

**EAST NOTTINGHAM TOWNSHIP  
BOARD SUPERVISORS MEETING  
OCTOBER 14, 2003**

The regular meeting of the East Nottingham Township Board of Supervisors (BOS) was held in the Township building on October 14, 2003. Those present were: Supervisors, Samuel A. Goodley, Jr., Leo M. Levandowski and Charles D. Shelton; Zoning Officer, Kathy Kovach; Treasurer, Pamela Mason, Secretary, Mary Ellen McCormack and numerous guests.

Chairman, Samuel A. Goodley, Jr., called the meeting to order at 7:03pm.

Vice-Chairman, Leo M. Levandowski, led the Pledge of Allegiance.

On motion by the Chairman, seconded by the Vice-Chairman, agenda was approved as amended by unanimous vote. Mrs. Terri Rigby previously requested to be included on the October 14, 2003 agenda, therefore agenda was amended as follows; "VII, Item "K", ENT Resident.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

**Previous Meeting Minutes Approval:**

A. On motion by the Chairman, seconded by the Supervisor, it was unanimously approved to accept the September 08, 2003 BOS Regular Meeting Minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

B. On motion by the Chairman, seconded by the Vice-Chairman, it was unanimously approved to accept the September 15, 2003 BOS Workshop Minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

**Recurring Reports for Approval:**

A. Treasurer's Report - Mrs. Mason commenced her reporting a State Auditor performed an audit on ENT Liquid Fuels the past week and it was a clean audit. Mrs. Mason then proceeded with her report.

(1) Tax Exonerations: A letter was received from Dept of Military and Veterans Affairs, dated 09/08/03, re: Disabled Veterans Real Property Tax Exemption Certification for Samuel C. Giordano, 210 Waterway Rd. Applicant is reported to be totally and permanently disabled as a result of service connected causes incurred during a period of war or armed conflict. BOS discussed issue and recommended item be tabled and carried forward to the next scheduled meeting pending further investigation. **OPEN**

Also provided for the first three quarters of 2003 was BUDGET VS ACTUAL EXPENSE SHEET for BOS review.

**Bills for Approval:** Mrs. Mason then presented the treasurer's report stating that East Nottingham's total cash assets amount to \$2,217,859.59. Bills totaling \$134,806.71 were presented for approval for payment from General Fund with an additional \$12,959.82 from the State Fund account to complete payment to McMinn's Asphalt Co., Inc.

Charles D. Shelton then reported ENT along with three other municipalities, Elk, Lower Oxford and the Borough of Oxford, settled yesterday on purchase of the Gray Farm thus establishing the Oxford Area Recreation Authority. ENT share amounted to \$105,195.00 and we are now the proud shared owners of this long overdue, highly anticipated land purchase for recreational use by the communities involved. Congrats to all for caring.

On motion by the Charles D. Shelton and seconded by Leo M. Levandowski it was unanimously approved to pay all the bills from the General Fund, \$134,806.71 and State Fund, \$12,959.82 for a total of \$147,766.53.

Date	Number	Payee	Description	Amount
10/14/2003	2667	Chester Water Authority	fire hydrants	8,494.20
10/14/2003	2668	Nextel	cell phones	232.47
10/14/2003	2669	PECO	electric	560.94
10/14/2003	2670	Verizon	phone, fax lines	300.00
10/14/2003	2671	AT&T	long distance	237.08
10/14/2003	2672	Belmont and Crystal Sp...	water for cooler	14.00
10/14/2003	2674	Daily Local News	advertising	92.67
10/14/2003	2675	Hubley's Offset Printing	building inspection forms	90.00
10/14/2003	2676	CFC	table	190.31
10/14/2003	2678	Armstrong	internet	39.95
10/14/2003	2680	FedEx	shipping expense	36.56
10/14/2003	2681	BFI	trash (2 mos)	113.62
10/14/2003	2682	Postal Privilege	postage for meter	200.00
10/14/2003	2683	MMPMET	health, life, disability insurance	1,210.89
10/14/2003	2684	Reino's Budget Print	zoning, subdivision ordinance books	991.38
10/14/2003	2685	Office Basics, Inc.	office supplies	466.75
10/14/2003	2686	Doann Freese	packing up old tax records, boxes	63.75
10/14/2003	2687	Union Fire Co. #1	state funds for fire co.	38,527.50
10/14/2003	2688	IFSC	zoning software	1,171.02
10/14/2003	2689	International Code Cou...	review fees for Happy Harry's, code books	1,961.19
10/14/2003	2690	Charles Shock, Inc.	building reviews, inspections	6,076.24
10/14/2003	2691	John D. Coldiron	building reviews, inspections	7,796.56
10/14/2003	2692	Winifred Moran Sebastian	solicitor fees	879.89
10/14/2003	2693	Ragan Engineering	engineering fees	9,035.32
10/14/2003	2694	Code Administrators, Inc	review fees for OAHS	10,500.00
10/14/2003	2695	Farm Plan	parts	810.92
10/14/2003	2696	Mt. Rocky Trucking	rental of scissor jack	75.00
10/14/2003	2697	Cameron's Inc.	supplies	445.91
10/14/2003	2698	Northern Tool & Equipm...	skidding tongs	73.91
10/14/2003	2699	TSW	phone holders	47.70
10/14/2003	2700	Jack's Plumbing and He...	pipe and valves	125.00
10/14/2003	2701	SICO	diesel fuel	32.68
10/14/2003	2702	Pennsylvania One Call ...	notification system	113.40
10/14/2003	2703	William C. Weaver	backhoe work	1,200.00
10/14/2003	2704	Weaver's Towing/Hauling	hauling scissor jack	80.00
10/14/2003	2705	Howard Wiley	straw	20.00
10/14/2003	2706	Adams Tire & Alignment	tires for red truck	740.00
10/14/2003	2707	American Industrial Su...	hornet spray, disinfectant	296.90
10/14/2003	2708	ARAMARK	uniforms, rugs	559.24
10/14/2003	2709	US Municipal Supply, Inc.	reflective pavement tape, contact primer	323.20
10/14/2003	2710	Time Records Unlimit...	ribbon for time clock	20.39
10/14/2003	2711	Automotive of Oxford	parts	38.50
10/14/2003	2712	Fast Supply	materials	1,656.25
10/14/2003	2713	Lawson Products, Inc.	clips, ties	93.89
10/14/2003	2714	Flail-Master	spring, pivot pin, belt set	54.54
10/14/2003	2715	Beltway International,...	bolt, nut, washer	34.69
10/14/2003	2716	cash	petty cash for mailing list, adapter	18.67
0/14/2003	2717	Mary E. McCormack	mileage	36.00
0/14/2003	2718	Kathy Kovach	mileage	36.72
0/14/2003	2719	Peoples Bank of Oxford	941 deposit	4,113.24
0/14/2003	2720	HAB-EIT	3rd qtr tax - earned income	588.85
0/14/2003	2721	PSATS	3rd qtr tax- unemployment	530.87
0/14/2003	2722	PA UC FUND	3rd qtr tax- pa uc	9.94
0/14/2003	2723	PA Dept. of Revenue	pa withholding	137.61
0/14/2003	2724	DM Stoltzfus & Son, Inc.	stone for roads	609.76



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East Nottingham Township  
Bills for Approval  
10/14/03

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10/14/2003	2725 McMinn's Ashpalt Co. Inc.	paving	31,261.63
10/14/2003	2726 Hamlin, James	tax collector for Sept and supplies	756.66
10/14/2003	2727 Mason, Pamela A.	treasurer for Sept.	564.37
10/14/2003	2728 PPL	gas	17.98
		TOTAL	<u>134,806.71</u>
STATE FUND:			
10/14/2003	165 McMinn's	paving	12,959.82

(2) Union Fire Company Agreement: A final item presented by Mrs. Mason related to ENT Fire Protection Contract with the Union Fire Company No. 1 for 2004. A total of \$57,410 is amount calculated for ENT share for the UFC support. Motion was then entered, authorizing the Chairman to solidify this contract for 2004, by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, and unanimously approved.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

B. Zoning Officer's Report: Mrs. Kovach, Township Zoning Officer (ZO), reported a total of 49 permits issued during the month of September for the following; 39 permits, ten shed, and 41 certificates of occupancy for fees totaling \$18,233 with construction costs amounting to \$2,376,950. Additional issues handled by the ZO included the following:

\* Keystone Publishers proposals for codifying township ordinances/resolutions presented for BOS review. This will then be available on the ENT web-site. Information will be provided when received. **OPEN**

**NOTE:** Inquiry was made as to definition of Class I and Class II township roads and allowable grades. Discussion centered around topo lines, grade elevations and previous readings of road master, engineer and developer. After review and explanation offered by Jim Hillard of Lake Roeder and Hillard Associates, earlier readings were accepted and approved by Supervisors Goodley and Shelton.

