

**MINUTES  
BOARD OF SUPERVISORS  
EAST NOTTINGHAM TOWNSHIP  
REGULAR MEETING  
November 14, 2006**

The Regular Meeting of the Board of Supervisors of East Nottingham Township was held in the Township Building on November 14, 2006. Those present were Chairman Leo M. Levandowski, Vice-Chairman Charles D. Shelton, Treasurer Suzie Hamlin, Zoning Officer PJ Scheese and Solicitor Helen Esbenschade.

The Meeting was called to order at 7:00 pm.

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

Chairman Levandowski read aloud the resignation letter of Supervisor Thom Olivieri and stated that a copy should be put in the permanent record.

**A Motion was made by Vice-Chairman Shelton, seconded by Chairman Levandowski to approve the agenda. The motion carried.**

**Aye: 2      Nay: 0**

There was no public comment on the agenda

**Executive Sessions**

- 1) October 25, 2006 with Cliff Lee, Chairman of Open Space Committee
- 2) October 30, 2006 with Wyatt Computers & Joe Scheese

**Minutes for Review**

- 1) September 12, 2006 – Regular Meeting
- 2) October 10, 2006 – Regular Meeting
- 3) October 19, 2006 – Special Meeting

**Treasurer's Report**

Suzie Hamlin, Township Treasurer, read her report into the permanent record. There is one Certificates of Deposit that is coming up for renewal. It was determined that it should be renewed for one year. Copies of the Bills to be paid were made available to the audience.

**Road Report**

Bill Weaver, Road Master, summed up the work done in October. He also stated that the road crew was getting ready for the winter months. Copies of the Road Master Report were made available to the audience.

**Zoning Report**

PJ Scheese, Zoning Officer, read her report into the permanent record.

**Welcome Committee Report**

Gene Turns, Chairman of the committee, reported that no new letters have been sent out.

**Police Study Committee Report**

There was no one in attendance to report.

**Comprehensive Plan Committee Report**

There was nothing to report.

**Oxford Area Recreation Authority Report**

Joe Bauer reviewed the financial statement. As of November 9, 2006 they have \$24,711.15 in the bank. The 2007 budget included developing one the sites. The master site plan completed in February will start to be implemented next year. Joe stated that ENT's dues for 2007 will be \$7953 which is \$1 per resident.

Lee Towner thanked the Board for the letter they sent regarding the Fair. They will proceed with the 2007 Fair at the same location in ENT, with the Board's permission.

Lee stated that the OARA had just obtained a \$250,000 grant from Chester County to put towards the new park. Scout troupes will be putting in some trails in the wooded area of the park. They would like to start working on the woods this winter. Lee asked about the correct procedure to allow the scouts to start the work. Chairman Levandowski said that the Scouts should present a letter to the OARA, who in turn should present the Board with a letter.

Lee said that the Authority has some spring events planned and will keep the Board informed.

Lee also stated that they will have a preliminary Land Development Plan to present to the PC.

Chairman Levandowski stated that the OARA report and its financial report have been received and will be place on file at the township building.

**Oxford Area Sewer Authority Report**

Percy Reynolds presented this report. They will start on the Osborne Lagoon very soon. The Act 537 Plan was dropped at the ENT building on November 8, 2006. It is to be reviewed by Helen Esbshade, Township Solicitor, and Vollmer Associates, Township Engineer. The township has sixty (60) days to respond with comments back to the Authority. Chairman Levandowski stated that he would like Vollmer's report back by the December 18<sup>th</sup> PC meeting.

Percy said that they have signed a service agreement with Oxford Borough. He also said that the Authority will be hiring a bookkeeper soon.

**Open Space Commission Report**

There was no one from this Committee present.

**Historic Committee Report**

A letter that Ralph Denlinger, Chairman of this Committee, had dropped off was read aloud by Chairman Levandowski. It thanked Ken Knapp and Cookie Howett for the Native American Indian Display

**Newsletter Committee Report**

PJ Scheese, Editor, stated that this Committee would be sponsoring the Santa Party this year at the township building on December 9<sup>th</sup> between 2pm and 4pm. They will advertise on the township website, the Armstrong cable channel, and the newspaper.

