

**AGENDA  
EAST NOTTINGHAM TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MEETING  
DECEMBER 10, 2007**

- I. Call Meeting to Order**
- II. Pledge of Allegiance**
- III. Approve Agenda**
- IV. Public Comment on Agenda**
- V. Executive Sessions-**
  - 1)- November 27, 2007- BOS, Ron Ragan, Bill Weaver, Pat Brady re: red light**
  - 2)- November 28, 2007- BOS & Ron Ragan re: Garnet Valley bill for red light**
  - 3)- December 5, 2007- BOS at Herr's re: Multimunicipal Comp Plan**
- VI. Minutes for Review- copies on table for review**
  - 1)- BOS Regular Meeting, November 13, 2007**
  - 2)- BOS Special Meeting, November 19, 2007**
  - 3)- BOS Public Hearing, Historic Ordinance, November 19 2007**
- VII. Treasurer's Report-**
- VIII. Road Report-**
- IX. Zoning Report**
- X. Building Inspector Report**
- XI. Police Study Committee Report-**
- XII. Comprehensive Plan Committee Report-**
- XIII. Oxford Area Recreation Authority Report-**
- XIV. Oxford Area Sewer Authority Report-**
- XV. Open Space Committee Report-**
- XVI. Historic Commission Report-**

**XVII. Newsletter Committee Report-**

**XVIII. Welcome Committee Report**

**XIX. Old Business**

**XX. Letter of Credit Releases-**

1)- Woods at Nottingham, Escrow Release #18 in the amount of \$21, 910.70

**XXI. Subdivisions-**

**I. George Thompson**

❖ Request for Final Plan Approval

**II. Jordan Manor**

❖ Waiver Request – from SALDO 502.16.A

❖ Request for Preliminary Plan Approval

**III. Wilson King – Land Development Plan**

❖ Sewage Facilities Planning Module Resolution

**IV. Lewis Tract – Final Subdivision Plan**

❖ Sewage Facilities Planning Module Resolution

**V. TDT Prime Development**

❖ Waiver Request – from SALDO 402.05.I

**VI. Lowes Flatbed Distribution Center – Sketch Plan**

❖ Request to set up escrow for Township Engineer to discuss with Lowe's representatives

**VII. Wilmer Hostetter & Ryan Homes- Holding Tank Agreement**

**VIII. Letters of Extension**

❖ Date specific for March 15, 2008

1. Timothy Bishop – Minor Subdivision Plan

2. Andy King Tract – Minor Subdivision Plan

3. Liz Miller Farm – Preliminary Subdivision Plan

4. Reserves of Dunlap – Preliminary Subdivision Plan

❖ *Jordan Manor – if Preliminary Plan is not approved – no extension letter was provided*

**XXII. Supervisors-**

- A. Sign 2008 Fire Protection Contract**
- B. Sign 2008 Phone America Service Agreement**
- C. Sign 2008 Animal Protection Service Agreement**
- D. Sign Vision Partnership Grant Agreement**
- E. Review Sign Ordinance**
- F. Discuss Emergency Generator**
- G. Set date for Closeout Meeting & Authorize Advertising**
- H. Thom Olivieri**
- I Intergovernmental Agreement & Ordinance with W. Nottingham Twp.**
- J. Bills For Approval**

**XXIII. Minutes for Approval-**

- 1)- BOS Regular Meeting, November 13, 2007**
- 2)- BOS Special Meeting, November 19 2007**
- 3)- BOS Public Hearing Historic Ordinance, November 19 2007**

**XXIV. Correspondence-**

**XXV. Recognition of Visitors-**

**XXVI. Adjournment-**

**MINUTES  
BOARD OF SUPERVISORS  
EAST NOTTINGHAM TOWNSHIP  
REGULAR MEETING  
DECEMBER 10, 2007**

The Regular Meeting of the Board of Supervisors of East Nottingham Township was held in the Township Building on December 10, 2007. Those present were: Chairman Leo M. Levandowski, Vice-Chairman Michael P. Miller, Supervisor Gene Turns, Supervisor Charles D. Shelton, Treasurer Suzanne Hamlin, Zoning Officer P.J. Scheese, Secretary Pat Brady and numerous guests. Supervisor Percy Reynolds was unable to attend

The Meeting was called to order at 7:04 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 with one change, adding letter K under Supervisors, 1982 Dump Truck.