#### Resolutions/Ordinances

A. Paper Mill Circle – On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved Accepting the Deed of Dedication for Paper Mill Circle in the Paper Mill Woods development as submitted. Supervisor Shelton addressed the issue of one house, 2<sup>nd</sup> house on left, yet to come into compliance. This will be taken care of by the homeowner.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Second action addressed a maintenance agreement secured by Irrevocable Letter of Credit and on motion by the Chairman, seconded by Vice-Chairman, it was unanimously approved to enter into this Maintenance Agreement with the developer.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

B. Amendment to Subdivision Land Development Ordinance (SLDO), Subsection 605.03 – A draft submission of an amendment to SLDO, Subsection 605.03 concerning developers monetary responsibility to the township when problems arise relating to stormwater management, was read by the Chairman for information purposes at this time. This issue will be addressed at a later date. **OPEN**

C. Sidewalk Issue – Vice-Chairman Levandowski read for clarification purposes, a letter received from the township solicitor relating to sidewalks reiterating that ENT **does not** want to take title to the fee interest where sidewalks are located.

D. Darlington Hunt III (Termination of Maintenance Agreement) – A letter was presented by Ron Ragan, township Engineer, attesting to inspection of dedicated roads and outstanding issues resolved. As all repairs have been satisfactorily completed and found to be in compliance with township requirements a motion was then entered by the Chairman, seconded by the Vice-Chairman unanimously approving the maintenance agreement be terminated with this developer.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

#### Subdivision/Land Development Plans

A. On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept and enter into the Sewage Maintenance Agreement with Patrick W. and Connie A. Pannell.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

B. On motion by Samuel A. Goodley, seconded by Leo M. Levandowski, it was unanimously approved to accept and enter into the Sewage Maintenance Agreement with Wilmer L. Hostetter and Joyce L. Hostetter.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

C. Pending receipt of required paperwork relative to the Chamberlain/Curran property and on recommendation of township solicitor, Winnie Sebastian, motion was entered by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, authorizing signing after review and approval of township solicitor.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

D. On motion by the Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to accept the letter of extension for Lewis Tract. This extension will run through and include the date of November 11, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

E. On motion by Leo M. Levandowski, seconded by Charles D. Shelton, it was unanimously approved to accept the letter of extension for Christ Taylor. This extension will run through and include the date of January 29, 2004. Chairman, Samuel A. Goodley, Jr., recused himself.

Aye: Levandowski, Shelton

Abstention: -1-

F. (1) On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, preliminary plan approval was granted unanimously to Hopewell Ridge as recommended by the Planning Commission.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(2) Second issue relative to Hopewell Ridge concerned adoption of Resolution No. 23-2003 pending the 537 Plan. Motion was entered by Samuel A. Goodley, seconded by Leo M. Levandowski and unanimously approved to adopt resolution as submitted.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

G. Motion was entered by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski rejecting preliminary plan submitted by Steve Menasion as recommended by Planning Commission pending the resolution of various outstanding issues while authorizing our ZO and solicitor to draft a rejection letter with input from the township engineer to be sent to the developer. Motion unanimously approved.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

H. On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the letter of extension for Keystone Custom Homes (Liz Miller Farm). This extension will run through and include the date of January 28, 2004. Also requested and approved unanimously by motion as recommended at the 09/22/03 Planning Commission were the following three (3) waivers relating to the Liz Miller Farm; Section 402.04.I, 502.13.A and 502.13.B. However, upon approval of 502.13B, this section was reviewed with modification to Ragan Engineering Associates (REA) recommendation that 502.13.B be based on 25 MPH vice 35MPH as indicated in REA letter of 10/14/03. As a courtesy, Mr. Jim Hillard of Lake Roeder Hillard & Associates, who was in attendance, and in efforts to clarify particulars regarding the waiver, offered to review specifics relating to section 502.13B only and did accordingly to the satisfaction of all attendees.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

I. On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski and with approval from the Planning Commission (PC) and REA recommendation, it was unanimously approved to grant the following two (2) waivers for Clyde Austin Subdivision Plan; Sections 402.03E and 402.04.I, with condition that applicant does the 8' grading for the swales.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

J. On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski and with recommendation from the PC and REA, preliminary plans submitted on behalf of Israel B. Stoltzfus Subdivision was unanimously approved.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

K. Resident, Mrs. Teri Rigby – Return of article previously provided was requested, Treasurer will follow-up on this request. Second inquiry concerned actual costs on school roadwork to date versus the original estimate. Chairman Goodley indicated the costs incurred to date are available and will be provided at next months meeting. **OPEN**

**Escrow Releases, "A thru I":**

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to release the following escrows on recommendation by REA; **Happy Harry's**, Release #02 for \$39,620.47, **Oxford Mini Storage Expansion**, Release #01 for \$115,80, **Blackburn Knoll**, Release #05 for \$70,844.20, **Misty Meadows**, Release #07 for \$336.60, **Twin Ponds**, Release #14 for \$185.80, **Darlington Hunt IV**, Release #25 for \$110.40, **Paper Mill Woods**, Release #28 for \$75.40, **Oxford Area High School**, Release #09 for \$336.60 and **Wiltshire**, Release #44 for \$57,795.40.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

**Residents & Developers:**

A. Mr. Parley Hess, engineer for Lake Roeder Hillard and Associates (LRH&A), for update purposes only presented an overview of the Shepherd Farm status. Mentioned was the additional purchase of a 10 acre tract created for Open Space as will be presented to the Planning Commission. Second item discussed was possibility of providing public sewer to Shepherd Farm development and surrounding area with use of treatment plant as discussed by LRH&A staff. Required contacts are being made, Oxford Area Sewer Authority, Wednesday and Dept of Environmental Protection (DEP), Thursday, for their approval/disapproval before any further proceedings. Continuing with his presentation, Mr. Hess, reviewed specifics relative to this proposal and possible location of a regional treatment plant as the OASA continues to be burdened heavily for water throughout the surrounding area. He also reported LRH&A is also attempting to process a permit requirement for a treatment plant to be located possibly near the route one by-pass. As this is strictly in developmental stage, LRH&A is requesting support and acknowledgement only that this proposal was discussed and presented at a ENT meeting and the township is aware of this proposal. This will in turn assure DEP that all parties (OASA and surrounding townships) have been contacted and await LRH&A return with more specifics should plans continue to develop as mentioned prior, this is in efforts to help alleviate the OASA heavily taxed system and could well take care of 500 planned homes with additional expansion for 250 more. Despite the outcome this would be established as a sub-regional system for managerial purposes.

**Supervisors:**

A. Hearn/Hutchison Property Acquisition Status – Chairman Goodley reported there has been no formal reply to our proposal for this purchase as no contact has been made with George G. Heiney, II, Esq. by the property owners. Mr. Heiney will follow-up and get back to us. **OPEN**

B. Community Involvement Task Force - Vice-Chairman Leo M. Levandowski entered a motion, seconded by Charles D. Shelton, establishing a sub-committee task force to review ordinances while appointing Teri Rigby, Alvin Miller and Don Ely and any other resident that would want to join this committee, reporting back to the Vice-Chairman, their findings on different ordinance that are on the plate now. The Vice-Chairman will then present any recommendations/suggestions to the Planning Commission for their review and submission to the BOS as is the procedures stipulated by the Pennsylvania State Association of Townships. Discussion ensued amongst BOS with above action entered.

Aye: Levandowski, Shelton

Nay: -1-

C. Historical Commission - Secretary, Mary Ellen McCormack presented a recommendation requesting the Historical Commission input in gathering historical data (pictures, news articles, etc.) in efforts to enhance our new Township Building. Mary Ellen to contact committee members and will follow-up on this issue. **OPEN**

D. Re-schedule R-1, R-1A Hearing - Motion was entered by Samuel A. Goodley, seconded by Charles D. Shelton and unanimously approved to reschedule previously scheduled hearing pertinent to R-1/R-1A Map Change from Wednesday, 10/29/03 to Monday, 11/17/03.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

**Correspondence:**

PECO letter dated 09/30/03, Re: Thank You Letter for Support During the Three Natural Disasters, Flooding, Hurricane Isabel and Tornado in the Mail Line.

