

**MINUTES
BOARD OF SUPERVISORS
EAST NOTTINGHAM TOWNSHIP
REGULAR MEETING
DECEMBER 12, 2006**

The Regular Meeting of the Board of Supervisors of East Nottingham Township was held in the Township Building on December 12, 2006. Those present were Chairman Leo M. Levandowski, Vice-Chairman Charles D. Shelton, Treasurer Suzie Hamlin, Zoning Officer P.J. Scheese , Secretary Pat Brady and numerous guests.

The Meeting was called to order at 7:00 P.M..

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

Chairman Levandowski asked if there were any new residents in the audience. Shannon Wells stated he lives in Brightwell Reserve. Chairman Levandowski welcomed Mr. Wells to the Township and the meeting.

Chairman Levandowski welcomed to the meeting, a writer from the Oxford Tribune and a writer from Chester County Press.

Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton accepting the letter of resignation from Supervisor Thom Olivieri dated, received and read at the Public Meeting on November 14, 2006 at 7:02 P.M..

Aye: Levandowski, Shelton

Nay: -0-

Chairman Levandowski stated that the Secretary received this morning by fax, dated 12/12/06 a note from Thom Olivieri withdrawing his resignation from the Board of Supervisors. Chairman Levandowski stated no action will be taken at this time. We have thirty days to make a decision to fill a vacancy. We haven't had time to properly discuss this, therefore, the Supervisors are going to go before the Vacancy Board, which will give us an additional 15 days. We will be speaking to our legal representation and the Vacancy Board and will be meeting next week some time, possibly Thursday, December 21, 2006 at 7:00 p.m..

Chairman Levandowski stated there are draft copies of the November 14, 2006 Board of Supervisors Meeting available for review.

Chairman Levandowski thanked Percy Reynolds and Gene Turns for attending the meeting.

PAGE 2

Approve Agenda- Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to approve the agenda as presented by the Secretary.

Aye: Levandowski, Shelton

Nay: -0-

Public Comment on Agenda- None

Executive Sessions- Chairman Levandowski stated there were Executive Sessions on:

(A)- November 29, 2006 with Dave Shelton, Leo Levandowski, Ron Ragan, Bill Weaver, Percy Reynolds and Gene Turns

(B)- November 30, 2006 with Leo Levandowski, Dave Shelton & Winifred Sebastian, Esquire

(C)- December 7, 2006 with Leo Levandowski, Dave Shelton, Percy Reynolds, Gene Turns, Pat Brady & P.J. Scheese

Minutes for Review- BOS Regular Meeting, November 14, 2006. Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to approve the Minutes as presented by the Secretary.

Aye: Levandowski, Shelton

Nay: -0-

Treasurer's Report- Suzie Hamlin read the report stating that East Nottingham Township's cash assets amount to \$2,680,722.51. Bills totaling \$258,493.11 for November 2006 were presented for payment from the General Fund. Income received for November 2006 total \$116,074.68 realized from taxes, escrow, court fines, permits, inspection fees, fire hydrant reimbursement and miscellaneous fees. General Fund balance as of 10/31/06 is \$424,895.83

The Treasurer requested approval to return an escrow balance for Hopewell Ridge in the amount of \$1,341.20 and one for Hostetter Shepherd Plan for \$5,536.62.

Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to return the escrow balances for Hopewell Ridge and Hostetter Shepherd.

Aye: Shelton, Levandowski

Nay: -0-

The Treasurer requested approval to transfer money from the General Fund to the Escrow Fund in the amount of \$13,315.60.

Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to approve the transfer of Funds as stated above.

Aye: Shelton, Levandowski

Nay: -0-

The Treasurer requested approval to transfer money from the Escrow Fund to the General Fund in the amount of \$78,180.92.

Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to approve the transfer of Funds as stated above.

Aye: Shelton, Levandowski

Nay: -0-

PAGE 3

Suzie Hamlin stated that she has met with some accounting firms to do the audit for the up coming year if the Township is interested. Chairman Levandowski asked the Treasurer to set up a meeting with the auditors and this will be discussed at that time.

Suzie Hamlin stated that she has met with a representative from Doc Star, they deal with storing documents. Chairman Levandowski stated we will look at this in the future.

Road Report- copies on the back table for review. Road Master Bill Weaver said they've been very busy with the roads and taking care of the equipment

Zoning Report- P.J. Scheese gave her report

Welcome Committee Report- Gene Turns stated that since they started this committee, they have sent out 198 letters to new residents of our Township.

Vice-Chairman Shelton suggested that we put something in the welcome letter about the tax to Berkheimer. It was also suggested that we put something in the Newsletter to inform residents .

Chairman Levandowski thanked P.J. Scheese for the successful Santa Visits East Nottingham Township Building.

