inadvertent.

NOW, THEREFORE, based on the foregoing, be it resolved by the Board of Supervisors of East Nottingham Township as follows:

1. The attached meeting minutes for the meetings of the East Nottingham Township Board of Supervisors held on October 24, 2005 and October 26, 2005, being true and accurate copies of the meeting minutes posted on the official Township website for those two dates, shall constitute the record of proceedings and actions taken at the two meetings for all purposes.

2. A copy of this Resolution shall be included in the Township meeting minutes record along with the meeting minutes for October 24, 2005 and October 26, 2005.

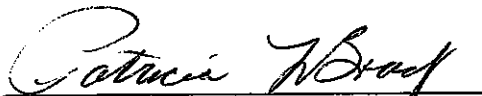
3. This Resolution shall become effective immediately.


4. In the event any provisions, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Board of Supervisors of East Nottingham Township that such remainder shall be and remain in full force and effect.

5. All resolutions or parts of resolutions inconsistent herewith are expressly repealed.

DULY ADOPTED by the Board of Supervisors of East Nottingham Township in lawful session, duly assembled this 28th day of December, 2006.

Attest:


Secretary


Leo M. Levandowski, Chairman


Charles D. Shelton, Vice Chairman