Southeastern Chester County Refuse Authority Minutes of 06/11, 07/09 and 08/15

LTAP-Pennsylvania Local Roads Program Seminar Notice

Oxford Public Library Meeting Minutes of 09/25/03

Oxford Area School District Board of Directors Regular Meeting 09/23/03

Chester County Library System letter dated 09/19/03; Re: Publicizing Library Card Campaign

Chester County Library Business News Sept/Oct 2003

RAND Science and Technology Policy Institute Study, Re: Protecting Emergency Responders

Oxford Area Sewer Authority Minutes, 08/20/03

Southern Chester County Emergency Medical Services-MEDIC 94 Invitation to the 20th Anniversary Banquet

Mainstreet News, Publication of Oxford Mainstreet, Inc., for Sept 2003

Southern Chester County Emergency Medical Services, Inc., Re: Thank You to ENT for Financial Support

2003 Certified Assessment from Union Fire Co. for ENT

Notice of the 8<sup>th</sup> Annual Intergovernmental Technology Conference Hosted by Governor's Center for Local Government Services

Brandywine Valley Association Workshop 10/28/03, Re: Stormwater Management

PSATS's letter dated 09/26/03; Re: Grant Writing, Management and Consulting Services Program

Copy of Union Fire Company (UFC) #1 letter 10/02/03; Re: Water Main and Hydrant Flow Information was reviewed by Mr. Levandowski who suggested contacting Percy Reynolds, member of UFC, to confirm ENT hydrants are in compliance with UFC specified equipment. Contact to be made by Secretary. **OPEN**

Vice-Chairman Levandowski reported receiving of letters of interest/resumes for current and pending vacancies on Oxford Area Sewer Authority (OASA) and Planning Commission (PC). The following residents have submitted correspondence for consideration; Alvin Miller for OASA; Michael Repert, Don Ely and Teri Rigby for PC. Mr. Levandowski reiterated all qualified interested parties are encouraged to apply as appoint will be at the BOS December 8, 2003 meeting.

McCormick, Taylor and Associates, Inc. letter dated 09/23/03; Re: Tire Damage to East Nottingham Resident's Vehicles with reimbursement provided for tires.

**Recognition of Visitors:**

Alvin Miller made an inquiry into purchasing audio equipment for meetings. Secretary will follow-up on this item.  
**OPEN**

Joe Bauer reported on the official establishment of the Oxford Area Recreational Authority (OARA), confirmed settlement as of early PM today, announced appointed officers, address, meeting dates/places, etc. Congrats to all for caring.

Teri Rigby expressed positive acceptance relating to the review of ordinances.

Don Ely expressed his concerns on ordinance proposals and the length of time for implementation. Mr. Ely also discussed the lack of welcoming signs on roads entering into ENT.

Brian Carrozza thanked the BOS for considering a noise ordinance and Mr. Levandowski for his efforts in this matter.

Ed Lobley thanked the BOS for their support and financial contribution to the OARA. He also expressed his concerns on the delay in processing ordinances.

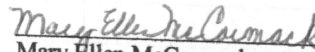
Kathy Duffy expressed concerns regarding noise ordinances and speed limits on Waterway Road.

Leroy Cox discussed property concerns with water runoff from neighbor's property and who to contact for answers. Chairman Goodley responded ENT Zoning Officer is the contact person and will be tasked to contact him. **OPEN**

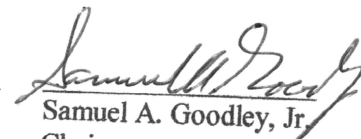
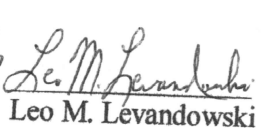
Dave Shelton reported on property issue and work pending with Marc Pevar, developer and that the ENT engineer, Ron Ragan, suggests allowing the homeowner complete outstanding work and bill the township. BOS agreed, Ron Ragan to coordinate with developer. **CLOSED**

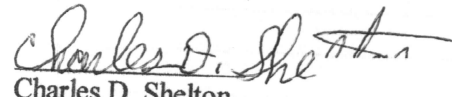
**Adjournment:** On motion by Samuel A. Goodley, Jr.; seconded by Leo M. Levandowski, it was unanimously approved to adjourn the meeting at 9:45pm.

Respectfully submitted

  
Mary Ellen McCormack  
Secretary

**APPROVED:**

11-10-03  
Date  
  
Samuel A. Goodley, Jr.  
Chairman  
  
Leo M. Levandowski  
Vice-Chairman

  
Charles D. Shelton  
Supervisor



**EAST NOTTINGHAM TOWNSHIP  
BOARD OF SUPERVISORS  
SPECIAL MEETING  
OCTOBER 20, 2003**

A special meeting of the East Nottingham Township Board of Supervisors was held in the township building on October 20, 2003. **The purpose of the meeting was to consider grant of an extension for Pennwood Subdivision and any other business, which may come before the Board.** Those present were: Supervisors; Samuel A. Goodley, Jr., Leo M. Levandowski, Charles D. Shelton, Township Engineer, Ron Ragan; Secretary, Mary Ellen McCormack; Township Consultant, David Sweet, Township Solicitor, Winnie Sebastian and guests.

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

Prior to request for agenda approval the Chairman stated that he would like to add an item to the agenda regarding the rescheduling of a hearing regarding the R-1, R-1A do to a time conflict.

On motion by Samuel A. Goodley, seconded by Leo M. Levandowski, agenda was unanimously approved as amended for the October 20, 2003 Special Meeting.

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 Pennwood Final Subdivision Plan. This extension will run through and include the date of November 18, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to reschedule a hearing to Tuesday, November 25, 2003 at 7:00pm, regarding Proposed Zoning Ordinance Amendment concerned with to R-1, R-1A and TDR and authorize the township solicitor to advertise rescheduled meeting. Township Engineer, Ron Ragan then made inquiry to the BOS requesting approval to provide more clarified information (zoning maps, parcel exhibits, etc) in preparing for the rescheduled meeting. All Supervisors granted authorization.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

**Recognition of Visitors:**

Mrs. Teri Rigby discussed the following; open meetings, sharing information, clarification of issues being presented, etc.

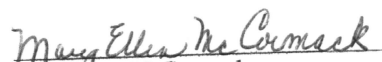
Mr. Don Ely, presented information concerning re-cycling information.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to adjourn the meeting at 9:00pm.

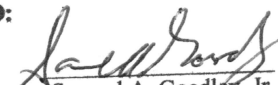
Aye: Goodley, Levandowski, Shelton


Nay: -0-


Respectfully submitted,

  
Mary Ellen McCormack  
Secretary

**APPROVED:**

11-10-03   
Date Samuel A. Goodley, Jr.  
Chairman

  
Leo M. Levandowski  
Vice-Chairman

  
Charles D. Shelton  
Supervisor



**EAST NOTTINGHAM TOWNSHIP  
BOARD OF SUPERVISORS  
NOVEMBER 10, 2003**

The regular meeting of the East Nottingham Township Board of Supervisors was held in the Township building on November 10, 2003. Those present were: Chairman, Samuel A. Goodley, Jr., Vice-Chairman, Leo M. Levandowski and Supervisor, Charles D. Shelton; Zoning Officer, Kathy Kovach; Treasurer, Pamela Mason; Secretary, Mary Ellen McCormack; Road Master, Howard Wiley and numerous guests.

Chairman, Samuel A. Goodley, Jr., called the meeting to order at 7:00pm.

Vice-Chairman, Leo M. Levandowski, led the Pledge of Allegiance.

On motion by the Chairman, seconded by the Vice-Chairman, it was unanimously approved to accept the agenda as amended for the November 10, 2003 meeting.

On motion by the Chairman, seconded by the Supervisor, it was unanimously approved to accept the October 14, 2003 Regular Meeting Minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by the Chairman, seconded by the Vice-Chairman, it was unanimously approved to accept the October 20, 2003 Special Meeting Minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

**Treasurer's Report:**

**Bills for Approval:** Mrs. Mason presented the treasurer's report stating that East Nottingham's total cash assets amount to \$2,050,887.45. Bills totaling \$49,904.68 were presented for approval for payment from General Fund.

On motion by the Chairman, seconded by Vice-Chairman, it was unanimously approved to pay all the bills from the General Funds for a total of \$49,904.68.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

**Zoning Officer's Report:** Mrs. Kovach, Township Zoning Officer (ZO), reported a total of 44 permits issued during the month of October for the following: 15 building permits, one demolition, one shed and 29 certificates of occupancy for fees totaling \$8,935 with construction costs amounting to \$1,455,872.