Police Study Committee- No Report

Comprehensive Plan Committee Report- Joe Bauer gave his report

Oxford Area Recreation Authority Report- Joe Bauer gave his report

Oxford Area Sewer Authority Report- Percy Reynolds gave his report

TAPE CHANGE 7:30 P.M.

Open Space Committee Report- Chairman Levandowski stated this will be discussed under Supervisors, Open Space Ordinance

Historic Committee Report- No Report

Newsletter Committee Report- P.J. Scheese gave her report

Old Business- None

Escrow Releases-

1) Elam Riehl- Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to approve escrow release #4 in the amount of \$10,005.76

Aye: Shelton, Levandowski

Nay: -0-

Vice-Chairman Shelton asked P.J. Scheese to check into Elam Riehl's variance to see if it states wholesales only.

2) Century Oak- Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to approve escrow release #13 in the amount of \$352.28

Aye: Levandowski, Shelton

Nay: -0-

3) Woods at Nottingham- Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to approve escrow release #11 in the amount of \$9,810.40

Aye: Levandowski, Shelton

Nay: -0-

4) Hopewell Ridge- Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to approve the escrow release #7 in the amount of \$359.56

Aye: Levandowski, Shelton

Nay: -0-

Subdivisions-

Stoltzfus Tract- Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to approve the Final Plan.

Aye: Levandowski, Shelton

Nay: -0-

George Thompson Jr. Subdivision-

Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to grant all waivers as follows:

Aye: Levandowski, Shelton

Nay: -0-

- a. 302.02.B – Requiring a separate Preliminary Plan submission for subdivisions in excess of four lots.
- b. 402.03.A – Requiring existing contours at two (2) foot intervals on the Preliminary Plan.
- c. 402.04.L – Requiring storm water management data on the Preliminary Plan.
- d. 402.05.E – Requiring erosion and sedimentation control plan submission to the Chester County Conservation District on the Preliminary Plan.
- e. 402.05.I – Requiring a wetland jurisdiction determination and verification by the U.S. Army Corps of Engineers on the Preliminary Plan.

- f. 403.03.A – Requiring existing contours at two (2) foot intervals on the Final Plan.
- g. 403.03.E.1 – Requiring the location and size of on-lot sewage disposal and water supply system on the Final Plan.
- h. 403.03.N – Requiring a grading plan on the Final Plan.
- i. 403.03.R – Requiring storm water management data on the Final Plan.
- j. 403.05.O – Requiring erosion and sedimentation control plan submission to the Chester County conservation District on the Final Plan.
- k. 502.11 – Requiring street improvements to existing streets.
- l. 506.01.B – Requiring monuments to be set at all angle points of the boundaries of the original tract.
- m. 508 – Requiring storm water management and floodplain control.

Merrill Subdivision- Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to not approve the Final Plan

Aye: Levandowski, Shelton

Nay: -0-

TAPE CHANGE- 8:05 P.M.

Letters of Extension-

Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to grant the following letters of extension as follows:

Aye: Shelton, Levandowski

Nay: -0-

- a. Date specific of March 13, 2007- Wicklow, Preliminary Plan
- b. Date specific of March 15, 2007- 1) Timothy Bishop-Minor Plan
2) Lewis Tract-Final Plan
- c. Date specific of March 16, 2007- 1) Elizabeth Miller- Preliminary Plan
2) Reserves of Dunlap- Preliminary Plan
- d. Date specific of February 15, 2007- Hickory Hill Phase I-Final Plan

Supervisors-

(A)- Proposal for an Addition to Ag Security-

Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to approve the following properties to be added to Ag Security automatically after 180 days.

Aye: Levandowski, Shelton

Nay: -0-

Daniel M. & Mary Ann Stoltzfus
1490 Little Elk Creek Road, Oxford, PA 19363
Parcel #69-6-219.1, 46.3 acres

Daniel M. & Mary Ann Stoltzfus
494 Barnsley Road, Oxford, PA 19363
Parcel #69-9-10, 48.6 acres

TAPE CHANGE- 8:35 P.M.

(B)- Open Space Ordinance- Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to approve Ordinance 4-2006 with the addition of the R2 District.

Aye: Shelton, Levandowski

Nay: -0-

(C)- Set date for Closeout Meeting- Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to set the Closeout Date Meeting for December 28, 2006 at 7:30 P.M..

Aye: Shelton, Levandowski

Nay: -0-

The Treasurer requested approval to add to the Bills For Approval, Crystal Springs in the amount of \$61.97. Vice-Chairman Shelton approved adding Crystal Springs.

(D)- Bills for Approval- Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to hold the Independence Material check until 12/28/06, as we have a problem with a road and won't pay until all is cleared up.

Aye: Shelton, Levandowski

Nay: -0-

Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to approve the bills as presented by the Treasurer excluding the above.

