

**January 23, 2003
Oxford, PA**

The East Nottingham Township Board of Supervisors held a Special Meeting in the Township building on January 23, 2003. The purpose of the meeting was to consider and act upon matters relating to planning and subdivision and zoning matters and to conduct any other business, which may come before the Board. Those present were: Supervisors, Samuel A. Goodley, Jr., Leo M. Levandowski and Charles D. Shelton; Secretary, Helen E. Warren; Township Solicitor, Winifred Sebastian; Township Engineer, Ronald Ragan; and three (3) guests.

The meeting was called to order at 8:45 P.M. by Chairman Samuel A. Goodley, Jr.

On motion by Charles D. Shelton, seconded by Samuel A. Goodley, it was unanimously approved to accept the agenda for the January 23, 2003 Special Meeting.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mr. Goodley asked for comments from the public on the agenda items and received none.

Business

Mr. Flam Riehl requested a waiver for escrow from his Land Development Plan. Mr. Goodley stated that he would not participate because he represents Mr. Riehl on legal matters. Mr. Ragan explained that with a Land Development Plan certain things are required to comply with the ordinance such as erosion, curbing, sedimentation controls, etc. and we require a performance guarantee. Mr. Ragan stated that we have done this in the past, but conditions were put on the issuance of building permits and the certificate of occupancy so the improvements were done in place as part of the inspection process. Discussion took place between the Solicitor and the Engineer regarding the procedure for waivers. The Solicitor stated that all waivers are supposed to be referred to the Planning Commission. Mr. Ragan stated that we could consider a reduction in the performance guarantee rather than a waiver because there would be inspections because of the basin that is being put in adjacent to a wetland and a stream. Mr. Ragan stated that he saw a letter from Chester County Conservation District stating that the soil is still inadequate. More discussion took place. The Solicitor stated for Mr. Riehl to talk to Mr. Jefferis to submit a waiver to the Township for Monday night's Planning Commission meeting.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to adopt Resolution 2-2003 and also enter into the On-Lot Sewage Management Agreement on behalf of East Nottingham Township with Mark Properties, a Pennsylvania general partnership, for the 48.246 acre tract of land situate in East Nottingham Township, Tax Parcel 69-5-37, excluding a 2.525 acre parcel.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

The Chairman read Resolution 3-2003 in its entirety.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to adopt Resolution 3-2003 as read for Majesty Properties Two-Lot Subdivision.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to pay two (2) bills for David C. Sweet. The first invoice totaled \$875.58 for general planning and ordinance services and the second invoice totaled \$4,534.49 for technical assistance in the preparation of the Open Space, Recreation, and Environmental Resources Plan.

The Chairman questioned the difference in mileage and hourly rate. Mr. Sweet reported that he carried forward the lower figures that were originally in the contract until those projects were done. The Chairman called for a vote.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Recognition of Visitors

Mr. Shelton stated that he met with the Township Engineer and the Chester County Conservation District regarding Old Creek Road. Discussion took place regarding vacating the road.

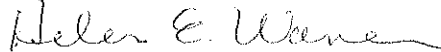
On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was unanimously approved to have the Township Solicitor arrange an agreement between Virginia Burt and Bob McHenry to agree to abandon Old Creek Road and to give the road to Barbara Carty.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, seconded by Leo M. Levandowski, it was approved to adjourn the meeting at 9:20 P.M.

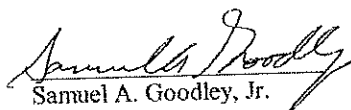
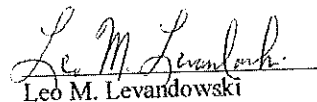
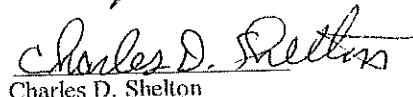
Respectfully Submitted,



Helen E. Warren, Secretary

APPROVED:

2-10-03
Date


Samuel A. Goodley, Jr.
Leo M. Levandowski
Charles D. Shelton

**February 10, 2003
Oxford, PA**

The regular monthly meeting of the East Nottingham Township Board of Supervisors was held in the Township building on February 10, 2003. Those present were: Supervisors, Samuel A. Goodley, Jr., Leo M. Levandowski, and Charles D. Shelton; Secretary, Helen E. Warren; Zoning Officer, Kathryn Kovach; Treasurer, Pamela Mason; and numerous guests.

The meeting was called to order at 7:03 P.M. by Chairman Samuel A. Goodley, Jr.

On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was unanimously approved to accept the agenda for the February 10, 2003 Meeting.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mr. Goodley asked for comments from the public on the agenda items and received none.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the December 11, 2002 Agricultural Area Security Meeting Minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mr. Goodley stated that there is a correction to be made to the January 6, 2003 Organization Minutes. Mr. Goodley stated that at the meeting they appointed Kathryn Kovach as Zoning/Subdivision Officer at the current annual salary of \$47,140.00 and the correct amount should be \$44,895.00 with a 3% increase for a total of \$46,242.00.