Aye: 4

Nay: 0

**Public Comment on Agenda-** None

**Executive Sessions-** Chairman Levandowski stated the following:

- 1)- BOS Regular Meeting, November 13, 2007
- 2)- BOS Special Meeting, November 19, 2007
- 3)- BOS Public Hearing, Historic Ordinance, November 19, 2007

**Minutes for Review-**Chairman Levandowski stated there are copies of the Minutes for Review on the table. Minutes will be approved later in the meeting .

**Treasurer's Report-** Suzie Hamlin gave the report stating that East Nottingham's cash assets amount to \$6, 908, 037.11. Bills for November totaling \$213,054.28 were presented for payment from the General Fund. Income received for November 2007 totals \$435,343.19realized from taxes, escrow, court fines, permits, inspection fees, fire hydrant reimbursement and miscellaneous fees. General Fund balance as of 11/30/07 is \$314,575.59. The Treasurer asked for approval in returning an escrow fund for Hickory Hill Road Track in the amount of \$4,825.92 as they are dissolving the Partnership.

Motion made by Vice-Chairman Miller seconded by Supervisor Shelton to approve return of the escrow fund to Hickory Hill Road Track in the amount of \$4,825.92.

Aye: 4

Nay: 0

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**Road Report-**Road Master, Bill Weaver stated it has been a busy month, as his report shows.

**Zoning Report-** P.J. Scheese gave her report. The Supervisors reviewed P.J.'s Driving Log. Supervisor Turns stated the Driving Log is well done and does not have to be done each week.

**Building Inspector Report-** the report is attached to the bill from Charlie Shock for the Supervisors to review.

**Police Study Committee Report-** Chairman Levandowski talked about the discussion he had with the Police Study Committee regarding start up costs. The Board will keep the public advised.

**Comprehensive Plan Committee Report-** None

**Oxford Area Recreation Authority Report-** Joe Bauer stated they are looking at getting papers signed for the development of Parcel 1.

**Oxford Area Sewer Authority-** Supervisor Reynolds was unable to attend.

**Open Space Committee Report-** Motion made by Supervisor Shelton seconded by Supervisor Turns to change the offer made to Esh from \$10,000 to \$12,000.

Aye: 4

Nay: 0

Motion made by Supervisor Shelton seconded by Supervisor Turns to approve the advertisement of a Public Hearing the first meeting in January 2008 for Pugh & Blank.

Aye: 4

Nay: 0

**Historic Committee Report-** Vice-Chairman Miller suggested giving a copy of the latest Township News to Ralph Denlinger, Chairman of the Historic Committee as there are some articles he might be interested in.

Chairman Levandowski discussed having Solicitor Helen Esbenschade pursue entering ENT for the Penna. Land Conservation Government Leadership Award.

Motion made by Chairman Levandowski seconded by Supervisor Shelton to authorize Helen Esbenschade to pursue entering ENT for the Penna. Land Conservation Government Leadership Award.

Aye: 4

Nay: 0

**Newsletter Committee Report-** Vice-Chairman Miller asked P.J. when the cut off date is for the Winter issue. P.J. will have to check with the editor and get back to him.

**Welcome Committee Report-** Supervisor Turns stated that 9 letters have gone out.

**Old Business-** Treasurer Suzie Hamlin asked for approval in returning checks that she has been holding. Two for Traffic Planning & Design \$1,797.38 & \$3,504.65 one for Garnet Valley for \$130,307.48.

Motion made by Supervisor Shelton seconded by Supervisor Turns to approve returning the check in the amount of \$3,504.65 to Traffic Planning & Design and also returning the Garnet Valley check in the amount of \$130,307.48 .

Aye: 4

Nay: 0

**Letter of Credit Releases-**

1)- **Woods at Nottingham**, Escrow Release #18 in the amount of \$21,910.70.