Mrs. Kovach then discussed the recent loss of the buffer behind McCormick Orthodontist property due to Mother Nature. Attempts have been made to contact the property owner with BOS recommendation to call once more and report back to the BOS. **OPEN**

Additional issue presented by the ZO concerned the return of submittals to Dept of Environmental Protection (DEP) relating to Operation and Maintenance Agreement. Authorization was requested to forward to the solicitor, prior to sending to DEP, material for review by the solicitor for Israel Stoltzfus and Hopewell Ridge. Motion was entered by the Chairman and seconded by the Supervisor, and unanimously approved to authorize the solicitor to review and verify material being forwarded.

Aye: Goodley, Shelton

Nay: -0-

**Business Carried Forward:**

A. Tax Exoneration - Mrs. Mason presented her findings regarding the tax exoneration request for Samuel C. Giordano, 210 Waterway Road reporting this request must be honored due to the circumstances and justification provided. Motion was then entered by the Chairman, seconded by the Vice-Chairman unanimously approved this request. **CLOSED**

Aye: Goodley, Levandowski, Shelton

Nay: -0-

**East Nottingham Township  
Bills for Approval  
11/10/03**

date	Number	Payee	Description	Amount
11/10/2003	2758	Chester County SPCA	animal control	140.00
11/10/2003	2759	H.A. Weigand, Inc.	traffic signs	3,055.99
11/10/2003	2760	Monterey Refuse Service	hauling for trash day	1,900.00
11/10/2003	2761	Cumberland Truck	patches	56.50
11/10/2003	2762	Howard Wiley	lumber from Lapp Lumber Co.	48.00
11/10/2003	2763	Matlack Tree Service	remove trees-Little Elk Creek	3,900.00
11/10/2003	2764	New Holland Credit	parts for mower tractor	25.56
11/10/2003	2765	Cameron's Inc.	supplies, paint for parking lot	285.01
11/10/2003	2766	Automotive of Oxford	mud flap for Sterling truck	16.99
11/10/2003	2767	Pennsylvania One Call ...	notification for October	113.40
11/10/2003	2768	TSW	cell phone case, charger	45.00
11/10/2003	2769	SICO	heating fuel	126.07
11/10/2003	2770	Russel Baker	labor/mat'l for soffit, etc on salt shed	856.00
11/10/2003	2771	William C. Weaver	backhoe rental	480.00
11/10/2003	2772	Northern Tool & Equipment	concrete vibrator, self-lev. Laser	1,187.93
11/10/2003	2773	ARAMARK	uniforms	307.15
11/10/2003	2774	All-States Flag & Banner	new flag	85.85
11/10/2003	2775	PECO	electric	436.80
11/10/2003	2776	Postal Privilege	postage supplies	31.45
11/10/2003	2777	Armstrong	internet	39.95
11/10/2003	2778	Nextel	cell phones	234.25
11/10/2003	2779	Verizon	phone, fax lines	299.80
11/10/2003	2780	PP&L	gas heat	22.26
11/10/2003	2781	AT&T	long distance for phone, fax lines	134.65
11/10/2003	2782	FedEx	shipping charges	86.90
11/10/2003	2783	Office Basics, Inc.	office supplies	512.78
11/10/2003	2784	Ehrlich	pest control for building	60.00
11/10/2003	2785	Daily Local News	advertising	463.38
11/10/2003	2786	International Code Council	forms	163.93
11/10/2003	2787	MMPMET	disability, health, life insurance	1,210.89
11/10/2003	2788	H.A. Thomson Co.	treasurer's bond	2,146.00
11/10/2003	2789	Oxford Boro	ENT share of Fire Co. WC	4,216.00
11/10/2003	2790	David C. Sweet	consulting	2,273.48
11/10/2003	2791	Winifred Moran Sebastian	solicitor fees	4,519.18
11/10/2003	2792	Gawthrop, Greenwood & Halsted	solicitor fees	378.00
11/10/2003	2793	Ragan Engineering	engineering fees	4,444.80
11/10/2003	2794	Charles Shock, Inc.	building plan reviews	2,048.86
11/10/2003	2795	John D. Coldiron	building inspections, reviews	6,399.08
11/10/2003	2796	Hamlin, James	tax collector for Oct.	741.82
11/10/2003	2797	Mason, Pamela A.	treasurer for Oct.	791.90
11/10/2003	2798	Peoples Bank of Oxford	941 deposit	5,060.02
11/10/2003	2799	SECCRA	trash (over credits)	559.05
			<b>TOTAL GENERAL FUND</b>	<b>49,904.68</b>

B. Amendment to Subdivision Land Development Ordinance, Subsection 605.03 - Mrs. Kovach requested approval to send to Chester County Planning Commission the amendment in question relating to the dedication of streets reporting the township engineer, Ron Ragan, suggested increasing the escrow to cover maintenance of the storm water maintenance facilities. The amount equals 15 percent of the cost of construction of the storm water management facilities. Motion was entered by the Chairman, seconded by the Vice-Chairman, authorizing forwarding resolution in question. **CLOSED**

Aye: Goodley, Levandowski, Shelton

Nay: -0-

C. School Roadwork Costs to Date - Mrs. Mason reported requested information is still pending and as soon as information needed is received it will be reported back to the BOS. **OPEN**

D. Hern/Hutchison Property Acquisition Status - The Chairman reported contacting Mr. George Heiney, counsel for the property owners, who has indicated he will contact the owners in efforts proceed with the purchase of this property and to expedite this action. **OPEN**

Union Fire Company #1, Letter 10-02-03, Re: Hydrant Fittings - Mrs. McCormack reported contacting Percy Reynolds concerning receipt of UFC #1 letter. Mr. Reynolds will follow-up on this issue.

E. Audio Upgrade for Meeting Room - Secretary reported making inquiries into purchase of portable (table top) audio equipment and would provided information at next meeting. Supervisor, Charles D. Shelton, recommended expediting this purchase with Chairman and Vice-Chairman endorsement. Purchase will be made with equipment available for next meeting.

**New Items of Business:**

A. Subdivision/Land Development Plan

(1) Pennwood - On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved to table requested final approval for the Pennwood Subdivision upon Department of Environmental Protection (DEP) approval.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(2) Tommy Tinkers - On motion by Chairman, seconded by Vice-Chairman, it unanimously approved to adopt Resolution No. 20-2003 for Tommy Tinkers.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(3) Reserves of Dunlap - On motion by the Chairman, seconded by Vice-Chairman, it was unanimously approved to accept the letter of extension for the Reserves of Dunlap subdivision plan. This extension will run through and include the date of February 22, 2004. Also requested and approved unanimously by motion of Chairman, seconded by Vice-Chairman and as recommended at the 10/22/03 Planning Commission were the following two (2) waivers relating to the Reserves of Dunlap subdivision; Section 502.07/Horizontal Alignment and 503.02A/Sidewalk Installation. Clarification was then offered by Mr. Jim Hillard, Lake Roeder and Hillard & Associates, who offered more in-depth explanation requested by the BOS concerning the requested waivers to the satisfaction and acceptance of all parties involved.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(4) Lewis Tract - On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved to accept the letter of extension for Lewis Tract. This extension will run through and include the date of December 13, 2003.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(5) Ruth Coldiron - On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved to accept the letter of extension for the Ruth Coldiron. This extension will run through and include the date of February 21, 2004.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(6) Christ Taylor – On motion by Vice-Chairman, seconded by Supervisor, it was unanimously approved to grant final plan approval for the Chris W. Taylor Subdivision. Chairman recused himself.

Aye: Levandowski, Shelton

Abstention: -1-

(7) Meadow View Estates – On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved to accept the letter of extension for MeadowView Estates. This extension will run through and include the date of February 25, 2004.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(8) Ruggirello – On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved to accept the letter of extension for Ruggirello Subdivision. This extension will run through and include the date of February 25, 2004.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(9) Stoltzfus – On motion by Chairman, seconded by Vice-Chairman, and after discussion with parties involved it was unanimously approved to table requested final approval for Israel Stoltzfus upon receipt of acceptance of DEP required Operations & Maintenance Agreement (O&M). The O&M approval is currently pending review by township solicitor.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(10) Lawrie – On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved to accept the letter of extension for Lawrie Subdivision. This extension will run through and include the date of January 15, 2004.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(11) McMichael – On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved to accept the letter of extension while stipulating in a letter to both Mr. Michael and Concord Land Planners, this will be the last extension approved by the BOS.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

#### **B. REQUESTED ESCROW RELEASES:**

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to release the following escrows: **Blackburn Knoll**, Release #06 for \$156,122.61, **Misty Meadows**, Release #08 for, \$377.00, **Paper Mill Woods**, Release #29 for \$196,018.22, **Happy Harry's**, Release #03, for \$110.40, **Twin Ponds**, Release #15, for \$145.40, and **Wiltshire**, Release #45, for \$110.40,

Aye: Goodley, Levandowski, Shelton

Nay: -0-

#### **Residents and Developers:**

A. Teri Rigby, member of Community Task Force (CTF), requested approval of a DRAFT Mission Statement as derived from the Second Class Township Code web-site. Approval was requested, however, BOS's have not had an opportunity to read copy presented, therefore action was tabled to future meeting. Second issue presented was copies of Recommendations for Improvements of Public Meetings (BOS and Planning Commission) as presented previously by the CTF. Some issues have been implemented, however others remain to be discussed and approved or disapproved by BOS's. Remaining issues will be addressed as a future date. The final issue of interest concerned ENT's ordinances/resolutions and copy availability. Chairman Goodley responded copies of all approved and filed ordinances/resolutions are available to anyone upon request for a nominal fee.

