

**MINUTES
EAST NOTTINGHAM TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
APRIL 9, 2007**

The Regular Meeting of the Board of Supervisors of East Nottingham Township was held in the Township Building on April 9, 2007. Those present were: Chairman Leo M. Levandowski, Vice-Chairman Michael P. Miller, Supervisor Charles D. Shelton, Supervisor Percy Reynolds, Supervisor Gene Turns, Treasurer Suzie Hamlin, Zoning Officer P.J. Scheese, Secretary Pat Brady, Solicitor Matthew Haverstick, Esq. and numerous guests.

The Meeting was called to order at 7:01 P.M..

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

Approve Agenda- Motion made by Vice-Chairman Miller seconded by Supervisor Turns to approve the agenda as presented by the Secretary.

Aye: 5

Nay: 0

Public Comment on Agenda- None

Executive Sessions- Motion made by Vice-Chairman Miller seconded by Supervisor Reynolds to approve the Executive Sessions as follows:

Aye: 5

Nay: 0

- 1) March 12, 2007- BOS & P.J. Re: Zoning
- 2) March 13, 2007- BOS & Winifred Sebastian Esq.- Re: Wicklow
- 3) March 20, 2007- Cancelled-BOS, Suzie Hamlin & Auditors
- 4) March 20, 2007- BOS & H.A. Thomson Ins. Company
- 5) March 26, 2007- BOS & Winifred Sebastian- Re: Wicklow
- 6) March 27, 2007- BOS, Suzie Hamlin & Auditors
- 7) March 27, 2007- BOS & Bill Page Re: web site
- 8) March 28, 2007- BOS & Police Study Committee
- 9) March 28, 2007- BOS, Matt Haverstick Esq., Integrated Risk Management Rep. Monica Olsen & Mark Cheslock, Andrew Bellwoar Esq., Re: Rick Orner Lawsuit
- 10) March 30, 2007- BOS & West Nottingham Supervisors Re: Traffic Impact & Road Improvements

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*March 20, 2007- A meeting was held at the Township Building on 3/20/07 to discuss issues of mutual interest among the Board of Supervisors, Oxford Borough Mayor Henry, Oxford Chief of Police Slauch, Harry O'Conner, Oxford School Board Members Valerie Kegley and Kurt Haegele.

Minutes for Review- Chairman Levandowski stated that the Minutes are available for review and will be approved at the end of the Meeting.

Treasurer's Report- Suzie Hamlin informed the Supervisors that the Township had a clean audit for 2006 . Suzie Hamlin read the report stating that East Nottingham Township's cash assets amount to \$2,544,951.32 . Bills for 3/12/07 totaling \$72,290.78 were presented for payment from the General Fund. Income received for March 2007 totals \$78,496.41 realized from taxes, escrow, court fines, permits, inspection fees, fire hydrant reimbursement and miscellaneous fees. General Fund balance as of 3/31/07 is \$125,093.32. On April 11, 2007 the Township will receive their liquid fuels deposit in the amount of \$186,865.45.

Road Report- Roadmaster Bill Weaver stated the report says it all. Joe Bauer- stated the reflective strips on the stop signs make it a lot easier to see the signs. Also, Joe commends them for the road sweeping and to thank them for helping the Rec Authority move the chips.

Vice-Chairman Miller asked about the schedule for the red light at Baltimore Pike & Waterway. The Supervisors would like a schedule from Garnet Valley Contractors showing the anticipated completion date.

Zoning Report- P.J. Scheese gave her report.

Building Inspector Report- P.J. handed out the report for Supervisor review

Police Study Committee Report- Chairman Levandowski stated that the Board of Supervisors had a meeting with the Police Study Committee which was very productive and fact finding.

Comprehensive Plan Committee Report- Joe Bauer gave his report

Recreation Authority Report- Joe Bauer gave his report. The shed has been delayed . Jim Pearson provided paper work to the Supervisors concerning the idea of a Beer Garden at the Fair.

Vice-Chairman Miller asked what is the anticipated dollar on the Beer Garden. Jim Pearson's response is \$3,000 to \$5,000..

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Alvin Miller Jr. asked what is the Township's relation to this Fair ? Mr. Pearson responded the Fair is in East Nottingham Township and the Township is a dry town.

Alvin Miller Jr. asked who will carry the Liability Insurance ? Mr. Pearson responded The Oxford Area Recreation Authority.

Chairman Levandowski stated the Board will get back to Mr. Pearson in writing, as to their response.

7:30 P.M. Opening of Road Bids, Awarded on 4/16/07 at 7:30 P.M.