Motion made by Vice-Chairman Miller seconded by Supervisor Turns to approve escrow release #18 in the amount of \$21,910.70.

Aye: 4

Nay: 0

**Subdivisions-**

1)- **George Thompson-**

**\*Request for Final Plan Approval-** Motion made by Supervisor Shelton seconded by Vice-Chairman Miller to grant Preliminary & Final Plan Approval.

Aye: 4

Nay: 0

TAPE CHANGE 7:51 P.M.

2)- **Jordan Manor-**

**\*Waiver Request from SALDO 502.16.A-** Motion made by Vice-Chairman Miller Seconded by Supervisor Turns to approve waiver request 502.16.A.

Aye: 4

Nay: 0

**\*Request for Preliminary Plan Approval-** Motion made by Vice-Chairman Miller seconded by Supervisor Turns to grant Preliminary Plan Approval conditional on all matters in letter from Jim Gade dated 11/19/07 be addressed on Final Plan process.

Aye: 4

Nay: 0

3)- **Wilson King-Land Development Plan**

**\*Sewage Facilities Planning Module Resolution-** Motion made by Vice-Chairman Miller seconded by Supervisor Shelton to approve Resolution #55-2007.

Aye: 4

Nay: 0

4)- **Lewis Tract Final Subdivision Plan**

**\* Sewage Facilities Planning Module Resolution-** Motion made by Vice-Chairman Miller seconded by Supervisor Shelton to approve Resolution #56-2007.

Aye: 4

Nay: 0

**5)- TDT Prime Development-**

**\*Waiver Request from SALDO 402.05.1-** Motion made by Vice-Chairman Miller seconded by Supervisor Turns to grant the waiver request.

Aye: 3

Nay: 0

\*Supervisor Shelton abstained from voting.

**6)- Lowes Flatbed Distribution Center- Sketch Plan-**

**\*Request to set up escrow for Township Engineer to discuss with Lowe's representative.** Motion made by Supervisor Shelton seconded by Vice-Chairman Miller to approve asking an escrow of \$1,000. & when \$900.00 is spent, he must replace it.

Aye: 4

Nay: 0

**7)- Wilmer Hostetter & Ryan Homes-Holding Tank Agreement-**

**\*Motion made by Supervisor Shelton seconded by Supervisor Turns to accept the Agreement as read by Vice-Chairman Miller.**

Aye: 4

Nay: 0

TAPE CHANGE 8:40 P.M.

**8)- Letters of Extension- Date specific for March 15, 2008.**

- 1)- Timothy Bishop- Minor Subdivision Plan
- 2)- Andy King Tract- Minor Subdivision Plan
- 3)- Liz Miller Farm- Preliminary Subdivision Plan
- 4)- Reserves of Dunlap- Preliminary Subdivision Plan

Motion made by Vice-Chairman Miller seconded by Supervisor Turns to grant the letters of extension above expiring March 15, 2008.

Aye: 4

Nay: 0

**Supervisors-**

**A. Sign 2008 Fire Protection Contract-** Motion made by Vice-Chairman Miller seconded by Supervisor Turns to sign the contract.

Aye: 4

Nay: 0

**B. Sign 2008 Phone America Service Contract-** Motion made by Vice-Chairman Miller seconded by Supervisor Turns to sign the contract.

Aye: 4

Nay: 0

**C. Sign 2008 Animal Protection Service Agreement-** Motion made by Vice-Chairman Miller seconded by Supervisor Turns to sign the contract.

Aye: 4

Nay: 0

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**D. Sign Vision Partnership Grant Agreement-** Motion made by Vice-Chairman Miller seconded by Supervisor Turns to sign the Agreement.

Aye: 4

Nay: 0

**E. Review Sign Ordinance-** Motion made by Vice-Chairman Miller seconded by Supervisor Turns to have the Ordinance advertised by Solicitor Alan Novak , and also to put this on the Work Session for January 2008.

Aye: 4

Nay: 0

**F. Discuss Emergency Generator-** Supervisor Turns suggested the Township purchasing an Emergency Generator and asked to have Bill Weaver assigned to checking into this & get back to the Supervisors.