B. Don Ely, township resident, read a prepared statement to the BOS and public gathering concerning his perception of wrong doings within ENT. With his statement read, Chairman Goodley suggested Mr. Ely consult with legal counsel to determine what a conflict of interest is before accusing him, Chairman Goodley, of having a conflict of interest. Marianne Russo, ENT resident, then made a point of order stating this was a personal attack and out of order at this forum. Mr. Ely then called for Mr. Goodley's resignation and call was noted for the record.

**Correspondence:**

Spence Address Letter

Oxford Area Sewer Authority Minutes,

Oxford Public Library Meeting Minutes,

OMI Annual Towns Meeting Notice, 12/04/03, Ware Presbyterian Chapel, 7:00-8:30pm

Oxford Area Historical Association (OAHA) Annual Meeting, Tuesday, 11/11/03, 7:00pm, Ware Presbyterian Village

Southern Chester County (SCOTT) Annual Members Meeting, 12/03/03, 7:45am, Hilton Garden Inn

Chester County Economic Development Seminar

**Supervisors:**

Vice-Chairman, Leo M. Levandowski, requested the Road Master, to keep a check on progress with pole relocation on Waterway Road and that work is done according to planned.

Chairman, Samuel A. Goodley, Jr., congratulated both candidates on a good election with congratulation to Tom Olivieri.

Chairman, Samuel A. Goodley, Jr., stated in order for the CTF to have continuity it would be of benefit for this group to report to Supervisor Shelton and proposed a motion as such. Vice-Chairman, Leo M. Levandowski, then proposed that the CTF report to the newly elected Supervisor Tom Olivieri. Mr. Olivieri, who was in the audience, indicated it was too soon to be taking on uncharted responsibilities, as there are other priority issues he wishes to address. Motion was again proposed, however do to lack of a second endorsement did not pass.

**Recognition of Visitors:**

Marianne Russo reiterated on the scheduled OAHA meeting tomorrow evening and the subject of discussion to be History and Reminisce of School Houses in the Oxford Area and the preservation.

Teri Rigby inquired as to where and when would be the place for comment concerning Mr. Ely's call for Mr. Goodley's resignation. Mr. Goodley responded he would comment to both in private and if they feel something is actionable, they can do so if they desire.

Jerry Durnan made inquiry if contact was made with Herr's concerning property issue. Chairman Goodley replied contact will be made within the week.

BOS Meeting 11/10/03

Page 6

**Adjournment:** On motion by Samuel A. Goodley, Jr.; seconded by Leo M. Levandowski, it was unanimously approved to adjourn the meeting at 8:35pm.

Respectfully submitted

M. E. McCormack  
M. E. McCormack  
Secretary

APPROVED:

12-8-03  
Date

Samuel A. Goodley, Jr.  
Samuel A. Goodley, Jr.  
Chairman

Leo M. Levandowski  
Leo M. Levandowski  
Vice-Chairman

Charles D. Shelton  
Charles D. Shelton  
Supervisor





**EAST NOTTINGHAM TOWNSHIP  
BOARD OF SUPERVISORS  
WORKSESSION  
NOVEMBER 17, 2003**

The workshop meeting of the East Nottingham Township Board of Supervisors was held in the Township Building on November 17, 2003. Those present were: Supervisors, Samuel A. Goodley, Charles D. Shelton and numerous guests.

Chairman, Samuel A. Goodley, Jr., called the meeting to order at 8:45pm.

Supervisor, Charles D. Shelton, led the Pledge of Allegiance.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to accept the agenda for November 17, 2003.

Aye: Goodley, Shelton

Nay: -0-

Chairman asked if there was any public comment on agenda and received none.

**Business:**

**A. Adoption of Proposed Budget (PB) 2004:** Chairman Goodley reviewed the 2004 Proposed Budget (PB) Summary as presented by the Treasurer, Pam Mason. **On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to accept the 2004 PB.** A copy of the 2004 PB will be available for review with the Secretary.

Aye: Goodley, Shelton

Nay: -0-

**B. On motion by Samuel A. Goodley, seconded by Charles D. Shelton, it was unanimously approved to accept the Letter of Extension for the Pennwood Final Subdivision Plan.** This extension will run through and include the date of December 16, 2003.

Aye: Goodley, Shelton

Nay: -0-

**C. Hydrant Application Contract:** Upon review by parties in attendance (Chairman, Supervisor, and Engineer) recommendation was to table this issue to the December meeting, as conditions of the original Land Development Plan (LDP) are in question. Township engineer, Ron Ragan and Zoning Officer, Kathy Kovach, will verify and report findings to the Board of Supervisors. **On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to table this issue.**

Aye: Goodley, Shelton

Nay: -0-

**D. Authorization to Advertise:**

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to **authorize advertisement for Speed Limit Ordinances for Waterway, Wickersham, Delp, Frog Hollow, Fulton and Mount Pleasant Roads.** Remaining roads will be addressed upon receipt of pending traffic study.

Aye: Goodley, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to **authorize advertisement for NO PARKING during SNOW EMERGENCIES in Locksley Glen and Wiltshire Developments.**

Aye: Goodley, Shelton

Nay: -0-

**Recognition of Visitors:**

Ed Lawrie stated new poles have been put in on Waterway Road. **Update:** Ron Ragan reported contacting PECO and Verison and both decided due to the school schedule and electricity needing to be on by February 1, 2004, they are moving poles now and if the need arises will relocate the poles later.

Thom Olivieri, newly elected supervisor, presented a letter to the Supervisors in response to a request from Supervisor, Leo M. Levandowski at the 11/10/03 Board of Supervisors meeting to head Blue Ribbon Task Force.

**Adjournment:** On motion by Chairman, seconded by Supervisor, on unanimous vote, the meeting was adjourned at 8:58pm.

Respectfully submitted,

M. E. McCormack  
M. E. McCormack  
Secretary

**APPROVED:**

12-8-03  
Date

Samuel A. Goodley, Jr.  
Samuel A. Goodley, Jr.  
Chairman

Charles D. Shelton  
Charles D. Shelton  
Supervisor



**EAST NOTTINGHAM TOWNSHIP  
BOARD OF SUPERVISORS  
SPECIAL MEETING  
NOVEMBER 25, 2003**

A Special Meeting of the East Nottingham Township Board of Supervisors was held in the township building on November 25, 2003. **The purpose of the meeting was to consider adopting the following proposed amendments to the ENT Zoning Ordinance; (1) R-1, Agricultural Residential District; (2) R-1A, Residential Transition Overlay District; (3) Transferable Development Rights (TDR) Article; (4) Selected Amendments to the current ROSD provisions in the R-2, R-3, and R-4 Districts to accommodate TDR use for residential purposes; and (5) selected amendments to the current C-1, C-2, and I-1 Districts to accommodate TDR use for non-residential purposes.** Those present included: Supervisors: Samuel A. Goodley, Jr., and Charles D. Shelton, Township Engineer, Ron Ragan, Township Consultant, David Sweet, Township Solicitor, Winifred M. Sebastian; Secretary, Mary Ellen McCormack and guests.

The meeting was called to order at 8:00pm by Chairman, Samuel A. Goodley, Jr.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, the agenda was unanimously approved for the November 25, 2003 Special Meeting.

Aye: Goodley, Shelton

Nay: -0-

**Public Comment:**

Chairman Goodley asked for comments from the public with the following residents commenting.

Mrs. Teri Rigby indicated her displeasure that the five (5) acre minimum lot size in R-1A is unacceptable.

Mrs. Rigby was thanked for her input.

**Business:**

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to adopt the proposed zoning ordinance as presented.

Aye: Goodley, Shelton

Nay: -0-

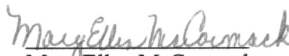
**Recognition of Visitors:**

Mrs. Teri Rigby again expressed her displeasure.