**Old Business**

None

**Escrow Releases**

A motion was made by Vice-Chairman Shelton, seconded by Chairman Levandowski, to release \$31,861.30 in escrow funds for improvements done on Hopewell Ridge. The motion carried.

Aye: 2      Nay: 0

A motion was made by Chairman Levandowski, seconded by Vice-Chairman Shelton, to release \$237.28 in escrow funds for improvements done on Woods at Nottingham. The motion carried.

Aye: 2      Nay: 0

**A motion was made by Chairman Levandowski, seconded by Vice-Chairman Shelton, to release \$429,840.09 in escrow funds for improvements done on Century Oak. The motion carried.**

**Aye: 2      Nay: 0**

**Subdivisions**

1) Tom Swift Estates

**A motion was made by Chairman Levandowski, seconded by Vice-Chairman Shelton, to grant the following waiver requests from the SALDO:**

- a. 402.03.C of SALDO
- b. 402.03.E of SALDO
- c. 402.05.I of SALDO
- d. 508.08 of SALDO

**The motion carried:**

**Aye: 2      Nay: 0**

Jim Fritsch, of Register Associates, represented the applicant. He said that due to poor percolation tests, a seepage bed is not practical. The applicant is requesting an exception from the Board for having such a control device per Ordinance #8-2003, Section 1716.c. They are proposing above ground storm water management basins to be used for this purpose. Instead of roof top water going into the ground, it will be directed above the ground to these basins. Chairman Levandowski stated that he wanted Jim Gade's, of Vollmer Associates, comments on this.

**A motion was made by Chairman Levandowski, seconded by Vice-Chairman Shelton, to approve this exception with the stipulation that Jim Gade write the Board a letter stating that he believes it to be a good idea. The motion carried.**

**Aye: 2      Nay: 0**

**A motion was made by Chairman Levandowski, seconded by Vice-Chairman Shelton, to approve the preliminary plan for Tom Swift Estates. The motion carried.**

**Aye: 2      Nay: 0**

2) Hickory Hill Treatment Plant

Jack Wuerstle, of Riley Riper Hollin & Colagreco, represented Brandolini Companies. He said that the Part 2 permit is the only thing left open. The comments coming back from DEP will be technical in nature and will be between DEP and the Sewer Authority. The applicant wants to get this off the table. Joe Bauer, Chairman of the PC, stated that Winnie Sebastian, Township Solicitor, told him that the township can not really hold up approval of the plan for this.

**A motion was made by Chairman Levandowski, seconded by Vice-Chairman Shelton, to approve the final plan for the Hickory Hill Treatment Plant conditional on applicant receiving the NPDES Permit. The motion carried.**

**Aye: 2      Nay: 0**

Jack Wuerstle spoke briefly about the relocation of Oxford Road at the Hickory Hill Road intersection.

3) Margaret Williamson

Chairman Levandowski read a letter from Mrs. Williamson withdrawing her application for a Conditional Use Hearing. **A motion was made by Vice-Chairman Shelton, seconded by Chairman Levandowski, to accept Mrs. Williamson's request and to return all funds to her. The motion carried.**

**Aye: 2      Nay: 0**

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4) George Thompson

Chester Diem, of Regester Associates, represented the applicant. He explained that in the proposed subdivision some lots are dissected by a road, and will need a variance, from Section 503.B.2, from the Zoning Hearing Board. These lots that will be under the 5-acre minimum required by the Zoning Ordinance will be deed restricted. The applicant is looking for the Board's support when he goes in front of the Zoning Hearing Board. Chairman Levandowski stated that he would give his oral support, but would first like to walk the property. Mr. Diem said that they would like to continue the subdivision process and start the Zoning Hearing Board process concurrently. Both Chairman Levandowski and Vice-Chairman Shelton suggested the applicant go through with the request for a variance from the Zoning Hearing Board.