Chairman Levandowski stated the bid opening was advertised in the Daily Local

- 1) Martin Limestone, sealed bid received 4/4/07
- 2) Haines & Kibblehouse, sealed bid received 4/5/07
- 3) Silver Hill Quarry, sealed bid received 4/5/07
- 4) D.M. Stoltzfus, sealed bid received 4/6/07
- 5) Independence Construction, sealed bid received 4/6/07
- 6) Martin Paving, sealed bid received 4/6/07
- 7) Asphalt Industries Inc., sealed bid received 4/6/07
- 8) McMinn's Asphalt, sealed bid received 4/9/07
- 9) Long's Asphalt, sealed bid received 4/9/07

Chairman Levandowski asked the Secretary to coordinate a meeting with the Supervisors to review the bids.

Supervisor Reynolds asked the Secretary to put together a spread sheet with all of the bid information on it.

Oxford Area Sewer Authority- Percy Reynolds gave his report.

Tape Change 7:50 P.M.

Open Space Committee Report- put off until later

Historic Commission Report- None

Newsletter Committee Report- P.J. asked if Beth sent the Supervisors copies and the Supervisors replied , yes.

Welcome Committee Report- None

Old Business- Ron Agulnick Esq. for Lewis Tract asked the Board to discuss Lewis Tract. The Board took a five minute recess to go into an Executive Session to discuss the Lewis Tract Subdivision.

Chairman Levandowski stated that the Supervisors are requesting a letter on SHC letterhead stating should SHC enter into litigation, the Township will be held harmless and also to indemnify the Township for any legal fees incurred.

Lewis Tract will be placed on the agenda for the Work Session on 4/16/07.

Escrow Releases-

(A)- Century Oak Escrow Release #15 in the amount of \$62,013.03. Motion made by Vice-Chairman Miller seconded by Supervisor Reynolds to approve escrow release #15 in the amount of \$62,013.03.

Aye: 5

Nay: 0

(B)- Wiltshire Escrow Release #50 in the amount of \$474.56- Motion made by Vice-Chairman Miller seconded by Supervisor Reynolds to approve escrow release #50 in the amount of \$474.56.

Aye: 5

Nay: 0

(C)- Elam Riehl Land Development Escrow Release #6 in the amount of \$122.28. Motion made by Vice-Chairman Miller seconded by Supervisor Turns to approve escrow release #6 in the amount of \$122.28.

Aye: 5

Nay: 0

(D)- Hopewell Ridge Escrow Release #9 in the amount of \$64.78. Motion made by Vice-Chairman Miller seconded by Supervisor Reynolds to approve escrow release #9 in the amount of \$64.78.

Aye: 5

Nay: 0

Joe Bauer questioned the Board about some issues at Wiltshire Development & Elam Riehl wholesale sign.

Subdivisions-

Ordinances Regulating the Use of Underground Water Supplies- Motion made by Vice-Chairman Miller seconded by Supervisor Reynolds to table this until further discussion with the Planning Commission.

Aye: 5

Nay: 0

Hopewell Elementary School- Preliminary Land Development Plan-

a. 402.02.F- Motion made by Vice-Chairman Miller seconded by Supervisor Reynolds to hear the second waiver & then possibly make a decision.

Aye: 5

Nay: 0

David Hill -ABC Architects spoke for the School District. He stated that 25-30 acres are in East Nottingham Township and discussed the Hopewell School lighting

Tape Change 8:45 P.M.

School Board President Chauncey Boyd spoke for the School District regarding the lighting

Alvin Miller Jr. had questions for the School Board about the lighting at Hopewell School.

Supervisor Reynolds asked David Hill if the Borough made them do a topography when they did the Penns Grove School?

b. 402.03.A- P.J. is to check that this is East Nottingham tract only

c. 503.01.C.9- Motion made by Vice-Chairman Miller seconded by Supervisor Turns to approve the waiver for 1 candle lighting.

Aye: 5

Nay: 0

Will Baker Preliminary/Final Plan-

Sewage Facilities Planning Module Resolution- Motion made by Vice-Chairman Miller seconded by Supervisor Turns to approve Resolution #43-2007 and forward the Planning Module on to DEP.

Aye: 5

Nay: 0

Letters of Extension- George Thompson Preliminary/Final Plan- Motion made by Vice-Chairman Miller seconded by Supervisor Reynolds to accept the letter of extension expiring July 15, 2007.

Aye: 5

Nay: 0

Blackburn Knoll-Maintenance Guarantee- Motion made by Vice-Chairman Miller seconded by Supervisor Turns to approve the release of the Maintenance Guarantee.

Aye: 5

Nay: -0-

Pennwood- Minor Repairs prior to releasing Maintenance Guarantee- Motion made by Vice-Chairman Miller seconded by Supervisor Reynolds not to release the Maintenance Guarantee until all repairs are completed as stated in Ron Ragan Engineering letter.

Aye: 5

Nay: 0

Supervisors-

A. Authorize advertising for Secretary & Zoning Officer Positions- Motion made by Vice-Chairman Miller seconded by Supervisor Turns to authorize for the Secretary to advertise for Secretary & Zoning Officer positions 2 times.