Ms. Vivian Lasko, resident, indicated she too did not favor adoption these zoning ordinance amendments.

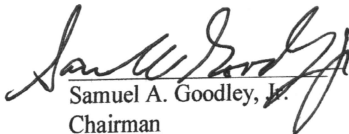
On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to adjourn the Meeting at 8:05pm.

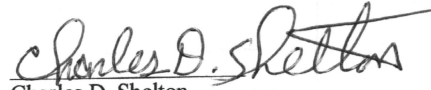
Respectfully submitted,

  
Mary Ellen McCormack  
Secretary

APPROVED:

12-9-03  
Date

  
Samuel A. Goodley, Jr.  
Chairman

  
Charles D. Shelton  
Supervisor

EAST NOTTINGHAM TOWNSHIP  
LOWER OXFORD TOWNSHIP  
BOARD OF SUPERVISORS JOINT MEETING  
October 23, 2003

A special joint meeting of East Nottingham Township and Lower Oxford Township Boards of Supervisors was held at the East Nottingham Township Building, 158 Election Road, on Thursday, October 23, 2003. Those present were East Nottingham Supervisors: Samuel A. Goodley, Jr. and Leo Levandowski; Lower Oxford Supervisors: Arthur A. Astle and Kenneth L. Hershey. Also present were: Winifred M. Sebastian, Solicitor for both townships; Kevin Baer, Ag Preservation Board of Chester County; John Goodall and Tara Tracy of the Brandywine Conservancy; and a roomful of residents representing both townships.

Chairman Goodley called the meeting to order at 7:03 p.m. and led the Pledge of Allegiance. He then turned the meeting over to the solicitor.

Mrs. Sebastian explained the reason for the informational meeting for the combined boards. The two townships previously adopted ordinances to place an open space referendum on the ballot. The voters are being asked if they are in favor of their township possibly placing a tax of up to .5% on earned income and using that money to preserve open space. The referendum does not impose the additional tax; it allows the supervisors to adopt an additional ordinance taxing the residents. Currently residents of both townships are paying a 1% tax, which is shared equally by the Oxford Area School District and the local township. The additional tax collected would not be shared by OASD, but would only be used for certain purposes as granted by the Local Tax Enabling Act, specifically Paragraph 5007.1 Local Taxing Options. She read from the law the things the money could be used for which includes purchasing agricultural easements, purchasing land to protect existing parks and recreational areas, purchasing open land to re-sell with restrictions. She explained that a public hearing would have to be held for each application before any money is distributed.

Kevin Baer from the Chester County Planning Commission explained the program he administers for the County and the Ag Preservation Board. Both State and County (and sometimes Federal) funds are used to purchase development rights to eligible farms. The farmers submit their applications by September 1<sup>st</sup>. Last year out of 63 applications, only twelve were acted upon. In twelve years 170 farms with more than 16,000 acres have been preserved. He mentioned that some townships in the North County have a program of enhancing the offers made to farmers.

John Goodall and Tara Tracy represented the Brandywine Conservancy. Ms. Tracy presented a study done by the Conservancy on the Cost of Community Service. She said the residential areas actually cost the township more than tax revenue received. It was noted that the Vision Partnership group had sent out mailings to voters using the Conservancy's study.

Mr. Goodall presented maps of each township that shows the lands presently eased by the county and the conservancy and lands that are open space opportunities. He explained that these maps would be useful to prioritize the lands that are most needed. Then the owners

could be contacted and encouraged to consider applying for an easement and the township could then assist the landowner in submitting the application for easement.

Mrs. Sebastian opened the meeting for comments and questions from the audience.

Leo Levandowski made a statement that he wished to go on record that he was in favor of open space but not an increase in real estate taxes. He felt that assessing impact fees on developers would be another source of revenue that should be explored. He said East Nottingham's development was 20 years ahead and their ordinances were 20 years behind.

Sam Goodley said they were receiving so many plans that his township was becoming another Delaware County.

Harry Dudley from Upper Oxford Township asked who has allowed all this development. Mrs. Sebastian said that zoning ordinances are limited limitations enacted by the townships, but they do not prevent development of land within that township.

Walter Leis of East Nottingham Township asked what happens if the referendum is not passed. The Townships will then have the option of revisiting the issue and trying again.

Gene Racine said that the kids don't want to farm. He suggested that when someone sells his land, he be assessed for open space fees.

Leo Levandowski asked if some of the \$60 million allocated to open space by the county could be used in southern Chester County. Tara Tracy said that's why several townships in northern Chester County banded together to match offers being made to farmers in their area.

In addressing the subject of the time line for getting a referendum on the ballot, John Goodall said that developers were coming in fast with plans in the North County. So several North County Townships went to the County Commissioners and asked for help. The County said they would allocate money for open space easements but said a 50/50 arrangement would be necessary. Then the townships put referendums on the ballot and they were passed.

Teri Rigby, ENT, asked what size offers are presented to the farm applicant. Kevin Baer said that based on the appraisals, offers of \$6,100 to \$10,000 are customary.

Art Astle asked about the 50/50 program in the North County. Who puts up the 50%? Kevin Baer said that the 50% matching funds could come from the township, other organizations or the landowners themselves.

Leo Levandowski asked if the townships could get grant money. John Goodall said the best program overall is the plan that the North County offers with their 50/50 plan. Most plans in other areas do not pay 100% to the landowner.

Art Astle said that a township by themselves would have a hard time getting a grant. He said that the grant process takes time and the landowners don't want to wait for that process. He

said that he gets questions from people who move into the area and complain about why the township lets the farmer's land get away from remaining a farm.

Elizabeth Sullivan, UOT, asked if this is passed, whether the Township will come back with a game plan. Yes, the Township will have to have another public hearing before enacting the tax increase or spending any of the money generated.

Lawrence Tigue, ENT, said the figures presented at the meeting at Lower Oxford Township indicated an average of \$4,000 per acre to farmers. Why is the figure different tonight? Kevin Baer said the \$4,000 figure was the average since the beginning of the program in 1989. The figures presented tonight were based on only the last three years.

Walt Schneeman, ENT, asked for what purpose could land be used for public use. He also asked about how much money will be generated each year if the ½ percent tax is assessed. Sam Goodley said that East Nottingham would receive about \$430,000.

Terry Rigby, ENT, asked how much the school paid per acre for their land. Mr. Goodley who represented the seller did not know.

Blair Fleischmann, UOT, asked if the board could spend the tax on their own. No! The Ag conservation law requires that the public have input and the township have advertised hearings for each particular use. A court reporter would be present to record the testimony. An ordinance would have to be advertised and adopted.

Helen Warren, UOT, asked if there would be an independent committee to formulate a plan for spending this money.

Ed Hook, Upper Oxford Township Supervisor, said that his township plans to use the ranking system currently used by the County. He said there would be an ag committee to go over the applications and make recommendations.

Harry Dudley, UOT, asked why the Supervisors of each township can't stop the growth. Zoning ordinances do not stop development, but it can and does control the development to certain areas. Upper Oxford does have agricultural zoning but it was not passed in East Nottingham Township recently.

Alice Michaels, UOT, said that the Philadelphia Inquirer had recently had an article that said that developers have a lot more money to push to get zoning changed and get their plans through the process. Developers and their money have a lot of influence.

Don Ely, ENT, asked if the referendum is approved by the voters and the Supervisors would double the rate of earned income tax on residents, how long would it take for our present taxes to 'catch up' if nothing is done? No one had any answers. Why can't a responsible comprehensive plan restrict the development of a township? A comprehensive plan is a guide and a planning tool but does not restrict building. Leo Levandowski tried to answer Mr. Ely's question by saying that developers should be made to pay for their improvements and open space.

Tom Olivera, ENT, said it seemed like the township is offering a choice of paying taxes now or paying even more taxes later. Will the new tax end? He felt that land is limited and eventually there wouldn't be any land to save. The tax can be rescinded when no longer needed.

Laura Wilson Bonner, Lower Oxford Township, asked if we have an estimate on how much it would take to make selling his open space easements more attractive to the farmer. It would be too hard to project.

Ed Loble, ENT, asked if are there any projections on what would be the increase to the average taxpayer. Based on a \$60,000 wage, the increase would be \$300.

Gene Racine, UOT, asked how long is the farmer bound by the easement when placed. It is in perpetuity but the farm can still be sold as a farm. Mr. Goodley said it was his experience in farm sales in Lancaster County that the price held up and the farmer had no problem getting loans from a bank.