On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was unanimously approved to accept the January 6, 2003 Annual Organization Meeting Minutes with the modification as stated above.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the January 6, 2003 Regular Meeting Minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the January 23, 2003 Special Meeting Minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Bills for Approval

Mrs. Mason presented the treasurer's report and reported that East Nottingham's total cash assets amount to \$2,114,521.64. The Treasurer stated that she would like approval for payment on East Coast Graphics for envelopes and TransAmerica Office Furniture for folding chairs, but she will be holding the checks because we haven't received anything yet. The Chairman stated that there is \$449,022.13 in the escrow account for the Oxford Area School District, which includes the zoning officer's time and inspection for Code Administrators. Discussion took place regarding the bill from Denis Forrest of Gilmore & Associates, Inc. for \$2,310.75 for consulting services. Mr. Goodley stated that he would like a breakdown of Mr. Forrest's bill. Bills totaling \$59,261.15 were presented for approval for payment from the General Fund.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to pay all the bills from the General Fund with the exception of Gilmore & Associates, Inc. for \$2,310.75.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was unanimously approved to terminate the services of Gilmore & Associates, Inc. upon presentation of the final itemized bill of services rendered to date.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

2/10/03

East Nottingham Township
Bills for Approval
2/10/03

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Date	Number	Payee	Description	Amount
2/10/2003	1973	cash	establish petty cash	100.00
2/10/2003	1974	Country Signs	signs for new bldg	1,050.00
2/10/2003	1975	Cumberland Truck	parts for Ford F35	198.00
2/10/2003	1976	Lancaster Truck Bodies	snow plow parts	514.02
2/10/2003	1977	Automotive of Oxford	shop/truck supplies	203.07
2/10/2003	1978	Baron's Windowwear	blinds for new bldg	400.00
2/10/2003	1979	Cameron's Inc.	bldg and shop supplies	402.78
2/10/2003	1980	New Penn	freight on paint cabinet	49.72
2/10/2003	1981	Lawson Products, Inc.	bolts for shop inv.	522.85
2/10/2003	1982	Ledger Newspapers	advertising	335.00
2/10/2003	1983	Daily Local News	advertising	250.98
2/10/2003	1984	DM Stoltzfus & Son, Inc	"rice" for roads	2,072.99
2/10/2003	1985	Russel Baker	misc. work for new bldg	1,678.20
2/10/2003	1986	John D. Coldiron	building inspections	3,600.00
2/10/2003	1987	Charles Shock, Inc.	bldg inspections and reviews	2,074.70
2/10/2003	1988	ARAMARK	uniforms	124.17
2/10/2003	1989	Oxford Feed and Lumber	reinforcing rod	15.00
2/10/2003	1990	PHONEAMERICA CORP	service calls for phone system	310.00
2/10/2003	1991	SICO	heating fuel, diesel, kerosene	940.88
2/10/2003	1992	Ragan Engineering	engineering fees	7,643.70
2/10/2003	1993	Staples Credit Plan	office supplies	25.86
2/10/2003	1994	Pa Dept of Labor & Ind.	boiler inspection	45.00
2/10/2003	1995	Jack's Enterprises, Inc	storage trailer - Dec.	60.00
2/10/2003	1996	Patriot Home Sales	4th qtr & 9 days Jan. office trailer	987.12
2/10/2003	1997	Eastern Salt Co.	salt	4,888.70
2/10/2003	1998	Chester Water Authority	fire hydrants	8,668.53
2/10/2003	1999	Gilmore & Associates	consulting fees(D.Forrest)	2,310.75
2/10/2003	2000	Berkheimer Associates	EIT commission (Dec & Jan)	1,073.03
2/10/2003	2001	Oxford Tribune	1 yr subscription	20.95
2/10/2003	2002	Oxford Citgo Inc.	gas	17.00
2/10/2003	2003	Steen's Plumbing & Electric	connect air compressor	103.96
2/10/2003	2004	Donnelly Transmissions	inspection	46.35
2/10/2003	2005	PP&L	gas heat	594.99
2/10/2003	2006	Ehrlich	pest control	58.00
2/10/2003	2007	Holbrook Fire Protection	yearly inspections, spare extin.	65.85
2/10/2003	2008	AD PRO, Inc.	roadmaster business cards	28.63
2/10/2003	2009	PECO	electric	805.99
2/10/2003	2010	Nextel	cell phones	318.18
2/10/2003	2011	BFI	trash	116.69
2/10/2003	2012	Verizon	phone, fax, internet lines	505.76
2/10/2003	2013	AT&T	long distance	9.99
2/10/2003	2014	Office Basics, Inc.	new bldg items (bulletin boards, etc)	612.40
2/10/2003	2015	CFC	file cabinets (inc. fireproof)	1,659.78
2/10/2003	2016	Cingular Wireless	roadmaster cell (last bill)	48.18
2/10/2003	2017	East Coast Flag & Banner	flag for mtg room	126.83
2/10/2003	2018	Zee Medical Service Co.	supplies for medical kit	53.58
2/10/2003	2019	Winifred Moran Sebastian	solicitor fees	2,489.00
2/10/2003	2020	MMPMET	health, life, disability ins.	1,781.10
2/10/2003	2021	C.David Shelton	reimburse for items purchased	187.27
2/10/2003	2022	Howard Wiley	reimburse for tire rims purchased	80.00
2/10/2003	2023	Peoples Bank of Oxford	941 deposit	4,743.66
2/10/2003	2024	East Coast Graphics	envelopes	107.00
2/10/2003	2025	TransAmerica Office Furniture	chairs for meeting room	1,716.72
2/10/2003	2026	Ivana Miller	cleaning (1 month)	150.00
2/10/2003	2027	Kathy Kovach	postage, mileage	49.02
2/10/2003	2028	James Hamlin	tax collector pay	630.02
2/10/2003	2029	Pamela Mason	treasurer pay	963.62
2/10/2003	2030	BOCA International	code books	40.00
2/10/03	2031	McMaster-Carr	paint storage cabinet	465.42
2/10/2003	2032	Helen Warren	mileage	20.16
				<u>59,261.15</u>