Aye: Shelton, Levandowski

Nay: -0-

(E)- Approval to purchase (2) sets of the International Bldg. Code Books for 2006 at \$490.75 a set.

Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to approve the purchase of the books.

Aye: Levandowski, Shelton

Nay: -0-

Mike Miller asked the Board who is responsible for approving the Garnet Valley Signalization payments. Chairmam Levandowski responded, Ron Ragan Engineering.

(F)- Adopt Revised Personnel Policy- Motion made by Chairman Levandowski seconded by Vice-Chairman Shelton to adopt Resolution #33-2006, the revised Personnel Policy.

Aye: Levandowski, Shelton

Nay: -0-

Chairman Levandowski stated to the Secretary to make sure all employees get a copy of the new Revised Personnel Policy and sign the last page stating they have read the new

PAGE 7

policy. Forward a copy of all signature pages to our Solicitor and keep originals in the Township Office.

(G)- New Toshiba Copier- Supervisors asked to get two other bids for copiers and bring all information back to the Supervisors.

(H)- New Loader- Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to purchase the new John Deere Loader JD 624J from Plasterer Equipment for \$133,904.00.

Aye: Shelton, Levandowski

Nay: -0-

Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to have the Secretary advertise the old John Deere 644E with sealed bids, bids must be received by the Secretary by 3:30 P.M. on December 28, 2006. Bids will be opened at 8:00 P.M. on December 28, 2006 at a Special Meeting.

Aye: Shelton, Levandowski

Nay: -0-

Correspondence-

*Letter from Neighborhood Service Center, thank you note to the Township

*Letter from Conrad O'Brien Gellman & Rohn /Alan Novak Re: Armstrong Cable

Motion made by Vice-Chairman Shelton seconded by Chairman Levandowski to approve having Dan Cohen, Esquire at the hourly rate of 165.00 to serve as special counsel on the cable franchise renewal negotiations with Armstrong, not to exceed 20 hours.

Aye: Shelton, Levandowski

Nay: -0-

*Chester County Dept. of Emergency Services

*PSATS Convention Information

*News Bulletin

Recognition of Visitors-

*John Rohrer-asking the Supervisors to answer his letter with 10 questions. Chairman Levandowski suggested that he resend the letter to the Secretary and it will be addressed at the January Meeting.

*Joe Bauer- stated he would hope that we could get more participation from the residents, and not always the same people

*Percy Reynolds- thanked the Board and employees for sitting down with Gene Turns and Percy to get them started off on the right foot.

*Suzie Hamlin- Re: PSATS Magazine asked the Board who should be added. Supervisors requested that she wait until after 12/28/06 and then add new names.

Adjournment- Motion made Vice-Chairman Shelton seconded by Chairman Levandowski to adjourn the meeting at 9:15 P.M..

Aye: Shelton, Levandowski

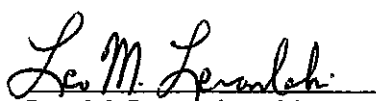
Nay: -0-

Respectfully Submitted



Pat Brady, Secretary

ATTEST: PB 1/2/07



Leo M. Levandowski
Chairman



Charles D. Shelton
Vice-Chairman

INVOICE FOR FENCE REPLACEMENT AT 711 FIFTH ST

The recent road improvements to improve the visibility at the corner of 5th ST and Little Elk Creek Rd, had required that the fencing on my property be relocated so that the Amish children could continue to walk along the top of the bank on my property.

As agreed with the Township, I would pay for the relocation of the fence on the Elk Creek Side and the Township would be responsible for the restoration of the bank and fence on the 5th Street side.

I contracted Mitchell Delp to relocate and realign the fence and Im enclosing a copy of his bill(No 010898) and the breakdown of the costs for the respective road sides.

SUMMARY OF INVOICE

The total invoice was \$1791\$ the entire fence

The Elk Creek Side was \$1031 and the Fifth Street side was \$760 I am herein requesting that the township pay the \$ 760 to me, as I paid Mitchell's entire bill (copy of our check enclosed) rather than have Mitchell wait for the townships normal billing cycle.

Walter M. Lein 11/10/06

On an entirely different subject:

I was impressed with the courtesy extended me by the township supervisors in the person of Mr Shelton. Further. I was especially impressed by the courtesy and professionalism of Mr Weavers entire crew. My past memories of road and bank "repairs" at this corner extend back almost 25 years. Weve been, in the past, treated with everything from disdain to outright hostility by past activities., so it was refreshing to have been consulted prior to the activity and to have the road supervisor treat us in a friendly and professional manner.

Mr Weavers crew is the "face" of the township that we citizens see and with whom we interact. They deserve a "shout out" from a grateful member of the community