Ron Laird, UOT, asked who would pay this tax. All residents who work or earn gross profits from a business. The earned income tax cannot be raised beyond the limit imposed by this referendum.

Helen Warren, UOT, asked if those who own land and do not work would have to pay this tax. Only if they also earn wages. The people who are retired and living on pensions and interest income would not have to pay because they do not have earned income.

Carl Eisle, ENT, asked about the agricultural zoning adopted by Upper Oxford Township and wonder if that has helped slow growth in that township. Ed Hook, Supervisor for Upper Oxford, said that their township has not been receiving the same attention from the developers as East Nottingham and Lower Oxford Townships. Art Astle said his township had looked at the cluster housing where a developer could build houses on part of the land and keep the rest in open space, but were advised by their counsel at that time that this would bring more developers into their township. If the Supervisors changed, it would be possible that the open space would be changed to allow housing on it too. It's no guarantee that the open space would remain open space.

Lee Townsend, LOT, stated he was all for open space. He asked who would select the property and was told the Board would ultimately. He also asked if the township could act quickly enough to prevent a developer from coming in and offering a price and settlement in 60 days. No. It was pointed out that the selling of development rights by the farmer is strictly voluntary and the township cannot prevent the farmer from selling to whom he wishes. Sam Goodley said it was his experience that farmers who received offers from developers are usually looking at three to four year contracts before settlement and that if a township had a sum of money ready to use, they would be competitive. Mrs. Sebastian said that the Ag Preservation Board received 63 applications last year, so there are lots of farmers interested in preserving their lands as farms.



Teri Rigby, ENT, said she understood that the land purchased for the new high school was \$1.9 million for 60 acres which translates to \$32,000 per acre and she wanted to know how long that sale took.

Lee Towner, LOT, said that he understands the owner still has the right to sell or not sell, but he wondered if the township could approach a farmer and solicit his interest in selling his development rights.

Art Astle explained the procedure of assessing the tax and that he felt that it would be sensible to follow the guidelines of the Ag Preservation Board to determine which properties would be eligible.

Ed Lobley, ENT, asked if these funds could be used to block a sale to a developer, but was told only if the farmer applies for the funds.

Tara Tracy said that if the township purchases bonds for this purpose, there would be a larger chunk of money to use at one time. Don Ely asked what the length of the bond issue would be and the interest payments needed.

Helen Warren, UOT, wondered why the percentage was set at ½ percent instead of the ¼% that she has seen in other townships. Mrs. Sebastian said that because of our relative low population, a larger percentage may be set. Other townships have larger working populations and higher per capita income than ours. The percentage is a ceiling.

Elizabeth Sullivan, UOT, asked what is the time frame for the next step. Mrs. Sebastian said the Townships must start the process to adopt a tax ordinance which could take upwards to six months. Art Astle felt it would be at least June of next year before we could intervene in offers from developers. Sam Goodley said that just because the referendum passes, the supervisors still have to have the political courage to enact the tax.

Linda Racine asked where she could get a copy of the act. She was directed to the Pennsylvania website or a law library.

Don Ely, ENT, asked how much of the money collected by Berkheimers is actually returned to the township. It was relayed that they charge 2.55% for their services.

John Samara, UOT, said he had read the act and it didn't say anything about contacting property owners. Art Astle said that the Oxford Area Vision Committee would be an ideal group to contact potential landowners and ask them to apply.

Chris Coburn, UOT, asked how much it costs to make offers to the farmer. Kevin Baer said he didn't know. At the local level most township committees are volunteers and thus there would be little cost.

Walt Leis, ENT, asked if a sunset provision would put into place so that the tax doesn't go on forever. Sam Goodley said that there are only so many farms to preserve and when they are addressed, there would be no more.

Blair Fleischmann, UOT, in reply to Art's suggestion that the OAVP might assist by contacting land owners, said she felt this would be a great opportunity for more people to be involved from each township and that the OAVP could provide publicity but that the townships themselves should approach the farmers.

Gene Racine, UOT, asked if there was a fee for the Brandywine Conservancy to prepare the position papers presented. No.

John Samara, UOT, made a statement that open space is a great idea, but he remarked that only a handful of people have come out to these informational meetings. Although excellent info has been presented in the media, the average resident does not know what this issue is all about. He felt that it is being presented too quickly. He pointed out that the Borough of Oxford and West Nottingham Township have decided to wait and present the referendum later.

Lee Towner, LOT, said he is in favor of open space but has a hard time swallowing the idea of additional taxes. He asked when this could next appear on the ballot if defeated. Next March.

Art Astle said that if the money was out there, the townships could slow down development. His township has put in zoning ordinances to make it tougher for the developer and there are farmers who are gracious enough to sell to other farmers and the Amish even though they could get more from developers.

Tara Tracy said that every student in the school district costs the taxpayers several thousand dollars and most students would be paid through ever increasing school taxes.

Sam Goodley said that in reply to the comment of 'Why hurry', each month the township gets a major new plan from a developer for 200 to 500 more homes to be built. By next May, there could be that many more houses and more land lost to farming.

Toy Wilson, LOT, asked if there would be a time limit on when the tax would be collected. She was told that if the Supervisors do not adopt a tax ordinance, nothing would happen. When asked what can the taxpayer to facilitate the process, she was told to encourage the supervisors to enact it.

Leo Levandowski gave a brief history of the Oxford Area Recreation Authority and its formation. There were problems getting townships to work together and that some still haven't joined. It was a long process.

Don Ely, ENT, asked about the amount of potential acreage in East Nottingham Township. John Goodall said that the map they have prepared is dated September 2003 so it up to date. He said that of the 63 application submitted last year, only 12 were made offers. These were the best of the best applications. There are still those others who almost made it who are out there. Only so much money is available on a yearly basis. He outlined the details of the maps. He said our region is some of the best farmland in the world. It is a great resource.

This will help create an opportunity to allow additional farms to be preserved. He cited one municipality that had no applicants for easements and who approached 20 landowners. Out of that number six applied and four were accepted. The opportunity is out there. Put faith in the process.

Tom Olivera, ENT, asked if land is developed, does it ever again become farmland. No.

Don Ely, ENT, what is the easement the farmer is actually selling? The farmer is saying he will restrict the future use of his land forever if you will pay him. It is voluntary.

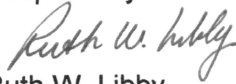
Lawrence Tigue, ENT, gave his situation in East Bradford Township where he said he has a farm with houses all around his land and he has no problems. Here is East Nottingham Township, he was told that they were going to zone his property so that he couldn't develop it and he sold it. Treat the landowner right and he'll stay.

Teri Rigby, ENT, asked if the referendum is defeated, can it be placed back on the ballot. Yes.

Leo Levandowski thanked Ruth Libby for putting together the minutes of the first joint informational meeting.

With no further questions or comments, the joint meeting was adjourned at 9:13 p.m.

Respectfully submitted,



Ruth W. Libby  
Secretary/Treasurer  
Lower Oxford Township

**REGULAR MEETING  
EAST NOTTINGHAM TOWNSHIP  
BOARD OF SUPERVISORS  
DECEMBER 08, 2003**

The regular meeting of the East Nottingham Township Board of Supervisors was held in the Township building on December 08, 2003. Those present were Chairman, Samuel A. Goodley, Jr., Vice-Chairman, Leo M. Levandowski, and Supervisor, Charles D. Shelton; Zoning Officer, Kathy Kovach; Treasurer, Pamela A. Mason; Secretary, Mary Ellen McCormack; Road Master, Howard Wiley and numerous guests.

Chairman, Samuel A. Goodley, Jr., called the meeting to order at 7:00pm.

Vice-Chairman, Leo M. Levandowski, led the Pledge of Allegiance.

On motion by the Chairman, seconded by the Vice-Chairman, it was unanimously approved to accept the agenda as presented for the December 08, 2003 meeting.

On motion by the Chairman, seconded by the Vice-Chairman, it was unanimously approved to accept the November 10, 2003 Regular Meeting minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by the Chairman, seconded by the Supervisor Shelton, it was unanimously approved to accept the November 17, 2003 Work Session Meeting minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

On motion by Supervisor Shelton, seconded by the Vice-Chairman, it was unanimously approved to accept the November 25, 2003 Special Meeting minutes.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

**Treasurer's Report:**

**Bills for Approval:** Mrs. Mason presented the treasurer's report stating that East Nottingham's total cast assets amount to \$2,120,808.05. Bills totaling \$50,632.76 were presented for approval for payment from the General Fund. Income received for November 2003 totaled \$133,593.47. This is realized from taxes, franchise fees, court fines, interest fees, endowment fees, escrow, and permit fees.