Those Who Asked To Be Placed On The Agenda

Mr. Marc Pevar stated that his neighbor is breaking deed restrictions and has obtained a building permit and approvals and perhaps a certificate of occupancy. Mr. Pevar reported that their property has devalued because their neighbor built a totally non-conforming double-wide in the community of Saginaw Village. Mr. Pevar stated that the Board is involved because they have issued a building permit and he did not want to have two (2) law suits if there isn't some sign to slow things down. Mr. Pennell stated that he built his daughter's house in this community and had water management requirements to complete and there are two (2) other houses being built and he stated they don't have to go through the same requirement he had to and he would like that checked out. Ms. Nancy Sage at 106 Ridge Lane asked the Supervisors for their opinion. The Chairman asked the Vice Chairman to comment. The Vice Chairman stated that they are in legal litigation. Mr. Pevar stated that he filed a suit because initially the Solicitor refused to allow him to see public documents and that was the sole purpose of the litigation. Mr. Levandowski stated that he would not comment on this issue tonight until he talks with the Solicitor. Mr. Shelton and Mr. Goodley agreed. Ms. Kristen Jent stated that she has followed every deed restriction and she can't understand why the Board will not stand up for what is in the deed restrictions. Mr. Goodley stated to Mr. Pevar that he does take issue with Mr. Pevar's characterization of someone breaking the law. Mr. Goodley stated that it is someone violating a private contract between you and the homeowners; it has nothing to do with municipal government. Mr. Pevar stated because there was no response to his correspondence he felt he had to act. More discussion took place. Mr. Pennell asked the Board if it was fair that everybody follow the same requirements that he had to go through. Mr. Shelton stated absolutely.

The following business was considered relative to subdivision/land development plans:

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to grant Final Plan Approval for the Oxford Area School District to add modular units to the Penns Grove Middle School.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was approved to accept the letter of extension for the subdivision of Brightwell Reserve. This extension will run through and include the date of April 25, 2003.

Aye: Levandowski, Shelton

Nay: -0-

Abstention: -1-

On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was approved to accept the letter of extension for the subdivision of Ruth S. Coldiron. This extension will run through and include the date of May 23, 2003.

Aye: Levandowski, Shelton

Nay: -0-

Abstention: -1-

Mr. Shelton made a motion to accept the letter of extension, which will run through and include the date of May 13, 2003, for the subdivision of Lawrlane. Mr. Levandowski seconded the motion. The chairman called for discussion regarding preparing a cluster plan in the R1 zoning. Mr. Dave England of Rouse/Chamberlain LTD, equitable owner of the subject property, reported that their

understanding was that the Planning Commission wanted to explore the possibility of a cluster plan for that property. More discussion took place. Mr. Goodley stated that it is too early to have a preference because the R1 district is still being examined. Mr. Goodley stated that it would be beneficial to come to the work sessions. Mr. England asked if they should bring plans to the work session. Mr. Goodley stated that he did not have a problem with that. Mr. Shelton and Mr. Levandowski agreed. The Chairman carried the motion through for the extension letter.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for the subdivision of Reserves of Dunlap. This extension will run through and include the date of June 11, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for the land development plan for Happy Harry's. This extension will run through and include the date of April 23, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for the subdivision of Blackburn Knoll. This extension will run through and include the date of March 22, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to endorse West Nottingham's request to have the developer of the Blackburn Knoll Subdivision make sight distance improvements at the intersection of Union Square Road and Christine Road and also to have the Secretary send her letter to Mr. James Mark.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for the James Mark Land Development Plan. This extension will run through and include the date of April 25, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Discussion took place regarding James Mark Land Development Plan and the open issue in the Township Engineer's review letter regarding the receipt of a waiver not to install curbs. The Chairman stated that the waiver request has not been submitted yet.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to table the James Mark Land Development Plan until next month's Board of Supervisors meeting.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