5) Letters of Extension

**A motion was made by Chairman Levandowski, seconded by Vice-Chairman Shelton, to accept the letters of extension for the following:**

**A. Date Specific of February 15, 2007**

1. Elkdale Green – Preliminary Plan
2. Hickory Hill II – Preliminary Plan
3. Jordan Manor – Preliminary Plan
4. Meadowview Estates – Preliminary Plan
5. Williamson – Preliminary Plan
6. Tom Swift – Minor Plan
7. Clifford Lee – Minor Plan
8. Cook Bros (aka Meadow Creek) – Final Plan

**B. Date Specific of July 16, 2007**

1. Cooper Farms (aka Greenpoint Farms) – Final Plan

**C. Date Specific of December 31, 2006**

1. Hickory Hill Phase I – Final Plan

The motion carried.

Aye: 2      Nay: 0

**Supervisors**

1) OASA – Review of Draft Act 537 Plan

**A motion was made by Vice Chairman Shelton, seconded by Chairman Levandowski, to send a copy of this Draft to Helen Esbenshade, Township Solicitor, and one to Jim Gade at Vollmer, Township Engineer, for review. They would like Jim Gade to have his comments ready for the December 19, 2006 PC meeting. The motion carried.**

Aye: 2      Nay: 0

2) Amendment to Emergency Parking Ordinance

Helen Esbenshade stated that this ordinance will cover those roads that have been dedicated since the last Emergency Parking Ordinance was passed. **A motion was made by Vice Chairman Shelton, seconded by Chairman Levandowski, to pass this ordinance and give it Ordinance number 2006-1. The motion carried.**

Aye: 2      Nay: 0

3) Speed Limits Ordinance

Helen Esbenshade stated that this ordinance was drafted by Ron Ragan and has been advertised almost verbatim. **A motion was made by Chairman Levandowski, seconded by Vice Chairman Shelton, to pass this ordinance and give it Ordinance number 2-2006. The motion carried.**

Aye: 2      Nay: 0

4) Amendment of Certain Sections of Articles II, IV, XXI of Zoning Ordinance

**A motion was made by Chairman Levandowski, seconded by Vice Chairman Shelton, to pass this ordinance and give it Ordinance number 3-2006. The motion carried.**

**Aye: 2      Nay: 0**

Helen Esbenshade said that she would send over a new copy to be signed. **A motion was made by Vice Chairman Shelton, seconded by Chairman Levandowski, to sign this ordinance outside of a meeting. The motion carried.**

**Aye: 2      Nay: 0**

5) Additions to Ag Security

No action taken.

6) Pension Fund – Appoint Chief Administrative Officer

Suzie Hamlin, Township Treasurer, stated that an audit was performed on October 27, 2006 to cover the dates from January 2003 through December 2005. At that time she was told that a Chief Administrative Officer needs to be appointed. **A motion was made by Chairman Levandowski, seconded by Vice Chairman Shelton, to appoint Suzie Hamlin the township's Chief Administrative Officer. The motion carried.**

**Aye: 2      Nay: 0**

Suzie also stated that Pat Brady and Bill Weaver have to be funded for 2004, as they both worked for the township at least six months of that year.

**A motion was made by Vice Chairman Shelton, seconded by Chairman Levandowski, to remove the one year employment requirement from the eligibility of the pension fund from the employee handbook. The motion passed.**

**Aye: 2      Nay: 0**

7) Sign Ordinance Language

No action taken.

8) Blackburn Knoll Speed Limit Signs

PJ Scheese, Zoning Officer, stated that she had a call from someone requesting that speed limit signs be installed in that development. Vice-Chairman Shelton said that he will get with the township engineer to get the signage the same in all developments.

6) Health Care Insurance

Suzie Hamlin stated that the open enrollment for health insurance closes on Friday, November 17, 2006 and that the Board needs to clarify the employment policy, as it is somewhat ambiguous as to whether the township will pay for insurance for both an employee and his family. **A motion was made by Vice Chairman Shelton, seconded by Chairman Levandowski, to have Helen Esbenshade change the employee manual so that it includes payment of insurance for only employees. Their families may buy insurance from the township. The motion carried.**

**Aye: 2      Nay: 0**

Tom Elville will be added for insurance on January 1, 2007.