Tape Change 9:25 P.M.

**G. Set date for Closeout Meeting & Authorize Advertising-** Motion made by Supervisor Shelton seconded by Vice-Chairman Miller to set the date on December 27, 2007, 7:00 P.M. & authorize the Secretary to advertise.

Aye: 4

Nay: 0

Motion made by Supervisor Shelton seconded by Vice-Chairman Miller to authorize the Secretary to advertise the Organizational Meeting for January 7, 2008 at 7:00 P.M. and the Regular Meeting to immediately follow. Also, to have Solicitor Helen Esbshade advertise for the Hearing for Pugh & Blank on January 7, 2008 at 6:30 P.M..

Aye: 4

Nay: 0

**H. Thom Olivieri-** Thom Olivieri had questions for the Board concerning Thom's resignation and the advice the Board received from legal counsel. Also, questioned the Board regarding Gene Klein vs East Nottingham Township & asked why did the taxpayers pay close to \$5,000 for legal fees when it was apparent from the beginning that the Township could not enforce the Cease & Desist. Also, questioned the Board over the fact that they have spent a quarter of a million dollars in two years on legal services. Also, questioned why did the Township approve the Solicitor hiring Phil Frega to handle the Armstrong contract, when Chairman Levandowski stated he wanted to hire Conrad O'Brien Gellman & Rohn to handle the negotiations of the Armstrong contract.

Motion made by Supervisor Shelton seconded by Chairman Levandowski to have the Secretary summarize Thom Olivieri's concerns & put them in the Minutes.

Aye: 4

Nay: 0



Supervisor Shelton promised Thom Olivieri that he would get back to Thom regarding his issues.

Thom Olivieri asked that he be considered to be on the Open Space Committee. Chairman Levandowsk asked for Thom to put his request in writing.

Tape Change 10:12 P.M.

**I. Intergovernmental Agreement & Ordinance with W. Nottingham Twp.-**

Motion made by Supervisor Shelton seconded by Chairman Levandowski to authorize for the Secretary to advertise for the Planning Commission to have their Organizational meeting on 1/8/08 at 7:00 P.M. and also the Auditors to have their Organizational Meeting on 1/8/08 at 7:30 P.M. No other business will be conducted that evening. Also, to contact Alan Novak to advertise for a Public Meeting for the Armstrong Cable Contract on 1/9/08 at 7:00 P.M..

Aye: 4

Nay: 0

**J. Bills For Approval-** Motion made by Vice-Chairman Miller seconded by Supervisor Shelton to approve the bills as presented by the Treasurer with the addition of \$144.00 for Cohan Telecommunications.

Aye: 4

Nay: 0

Chairman Levandowski stated there are approximately six out dated checks that were never cashed. Treasurer Suzie Hamlin will consult with the Auditors on this.

**K. Dump Truck-** Motion made by Supervisor Shelton seconded by Vice-Chairman Miller to authorize advertising for bids.

Aye: 4

Nay: 0

**Minutes For Approval-**

**1)- BOS Regular Meeting, November 13, 2007** -Motion made by Chairman Levandowski seconded by Vice-Chairman Miller to approve the Minutes as presented by the Secretary

Aye: 3

Nay: 0

**2)- BOS Special Meeting, November 19, 2007-** Motion made by Vice-Chairman Miller seconded by Supervisor Shelton to approve the Minutes as presented by the Secretary.

Aye: 2

Nay: 0

**3)- BOS Public Hearing Historic Ordinance, November 19, 2007-** Motion made by Vice-Chairman Miller seconded by Supervisor Shelton to approve the Minutes as presented by the Secretary.

Aye: 2

Nay: 0

**Correspondence-**

- Chester County Solid Waste Authority, letter dated 11/30/07
- Union Fire Company No., Ambulance Division, letter dated 11/23/07
- Chester County Emergency Services, letter dated 12/1/07
- Peco, regarding rates

**Recognition of Visitors-**

\*Joel Brown- had questions regarding his property and the possibility of having a Hearing. Also, discussed the Pugh property & possibly a ceremony presenting the check to the Pugh's some time in the spring.