The Chairman stated that he would take no action on Elam Riehl's Land Development Plan. The Vice Chairman read open issues in the Township Engineer's review letter; the Township is still not in receipt of an adequate letter from the Chester County Conservation District and the SW NPDES permit has not been issued. Discussion took place regarding the performance guarantee amount of \$94,000. Mr. Riehl stated that the Township Engineer stated verbally to him that the amount would be about \$30,000 to \$40,000.

On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was approved to reduce the performance guarantee from \$94,000 to \$25,000.

Aye: Levandowski, Shelton

Nay: -0-

Abstention: -1-

On motion by Leo M. Levandowski, seconded by Charles D. Shelton, it was approved to table the Elam Riehl Land Development Plan.

Aye: Levandowski, Shelton

Nay: -0-

Abstention: -1-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for the subdivision of Hickory Hill. This extension will run through and include the date of April 30, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

The Chairman reported that at the Planning Commission Meeting on January 27, 2003, Planning Commission member, Alvin Miller, raised a question as to whether the Hickory Hill Subdivision Plan was properly submitted in as much as it is comprised of several tracts. The Chairman reported that they have a letter from the Solicitor addressing that question. The Chairman reported that the Solicitor stated in her letter that the inclusion of four properties in one plan is permitted under the Ordinance.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to move the plan forward and to respond to the Planning Commission by copy of the Solicitor's letter for the Hickory Hill Subdivision.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Discussion took place regarding the open issues in the Township Engineer's review letter for Tommy Tinkers, Inc. Final Land Development Plan.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to table the Tommy Tinkers, Inc. Land Development Plan until February 18, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

The Chairman read the extension letter from Chester Valley Engineers, Inc. regarding the Preliminary Subdivision for Pennwood. Mr. Dan Lutz stated that they wanted to get the extension in if the Board was not in a position to approve the plan. Mr. Lutz stated that all the items have been resolved. The Chairman stated there was correspondence from the Solicitor regarding the sewage maintenance agreement. Mr. Lutz stated that that takes place during the final stage of the plan. Discussion took place regarding the approval from PennDOT. Mr. Lutz stated that the two conditions of approval recommended by the Planning Commission are that the plan be approved as a preliminary with a condition that the PennDOT highway occupancy permit be received before final approval and that the applicant has agreed to pay a prorated share of intersection improvements, that has yet to be determined. Mr. Shelton made a motion for Preliminary Plan Approval; there was no second to the motion. Mr. Lutz and Mr. Megill asked why there was not a second motion and what was the issue. Discussion took place regarding the extension letter. Mr. Olivieri stated that part of the concern for some of the Planning Commission Members was the waiver in question for PennDOT approval of the entrance/exit design. Mr. Megill stated that he felt he was in the middle and PennDOT wants the Township to go first and the Township wants PennDOT approval first. Mr. Lutz stated that the waiver request has been withdrawn because they realized that it was a PennDOT road. The Chairman made a motion to accept the extension letter. Mr. Megill stated that he would like a second motion on the preliminary plan approval before the motion of the extension letter. Mr. Shelton made a motion for Preliminary Plan Approval; there was no second again to the motion.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for the Preliminary Subdivision for Pennwood. This extension will run through and include the date of March 12, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mr. Megill asked the Board what he needed to do to get Preliminary Plan Approval. The Chairman stated that we were given an extension. The Chairman and Vice Chairman stated that they had no comments. Mr. Lutz stated that they will come back next month and will do research as the Board should with the Solicitor and to find out what is the reason for the denial of the plan.

Discussion took place regarding the \$2,000.00 contribution to Media Road cartway improvements. Mr. Megill stated that he is willing to pay that prior to the signed plans being released.

The Chairman read Resolution No. 4-2003 in its entirety.

On motion by Leo M. Levandowski, seconded by Charles D. Shelton, it was approved to accept Resolution No. 4-2003 for the final subdivision plan known as Misty Meadows.