Aye: 5

Nay: 0

B. Tax Parcel Map- this will be discussed 4/30/07

C. Chauncey Boyd & Richard Nelson- Hopewell Elementary School Bldg.- Chauncey Boyd , President of the School Board, spoke for the School Board regarding the Hopewell School project stating, this project will cost 27 million dollars. Back in November of 2006, the School Board requested 11 waivers from the Oxford Borough and East Nottingham Township. To date, the Borough has approved all 11 waivers and East Nottingham approved one tonight with two pending waiting on further clarification of one of the Townships Ordinances.

This project is set to go out for bid on May 31, 2007 or the end of May. Without these waivers being approved, it will delay the project considerably and cost the residents \$3500. a day.

TAPE CHANGE 9:30 P.M.

Supervisor Turns asked when this was submitted to the Planning Commission. Chauncey Boyd said the end of November. P.J. Scheese said it was started in December.

Supervisor Shelton asked Chauncey Boyd are you going to be able to build that school for 27 million dollars or is that cost going to increase? Chauncey Boyd responded, I believe we will build that school for 27 million dollars, if the project remains on schedule. And that decision lies in your hands.

Vice-Chairman Miller questioned the \$3500. a day delay cost. Vice-Chairman Miller asked the Zoning Officer for a copy of the remaining waivers.

P.J. Scheese stated, the Planning Commission is requesting a meeting with the School Board, the Planning Commission and the Board of Supervisors. This was the first Chauncey Boyd heard of this meeting.

D. Web Site- Motion made by Supervisor Reynolds seconded by Vice-Chairman Miller to hire Page Associates Inc. and not to exceed the cost of \$3,750.00.

Aye: 5

Nay: 0

E. Emergency Operation Plan- Motion made by Supervisor Turns seconded by Vice-Chairman Miller to accept the Emergency Operations Plan by Resolution #44-2007.

Aye: 5

Nay: 0

F. William Duffy, Auditor- Supervisor Turns informed the residents that William Duffy is very ill and we will need to look for a replacement. Mr. Duffy will need to submit a letter of resignation to the Board of Supervisors.

G. Null Property, Hickory Hill Road- to be put on the agenda for the Work Session on 4/16/07. Also, for the Secretary to call Diana Hoopes and let her know the Supervisors will make their decision at the Work Session Special Meeting.

H. Open Space Preservation Easement Application- Motion made by Supervisor Turns seconded by Supervisor Shelton to accept the Open Space Preservation Easement Application.

Aye: 5

Nay: 0

I. Amend Budget- table this to May Board of Supervisors Meeting

J. Wicklow- Motion made by Supervisor Reynolds seconded by Supervisor Turns to approve Resolution #45-2007.

Aye: 5

Nay: 0

K. Bills For Approval- Motion made by Vice-Chairman Miler seconded by Supervisor Turns to approve the Bills as presented by the Treasurer adding a bill for Cohen in the amount of \$256.—for a new total of \$71,827.19.

Aye: 5

Nay: 0

Minutes for Approval-

BOS Regular Meeting March 12, 2007, BOS Special Meeting March 19, 2007 and BOS Special Meeting March 29, 2007. Motion made by Vice-Chairman Miller seconded by Supervisor Turns to approve the Minutes above as submitted by the Secretary.

Aye: 5

Nay: 0

Correspondence-

*Letter from Oxford Area School District from Mary Jane Gales

*Letter from P.J. Scheese regarding Hopewell School & arranging a meeting

*Letter from Planning Commission regarding TDT Prime Development

*Letter from Oxford Area School District regarding Act 1

*Letter from Government Specialists regarding Elkdale Green

*Letter from Traffic Planning & Design

- *Letter from Chester County Emergency Services
- *Information from PA Waste Industries Association

Supervisor Reynolds asked Chauncey Boyd from the School District, if the School District received an exemption from the State on Act 1. Mr. Boyd responded, yes.

Recognition of Visitors-

*Chauncey Boyd- regarding the Oxford Fair, he stated many years ago the Rec Authority said they would never have a Fair with loud noise or excessive traffic. Now they come and request if they can serve beer.

Supervisor Shelton stated to Chauncey Boyd there was a meeting at the township recently about the new High School and not one of the 3 Board members spoke for the School Board.

Adjournment- Motion made by Vice-Chairman Miller seconded by Supervisor Shelton to adjourn the meeting at 10:37 P.M..

Aye: 5

Nay: -0-

Respectfully Submitted,

Patricia L. Brady
Patricia L. Brady, Secretary

ATTEST: *GB*

Leo M. Levandowski
Leo M. Levandowski
Chairman

Michael P. Miller
Michael P. Miller
Vice-Chairman

Charles D. Shelton
Charles D. Shelton
Supervisor

Percy Reynolds
Percy Reynolds
Supervisor

Gene Turns
Gene Turns
Supervisor