\*Joe Bauer- discussed the Solicitor bills as questioned by Thom Olivieri earlier in the meeting.

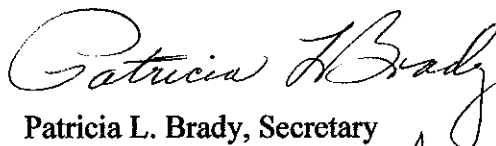
\*David & Victoria Stewart- introduced themselves, as they are new to the area.

**Adjournment-** Motion made by Vice-Chairman Miller seconded by Supervisor Turns To adjourn the meeting at 10:45 P.M..

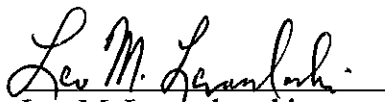
Aye: 4

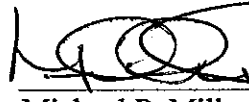
Nay: 0

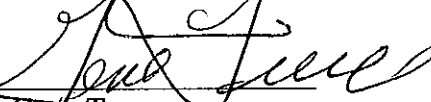
Respectfully Submitted,

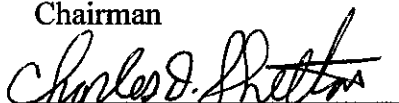
  
Patricia L. Brady, Secretary

ATTEST: PLB 1/2/08

  
Leo M. Levandowski  
Chairman

  
Michael P. Miller  
Vice-Chairman

  
Gene Turns  
Supervisor

  
Charles D. Shelton  
Supervisor



**East Nottingham Township  
Bills for Approval  
December 10, 2007**

<b>Date</b>	<b>Number</b>	<b>Payee</b>	<b>Description</b>	<b>Payment</b>
12/10/2007	7336	Adams Tire & Alignment	brakes	731.39
12/10/2007	7337	Alger Oil, Inc	diesel	553.65
12/10/2007	7338	American Rock Salt Company LLC	salt	9,081.99
12/10/2007	7339	Aramark	uniforms	453.84
12/10/2007	7340	Bradywine Auto Parts	parts	72.36
12/10/2007	7341	Cameron's Inc.	supplies	40.04
12/10/2007	7342	Cumberland Truck	parts	105.28
12/10/2007	7343	Grand America	orange cones	256.67
12/10/2007	7344	Howett's Custom Screen Printing, Inc.	safety green thermals	416.00
12/10/2007	7345	Independence Construction Materials	rice & 2A modified	2,064.44
12/10/2007	7346	Long's Asphalt, Inc.	Mt Pleasant paving	29,112.50
12/10/2007	7347	McMinn's Ashpalt Co. Inc.	Mt Pleas(67,984.79)Waterway(46,288.55)	114,253.34
12/10/2007	7348	Mt. Rocky Trucking	truck inspection	51.00
12/10/2007	7349	Oxford Auto Parts	parts	139.94
12/10/2007	7350	Pennsylvania One Call System, Inc.	communications	45.50
12/10/2007	7351	Allied Waste Services #319	trash removal	63.33
12/10/2007	7352	Armstrong One Wire	internet	39.95
12/10/2007	7353	Brandywine Conservancy'	historic commission	30.00
12/10/2007	7354	Chester County SPCA	animal control	180.00
12/10/2007	7355	Chilli's Inspection Services	building inspector	1,193.49
12/10/2007	7356	Companion Life Insurance Company	life insurance	405.00
12/10/2007	7357	Conrad O'Brien Gellman & Rohn, P.C.	solicitor fees	5,385.00
12/10/2007	7358	Crystal Springs	water	62.93
12/10/2007	7359	Daily Local News	advertising	170.36
12/10/2007	7360	H.A. Berkheimer	EiT commission	1,559.63
12/10/2007	7361	H.A. Thomson Co.	New Truck added to Insurance	314.00
12/10/2007	7362	Harris	WCODE Support	1,248.05
12/10/2007	7363	Ledger Newspapers	advertising	326.70
12/10/2007	7364	Leffler Energy	oil	339.85
12/10/2007	7365	Office Basics, Inc.	supplies	135.25
12/10/2007	7366	Office Depot	supplies	54.35
12/10/2007	7367	PHONEAMERICA CORP	service contract	414.34
12/10/2007	7368	PitneyBowes	postage	106.99
12/10/2007	7369	PPL	gas	141.69
12/10/2007	7370	Ragan Engineering	engineering fees	2,463.23
12/10/2007	7371	Stantec Consulting Services Inc.	engineering fees	5,779.00
12/10/2007	7372	Toshiba Business Solution	color copies	47.00
12/10/2007	7373	Toshiba Business Solution	maintenance contract	216.09
12/10/2007	7374	Treasurer of Chester County	household hazardous waste coll	630.85
12/10/2007	7375	Zee Medical Service Co.	medical supplies	257.35
12/10/2007	7376	Shock, Charles C	building inspector	1,468.75
12/10/2007	7377	Levandowski, Leo M	4th qtr supervisor salary	548.62
12/10/2007	7378	Miller, Michael P	4th qtr supervisor salary	548.62
12/10/2007	7379	Reynolds, Percy E	4th qtr supervisor salary	548.62
12/10/2007	7380	Shelton, Charles D.	4th qtr supervisor salary	548.62
12/10/2007	7381	Turns, Gene	4th qtr supervisor salary	548.62
12/10/2007	7382	Hamlin, Suzanne	tax clerk/tax certifications	673.68
12/10/2007	7383	John Reynolds	emergency mgmt coordinator	300.00
12/10/2007	7384	PJ Scheese	mileage	64.41
12/10/2007	7385	William C. Weaver	backhoe rental	400.00
12/10/2007	7386	Winifred Moran Sebastian	solicitor fees	2,853.50
12/10/2007	7387	PSATS	2008 dues/subscriptions etc	1,623.00
12/10/2007	7388	Personnel Concepts	2008 Labor Law Poster/OSHA	125.80
			<b>Total:</b>	<b>189,194.61</b>