Aye: Levandowski, Shelton

Nay: -0-

Abstained: -1-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to grant the following four (4) waivers for the Mark & Laura James Add-On Subdivision Plan: Section 403.03.I, Section 502.11, Section 403.04.A. and Section 403.03.C.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

The following Escrow Releases were approved:

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to release the following Escrows: Cooper Farm - Release No. 9 in the amount of \$40.40 and Twin Ponds - Release No. 9 in the amount of \$115.80.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to release Escrow No. 22 for Paper Mill Woods in the amount of \$2,770.00.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to release Escrow No. 16 for Darlington Hunt IV in the amount of \$30,777.82.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Correspondence

A letter was received for a salt contract participation agreement.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to authorize the Roadmaster and the Secretary to apply and participate in the bulk road salt purchase contract.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Correspondence was received from Frank Lobb regarding Oxford Borough's plan to drill new municipal wells outside the Borough limits.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to write a letter to Oxford Borough asking that the concerns be addressed.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mr. Goodley stated that he would draft a letter to Oxford Borough.

Correspondence was received from Harry Griswold regarding complaints about Steve Frost and the workmanship along with the lack of completing the "30 day punch list." The Chairman stated that the Township couldn't take any action regarding this.

Correspondence was received from PennDOT regarding access and restrictions to roads. The Supervisors requested the Secretary to get more information.

A fully executed copy of the second addendum to the Vision Partnership Program Grant Agreement was received from the Chester County Planning Commission.

Information was received regarding the Pennsylvania Land Conservation Conference.

Pamphlets for workshops were received from PSASTS.

The Penn-New London Joint Comprehensive Plan was received.

Watershed copies were received.

Supervisors

Two tree bids were received for Little Elk Creek Road. The first bid was received from Oatman Tree Service for \$5,900.00 and the second bid was from Matlack Tree Service for \$5,400.00

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to award the tree removal contract to Matlack Tree Service for \$5,400.00.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

An estimate was received from Matlack Tree Service for the removal of two (2) oak trees at Route 472 and Little Elk Creek Road in the amount of \$900.00. Mr. Goodley reported that since they are his trees, he would not vote on this motion.

On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was approved to hire Matlack Tree Service to remove the two (2) oak trees at Route 472 and Little Elk Creek Road in the amount of \$900.00.

Aye: Levandowski, Shelton

Nay: -0-

Abstention: -1-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to authorize the Township Zoning Officer to write a letter to the Chester County Recorder of Deeds extending the 90-day period to record Samuel Fisher's plan.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

The Chairman stated that they have received \$10,000 from Mr. Wayne Megill for the improvement of the Little Elk Creek Road and Route 472 and that Mr. Megill would like an Off-Site Improvement Agreement signed.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to authorize East Nottingham Township to enter into the agreement.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Discussion took place regarding the contribution from Mr. Hostetter and whether it was \$15,000.00 or \$10,000.00.

Recognition of Visitors

Mr. Elam Riehl asked when the next work session would be.

Mr. Jim Hamlin asked about the letter he sent to the Supervisors regarding computer software. Mr. Shelton replied that they have not talked about it yet.

Mr. Alvin Miller discussed the issue between preliminary and final and stated that everything should be done before final plan. The Chairman questioned if Mr. Miller was referring to Pennwood Subdivision. Mr. Miller said that he was referring to Pennwood and was under the assumption that you had to have in hand from the State the access to the road before you can go forward with the preliminary plan. More discussion took place. Mr. Miller stated that the Township should request a 90-day extension for plans. The Chairman stated that we could suggest a 90-day extension be granted.

Ms. Russo asked what the Township's position is in responding to residents when they have concerns that are addressed to the Board of Supervisors. More discussion took place. The Chairman asked the Zoning Officer to respond to the letter sent to the Board regarding Steve Frost.

Mr. Olivieri asked if the pamphlets for the MPC course could be offered to the Planning Commission. The Chairman stated yes.

Mr. Baughman asked if the Township was responsible for the items that were not completed correctly since the homes were inspected by our Building Inspector. The Chairman stated that the letter we received predates our building code. Mr. Baughman asked if it didn't, wouldn't the Supervisors have to act on that. The Chairman stated yes they would. More discussion took place. Mr. Olivieri stated that perhaps we could have a generic letter to send to the residents giving them a standard letter of the agencies that are involved with the homes.

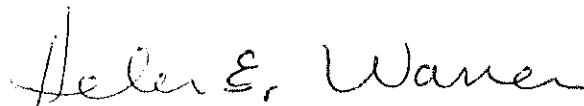
Mr. Levandowski read the minutes from the Planning Commission regarding Pennwood Subdivision stating that the Planning Commission did recommend preliminary plan approval on condition that there is a PennDOT approval for two driveways and the drainage works that are on Fifth Street and negotiations will take place with the Board of Supervisors for prorated improvements for the intersection of Fifth and Little Elk Creek Road.

Mr. Levandowski stated that he had correspondence regarding leaf and burning waste to pass along to Harlan Holmes.