7) Set mill rate for 2007

**A motion was made by Vice Chairman Shelton, seconded by Chairman Levandowski, to set the 2007 Millage Rate to Zero (0). The motion passed.**

**Aye: 2      Nay: 0**

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8) Bills for Approval

Suzie Hamlin stated that the Conrad O'Brien Gellman & Rohn invoicing cycle does not coincide with the township's billing cycle. Therefore, this payment is high, as it is for two months of work.

Suzie Hamlin stated that she has an estimate for fireproof cabinets of \$1,639.34 each. **A motion was made by Vice Chairman Shelton, seconded by Chairman Levandowski, to order two cabinets. The motion carried.**

**Aye: 2      Nay: 0**

Suzie read aloud a note that Walt Leis wrote on his invoice for moving his fence on Fifth Street. In it he commended the township and especially the road crew for their courtesy and professionalism. Note is attached to minutes.

**A motion was made by Chairman Levandowski, seconded by Vice Chairman Shelton, to accept the bills for approval. The motion carried.**

**Aye: 2      Nay: 0**

9) Open Space Ordinance

There was some discussion regarding the Open Space Committee evaluating land for open space. Cliff Lee, Chairman of the Open Space Committee, in a meeting with the BOS, said that he would like the committee to report directly to the Board. Then the Board would present the information to the public. It was agreed that the Committee would do the groundwork, present the Board with its recommendations. Then the Board will hold the public hearing.

**Minutes for Approval**

**A motion was made by Vice Chairman Shelton, seconded by Chairman Levandowski, to approve the minutes for September 12, 2006. The motion carried.**

**Aye: 2      Nay: 0**

**A motion was made by Chairman Levandowski, seconded by Vice Chairman Shelton to approve the minutes for October 10, 2006. The motion carried.**

**Aye: 2      Nay: 0**

Rick Orner stated that Chairman Levandowski had read the legal advertisement for the October 19, 2006 meeting into the record and should be added in. **A motion was made by Chairman Levandowski, seconded by Vice Chairman Shelton, that these minutes be approved, with the addition of the statement:**

**"Chairman Levandowski read the legal advertisement for this meeting."**

**The minutes will then be signed outside of a meeting. The motion carried.**

**Aye: 2      Nay: 0**

**Correspondence**

- 1) Thank you note from Class of 2007 Officers of Oxford Area High School
- 2) Municipal Newsletter
- 3) The Responder
- 4) DVRPC Newsletter
- 5) PSATS 18<sup>th</sup> Annual President's Leadership Award
- 6) Costars letter
- 7) PSATS Newsletter
- 8) New PA news
- 9) Letter from PECO dated 11/8/06  
To be passed on to Ron Ragan, Township Engineer.
- 10) Letter from Winnie Sebastian -- RE: Walters of Oxford, LP Conditional Use Hearing

**Recognition of Visitors**

Ed Lobley asked if a certified audit came with the Armstrong check. Suzie Hamlin said no. Helen Esbenschade stated that Alan Novak from her office was working on it.

Chairman Levandowski asked if anyone was here from the press. There were representatives from the *Chester County Press* and the *Oxford Tribune*.

Chairman Levandowski congratulated Percy Reynolds and Gene Turns for winning the election for Supervisors.

Chairman Levandowski stated that the vacancy left by Thom Olivieri's resignation must be filled within thirty (30) days.

The traffic on Election Day was brought up. Chairman Levandowski suggested that both Democratic and Republican committees write letters to the Election Board to either split the precinct or use the High School to vote in the future.

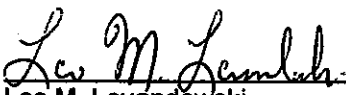
**A motion was made by Vice-Chairman Shelton, seconded by Chairman Levandowski to adjourn the meeting. The motion carried.**

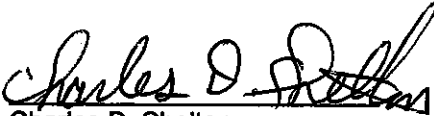
**Aye: 2      Nay: 0**

The meeting adjourned at 9:32 pm.

Respectfully submitted,

  
\_\_\_\_\_  
PJ Scheese, Assistant Secretary

  
\_\_\_\_\_  
Leo M. Levandowski  
Chairman

  
\_\_\_\_\_  
Charles D. Shelton  
Vice-Chairman

12/12/06  
Date