**East Nottingham Township  
Bills for Approval  
December 10, 2007**

<b>Escrow Fund:</b>			
12/10/2007	213 Conrad O'Brien Gellman & Rohn, P.C.	solicitor fees	435.00
12/10/2007	214 Stantec Consulting Services Inc.	engineering fees	<u>12,562.25</u>
		<b>Total:</b>	<b>12,997.25</b>
<b>Open Space Fund:</b>			
12/10/2007	140 Conrad O'Brien Gellman & Rohn, P.C.	solicitor fees	4,342.50
12/10/2007	141 Fed-Ex	Null appraisal	19.16
12/10/2007	142 H.A. Berkheimer	commission	1,434.12
<b>Supplemental Checks-General Fund:</b>			
11/1/2007	ACH 941 Deposit	federal tax deposit	1,560.12
11/1/2007	7220 Nextel	cell phones	328.91
11/1/2007	7221 Peco	electric	552.39
11/1/2007	7222 Verizon	phones	494.37
11/6/2007	ACH PA Dept of Revenue	state tax	441.99
11/8/2007	ACH 941 Deposit	federal tax deposit	1,931.68
11/8/2007	7233 Joyce Krauss	cleaning	150.00
11/15/2007	ACH 941 Deposit	federal tax deposit	2,306.30
11/15/2007	7304 Joyce Krauss	supplies/election day cleaning	95.46
11/15/2007	7305 Union Fire Co #1	donation-hydraulic stretchers	4,500.00
11/20/2007	ACH PA Dept of Revenue	state tax	703.90
11/23/2007	ACH 941 Deposit	federal tax deposit	1,725.14
11/26/2007	7314 Aflac	employee paid health ins	292.88
11/29/2007	ACH 941 Deposit	federal tax deposit	1,562.60
11/29/2007	7323 Joyce Krauss	cleaning	<u>150.00</u>
		<b>Total:</b>	<b>16,795.74</b>
<b>Supplemental Checks-Open Space:</b>			
11/26/2007	ACH Commerse Bank	interest/finance charges	16,370.00