Mr. Levandowski stated to the Chairman that last month he mentioned there was a vacancy on the Planning Commission Board. The Chairman stated that he would like the Secretary to schedule the three applicants. Mr. Levandowski stated that he would like the Chairman of the Planning Commission to be present. Mr. Levandowski reported that they have never interviewed before for the Planning Commission and asked the Chairman what the reason was for doing this now. The Chairman replied that he would like to find out what someone's view is on planning. More discussion took place. The Vice Chairman stated that he would like to have the interviews done before the March Planning Commission meeting. Ms. Russo stated that she felt we could benefit by having someone on the board with expertise. Mr. Olivieri stated that he would like the vacancy filled by someone who cares about the Township.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to adjourn the meeting at 9:33 p.m.

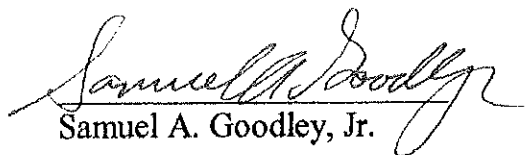
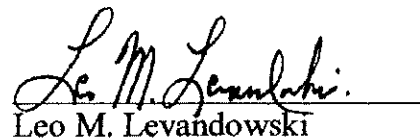
Respectfully Submitted,



Helen E. Warren, Secretary

APPROVED:

3-10-03
Date


Samuel A. Goodley, Jr.
Leo M. Levandowski
Charles D. Shelton

**March 10, 2003
Oxford, PA**

The regular monthly meeting of the East Nottingham Township Board of Supervisors was held in the Township building on March 10, 2003. Those present were: Supervisors, Samuel A. Goodley, Jr., Leo M. Levandowski, and Charles D. Shelton; Secretary, Helen E. Warren; Zoning Officer, Kathryn Kovach; Treasurer, Pamela Mason; and numerous guests.

The meeting was called to order at 7:02 PM by Chairman Samuel A. Goodley, Jr.

The Pledge of Allegiance was led by Vice Chairman Leo M. Levandowski.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the agenda for the March 10, 2003 Meeting.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mr. Goodley asked for comments from the public on the agenda items and received none.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the February 10, 2003 Regular Meeting Minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Treasurer's Report/Bills for Approval

Mrs. Mason reported that she received from the Solicitor a check for \$33,150.00 from Fronefield Crawford for his contribution to the traffic signal. Mrs. Mason also reported that the detailed invoice from Gilmore & Associates Inc. requested at last month's meeting has been received and that the Supervisors have reviewed it. Mrs. Mason presented the treasurer's report and reported that East Nottingham's total cash assets amount to \$2,090,789.08. Mrs. Mason reported that check #2105 to TSW for \$284.99 is for replacing the zoning officer's cell phone and we will be receiving a credit for \$100. Mrs. Mason reported that she has a call in to Eastern Salt regarding tickets she received for the end of December and beginning of January and that we have not been billed yet. Mr. Levandowski read the itemized bill from Denis Forrest of Gilmore & Associates Inc. Bills totaling \$50,641.41 were presented for approval for payment from the General Fund.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to pay all the bills from the General Fund for a total of \$50,641.41.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mrs. Mason requested direction as to paying the escrow releases. Mr. Shelton stated that they should be paid at a Supervisor's meeting. Mrs. Mason stated that with each building permit there is an amount set aside for the Fire Company's endowment fund and that she will be paying that back to them on a quarterly basis vs. an annual basis. The Supervisor's agreed with that decision. Mrs. Mason also reported that she set up an account with Crystal Water Company.

Board of Supervisor Minutes

East Nottingham Township
Bills for Approval
3/10/03

Date	Number	Payee	Description	Payment
3/10/2003	2063	Cameron's Inc.	shop supplies, new bldg items	1,247.09
3/10/2003	2064	DM Stoltzfus & Son, Inc.	cinders for roads	1,859.54
3/10/2003	2065	Smoker Manufacturing	materials for grate in road	45.96
3/10/2003	2066	Brandywine Auto Parts	vehicle parts, shop supplies	78.41
3/10/2003	2067	Automotive of Oxford	vehicle parts, shop supplies	348.76
3/10/2003	2068	ARAMARK	uniforms	193.56
3/10/2003	2069	CARQUEST OF OXFORD	vehicle parts, shop supplies	50.27
3/10/2003	2070	LANCASTER TRUCK BODIES	vehicle parts	328.94
3/10/2003	2071	Farm Plan	shop parts	8.58
3/10/2003	2072	Plasterer Equipment Co...	loader parts	40.46
3/10/2003	2073	Cumberland Truck	vehicle parts	256.13
3/10/2003	2074	State Line Machine Inc.	snow plow blades, bolt, nut	358.50
3/10/2003	2075	PECO	electric	513.97
3/10/2003	2076	SICO	diesel, kerosene, heating, maint cont.	2,554.56
3/10/2003	2077	Staples Credit Plan	office supplies	48.74
3/10/2003	2078	Office Basics, Inc.	office supplies	306.96
3/10/2003	2079	Berkheimer Associates	EIT commission	1,051.99
3/10/2003	2080	SECCRA	trash from roads	9.30
3/10/2003	2081	MMPMET	health, disability, life ins.	1,781.10
3/10/2003	2082	Keen Compressed Gas	oxygen	17.40
3/10/2003	2083	Ragan Engineering	engineering fees	3,520.30
3/10/2003	2084	Reino's Budget Print	copies-maps, ordinances	37.50
3/10/2003	2085	Charles Shock, Inc.	building inspector reviews, inspection	3,416.60
3/10/2003	2086	John D. Coldiron	building inspections	3,250.00
3/10/2003	2087	Winifred Moran Sebastian	solicitor fees	2,950.00
3/10/2003	2088	Helen Warren	mileage	23.76
3/10/2003	2089	PSATS	drug/alcohol screening test	60.00
3/10/2003	2090	Chester County SPCA	animal control	180.00
3/10/2003	2091	AT&T	long distance-fax, phone	79.69
3/10/2003	2092	Verizon	phone lines-fax, internet, phone	405.96
3/10/2003	2093	PP&L	gas heat	473.45
3/10/2003	2094	William C. Weaver	backhoe rental-snow storm	600.00
3/10/2003	2095	H.A. Thomson Co.	insurance new building	2,660.00
3/10/2003	2096	BSC Labs	water test	98.00
3/10/2003	2097	International Code Cou...	forms for bldg inspection	182.00
3/10/2003	2098	Ivana Miller	cleaning (2 times)	150.00
3/10/2003	2099	Nextel	cell phones	252.22
3/10/2003	2100	PHONEAMERICA CORP	service call for phone lines	115.00
3/10/2003	2101	Steen's Plumbing & Ele...	plumbing - shop	487.80
3/10/2003	2102	BFI	trash removal	56.03
3/10/2003	2103	Cingular Wireless	cell phone-roadmaster old phone	53.63
3/10/2003	2104	PitneyBowes	cartridge for postage meter	81.86
3/10/2003	2105	TSW	replace zoning officer cell phone**	284.99
3/10/2003	2106	Jack's Plumbing and He...	water system	1,925.00
3/10/2003	2107	TransAmerica Office Fu...	office furniture, balance	6,146.58
3/10/2003	2108	PA Dept. of Revenue	PA withholding	300.20
3/10/2003	2109	Peoples Bank of Oxford	941 deposit	5,263.58
3/10/2003	2110	Margaret Williamson	return escrow balance	129.00
3/10/2003	2111	GreenPoint Farms	return escrow balance	154.00
3/10/2003	2112	Ernest Delp	return escrow balance	82.00
3/10/2003	2113	Oxford Area Recreation...	return escrow balance	74.00
3/10/2003	2114	Isaac Stoltzfus	return escrow balance	87.00
3/10/2003	2115	cash	replace petty cash used	18.26
3/10/2003	2116	Goodley, Jr., Samuel A.	supervisor salary	332.06
3/10/2003	2117	Levandowski, Leo M	supervisor salary	332.06
3/10/2003	2118	Shelton, Charles D.	supervisor salary	553.44
3/10/2003	2119	Hamlin, James	tax collector for Feb.	696.79
3/10/2003	2120	Mason, Pamela A.	treasurer for Feb.	771.83
3/10/2003	2121	Eastern Salt Co.	salt	3,256.60
Total bills - General Fund				50,641.41

Those Who Asked To Be Placed On The Agenda

Mr. Jahan Sheikholeslami presented a sketch plan that is zoned in the I-1 district. Mr. Sheikholeslami stated that the Elkdale Concept Plan parcel is about 70 acres of land and he would like to put into use the ROSD. Mr. Sheikholeslami stated that he is exploring alternatives for sewer and that this plan is a combination of two (2) parcels. Mr. Sheikholeslami stated that his objective is to create diverse housing with 70 to 80 units with about 40% open space. Discussion took place regarding the net area and wetlands.

Mr. Patrick Curran stated that there are issues with the Tommy Tinkers plan and that Joe Chamberlain and himself has hired an engineer to speak. Mr. Parley Hess stated that the predominant concern is the increase in flow from the site onto the adjoining properties south. Mr. Hess stated that the developer of the site proposed to provide a stormwater management basin and a recharge facility in the calculations presented. Mr. Hess stated that there are a number of flaws in the calculations regarding the design criteria associated with the recharge facilities and the stormwater management basin, which will allow for the increase in flow from the site. Mr. Hess stated that the design criteria in the ordinance is not addressed in the calculations regarding transfer of one watershed to another or discharge criteria being enclosed in an easement, which are not shown on the plan. Mr. Hess stated they are concerned because the runoff will adversely affect the property and they are also concerned about the well location. Mr. Hess stated they also have concerns about the handicapped parking and the increased traffic at the intersection of Baltimore Pike and Waterway Road. The Supervisors stated for Mr. Hess to fax his review to the Township Engineer.

Old Business

Mr. Levandowski stated that we have asked the Solicitor and the Engineer to do a traffic study on Wickersham Road and Waterway Road. Mr. Shelton reported that those roads have been approved for 35 MPH. Mr. Shelton stated that they plan to do other roads next that pertain to the new school. The Roadmaster reported that they will be done in different sections. Mr. Goodley stated that they could put up a flashing school sign on Waterway. Mr. Levandowski stated that the intention is to focus on the new school coming in and that he will address the routing of school buses. Mr. Dennis Perkins asked if there will be a cut through on Slatehill Road. The Supervisors stated that they were not aware of that happening. Mr. Shelton stated that they are working on a two-year plan and will be meeting with the property owners concerning the piece of ground on Waterway Road. Mr. Levandowski asked the Roadmaster if school buses could pass on Fulton Road. The Roadmaster reported that that road is only an 18-foot road right now and with school buses they should be at least 20 to 22 foot. Mr. Coldiron reported that he lives on the farm on Waterway, and are now seeing 18-wheelers coming up as school buses are coming down and he is suggesting to put up a sign to not allow 18-wheelers to come down that road. Mr. Shelton stated that the Roadmaster and the Engineer could take over the two-year plan. Mr. Shelton stated that we need to look into Coates junkyard also. More discussion took place regarding the "S" curve on Waterway Road.

Discussion took place regarding the Wiltshire pillars. Mr. Goodley stated that we have correspondence from Frost Development regarding an extension of April 1 as a final deadline to move the pillars back or to remove them completely. The Supervisors agreed to extend the deadline to April 1.

The following business was considered relative to subdivision/land development plans:

Mr. Goodley reported that correspondence was received from our Solicitor regarding the Sewage Maintenance Agreements for Pennwood and that they are acceptable for signing. Mr. Goodley stated that at the February Meeting a second could not be raised for the motion to approve the preliminary plan. Mr. Levandowski stated to Mr. Megill that he has been corrected by the Solicitor regarding the PennDOT permit and apologized for any inconvenience. Mr. Megill stated that at PennDOT's request they will be doing a traffic study.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to approve the Sewage Operations and Maintenance Agreement as presented by the applicant as approved by the Township Solicitor.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was approved to accept Resolution No. 5-2003 Sewage Planning Module Resolution for Misty Meadows Homes, Inc.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mr. Goodley stated that the applicant indicated that he would be willing to negotiate a prorated contribution based on the traffic that his development adds to the intersection. Discussion took place regarding the calculation. Mr. Megill stated that he did not have a problem with a prorated share and that he would get back with the Supervisors with a fair figure.

On motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was approved to grant Preliminary Plan approval for the Pennwood Preliminary Subdivision Plan.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Correspondence was received from the Solicitor stating that the Happy Harry's Stormwater Easements are acceptable and should be recorded prior to or with the final Land Development Plan.

Mr. Goodley made a motion to grant Final Plan Approval for the Happy Harry's Land Development Plan that was seconded by Leo M. Levandowski. Mr. Shelton reported that he was out at the site with the Township Engineer and he said that Happy Harry's is contributing more than their share regarding the road improvements and he felt that they do not need to contribute to the traffic light. Mr. Ed Yearsley asked if the Victorian house would be coming down and felt that it should be preserved. Mr. Shelton replied that the house would be coming down. More discussion took place and Mr. Baughman stated that the house belongs to him. Mr. Leiberman of Happy Harry's stated that they will be doing a widening of the intersection on Waterway Road which will include a left turn lane from Waterway heading north on Baltimore Pike and also room for a straight through and a right turn out. Mr. Leiberman stated that they are going beyond their site for widening. Mr. Joe Chamberlain addressed Mr. Leiberman regarding the changing of the elevation. Mr. Leiberman replied that they would be cutting down the bank to improve site distance. The motion carried through.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mr. Goodley read Resolution No. 6-2003 in its entirety.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to adopt Resolution No. 6-2003 for the Happy Harry's Land Development Plan.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for the Hopewell Ridge Preliminary Subdivision Plan. This extension will run through and include the date of June 15, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Discussion took place regarding the length of time that the R. Samuel McMichael Land Development Plan has been before the Township.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for the R. Samuel McMichael Land Development Plan subject to the condition that a letter is sent to Mr. McMichael stating that this extension will be his final extension. Mr. Goodley stated that the Zoning Officer should send this letter. This extension will run through and include the date of June 8, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mr. Goodley reported that we received correspondence from West Nottingham Township stating that Mr. Shock will be their acting liaison in regards to the corner of Union Square Road and Rt. 272 (Blackburn Knoll Subdivision). Mr. Shock reported to the Secretary that this intersection is now in the state's hands.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for the Blackburn Knoll Final Subdivision Plan. This extension will run through and include the date of May 31, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for the Christ Taylor Add On Plan. This extension will run through and include the date of June 15, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-