A. 2004 Animal Control Agreement (Society for the Prevention of Cruelty to Animals (SPCA) Contract) – The annual contract with SPCA was presented for acceptance. Motion was entered by the Chairman, seconded by the Vice-Chairman, and unanimously approved for acceptance.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

B. Fire Hydrant Agreement (OASA) - This annual agreement was presented for acceptance for the year 2004. Motion was entered by Chairman, seconded by the Vice-Chairman and unanimously approved.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

C. Phone America Service Contract – Acceptance for approval of Phone America Contract for 2004 was also presented. Motion was entered by Chairman, seconded by Vice Chairman and approved unanimously.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Mrs. Mason also presented a letter received from the Oxford Presbyterian Church (OPC) regarding acceptance of donations for their (OPC) Christmas Food Box. Specifics were read concerning particulars of this project for participation.

**Zoning Officer's Report:** Mrs. Kovach, Township Zoning Officer (ZO), reported a total of 20 permits were issued during the month of November for the following: six (6) sheds and 47 certificates of occupancy for fees totaling \$16,010 with construction costs amounting to \$2,289,188.

East Nottingham Township  
Bills for Approval  
December 8, 2003

Date	Number	Payee	Description	Amount
12/8/2003	2833	John Reynolds	fee for emergency plan preparation	250.00
12/8/2003	2834	Beltway International,...	truck parts	128.16
12/8/2003	2835	Cameron's Inc.	supplies	208.20
12/8/2003	2836	Office Basics, Inc.	office supplies	260.56
12/8/2003	2837	McMinn's Asphalt Co. Inc.	cold patch, tar	2,011.36
12/8/2003	2838	US Muncipal Supply, Inc.	shop supplies	48.22
12/8/2003	2839	New Holland Credit	mower parts	102.58
12/8/2003	2840	Farm Plan	J.D. parts	43.75
12/8/2003	2841	Cumberland Truck	parts for Sterling truck	48.22
12/8/2003	2842	SICO	diesel fuel	588.18
12/8/2003	2843	ARAMARK	uniforms	241.21
12/8/2003	2844	DM Stoltzfus & Son, Inc.	stone for drain in shop	198.45
12/8/2003	2845	Oceanport Industritrie...	salt	9,155.86
12/8/2003	2846	York Building Products	sand	251.46
12/8/2003	2847	Oxford Feed and Lumber	drain	138.46
12/8/2003	2848	Binkley & Ober, Inc.	cement	339.20
12/8/2003	2849	Code Administrators, Inc	building inspection-OAHS	3,500.00
12/8/2003	2850	Treasurer of Chester C...	Regional Hazardous waste collection	372.15
12/8/2003	2851	International Code Cou...	annual membership fee	100.00
12/8/2003	2852	SECCRA	trash	76.40
12/8/2003	2853	Chester Co. Assoc. of	2004 dues	150.00
12/8/2003	2854	Armstrong	internet	39.95
12/8/2003	2855	PBCC	postage supplies	20.00
12/8/2003	2856	Gawthrop, Greenwood & H...	solicitor fees	216.00
12/8/2003	2857	PP&L	heating fuel	84.90
12/8/2003	2858	PECO	electric	407.61
12/8/2003	2859	BFI	trash	56.81
12/8/2003	2860	AT&T	long distance	149.85
12/8/2003	2861	Verizon	phone, fax	287.37
12/8/2003	2862	Nextel	cell phones	233.89
12/8/2003	2863	PSATS	annual membership fee	1,345.00
12/8/2003	2864	Berkheimer Associates	EIT commission	1,386.41
12/8/2003	2865	Pennsylvania One Call ...	notification	71.40
12/8/2003	2866	Winifred Moran Sebastian	solicitor fees	2,643.00
12/8/2003	2867	Ragan Engineering	engineering fees	4,282.75
12/8/2003	2868	Charles Shock, Inc.	building reviews, inspections	4,270.82
12/8/2003	2869	John D. Coldiron	building reviews, inspections	4,575.00
12/8/2003	2870	Kathy Kovach	mileage	45.36
12/8/2003	2871	Peoples Bank of Oxford	941 deposit	3,815.84
12/8/2003	2872	Pamela Mason	reimbursement for loudspeaker	279.99
12/8/2003	2873	Hamlin, James	tax collector for Nov.	817.42
12/8/2003	2874	Goodley, Jr., Samuel A.	Supervisor salary, reimb. Web site	367.91
12/8/2003	2875	Levandowski, Leo M	Supervisor Salary	332.06
12/8/2003	2876	Shelton, Charles D.	Supervisor Salary	553.44
12/8/2003	2877	Mason, Pamela A.	Treasurer for Nov.	633.31
12/8/2003	2878	Automotive of Oxford	shop supplies	41.87
12/8/2003	2879	HA Weigand	safe hit posts	362.50
12/8/2003	2880	Daily Local News	advertising	2,985.65
12/8/2003	2881	Ledger Newspapers	advertising	152.00
12/8/2003	2882	McComsey Builder's, Inc.	snow guards on Township bldg	1,497.00

East Nottingham Township  
Bills for Approval  
December 8, 2003

12/8/2003	2883 Smoker Manufacturing	metal plate	29.02
12/8/2003	2884 Zee Medical Service	replenish first aid kits	205.52
12/8/2003	2885 All States Flag and Banner	flag, halyard, labor	<u>230.69</u>
		Total General Fund	50,632.76

RM BOS 12/08/03

**Business Carried Forward:**

A. **Hern/Hutchison Property Acquisition Status** – Chairman Goodley reported to date status remains unchanged, however contact will be made with property owners solicitor, George Heiney, Esq, for an update.

B. **ENT Emergency Response Checklists Update** – Mr. John Reynolds presented to the Township for information and records purposes an updated listing of contact personnel as required. This update is the second section of the ENT Operations Manual and is in response to a letter dated 11/21/03 from Chester County Department of Emergency Management Division.

**New Items of Business:**

**A. Resolutions/Ordinances**

(1) **Emergency Parking Ordinance** – This ordinance was advertised as authorized (11/17/03) and presented for acceptance and implementation. Motion was entered by Chairman, seconded by Supervisor and unanimously approved.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(2) **Speed Limit Ordinance** – This ordinance was advertised as authorized (11/17/03) and presented for acceptance and implementation. Motion was entered by Chairman, seconded by Vice-Chairman and unanimously approved.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Discussion ensued regarding notification to residents and will be addressed with notice published in papers. Also a sign will be posted concerning the speed limit change in the vicinity of the Amish School.

**B. Subdivision/Land Development Plans**

(1) On motion by Supervisor, seconded by Vice-Chairman an invoice request from McWilliams Construction for work done was submitted for **Saginaw Village, 4 Ridge Lane, Lot #4** and unanimously approved. Chairman recused himself.

Aye: Levandowski, Shelton

Abstention: -1-

(2) **Jahan Sheikholeslami Subdivision** - After a brief discussion concerning the most recent waiver requests relating to Section 502.08 and Section 502.07 and relative to this subdivision, and along with the absence of a preliminary plan submission, it was recommended to table this issue at this time. In addition a waiver request for Section 502.11 was tabled as recommended by the Planning Commission (PC) at their 11/24/03 meeting. This issue will remain **OPEN**

(3) **Clyde D. Austin** – On motion by Chairman, seconded by Vice-Chairman, preliminary plan approval was unanimously granted to Clyde D. Austin for a three (3) lot subdivision. This request was approved at the November 24, 2003 PC Meeting.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(4) **Guiseppe and Anna Marie Ruggirello** - On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved to grant final plan approval for the Ruggirello Subdivision. This request was approved at the November 24, 2003 PC Meeting.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(5) **Brown Partnership** – On motion by the Chairman, seconded by Vice-Chairman, waiver request was unanimously approved on condition the following is noted on submitted plans; developer to interact with solicitor. Also requested and approved unanimously by motion as recommended at the PC meeting of 11/24/03 were the following three (3) waivers relating to the Brown Partnership; Sections 502.11, 508.01 and 508.06.

Aye: Goodley, Levandowski, Shelton

Nay: -0-



(6) Israel Stoltzfus and Hopewell Ridge Operation & Maintenance (M&) Agreements – On motion by Chairman, seconded by Vice-Chairman, authorization to approved requested O&M agreements was unanimously approved pending solicitors review of subject agreements.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

(7) Hickory Hill – On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved to accept The letter of extension for Hickory Hill. This extension will run through and include the date of January 15, 2004

Aye: Goodley, Levandowski, Shelton

Nay: -0-

NOTE: In efforts to prepare agendas for scheduled meetings in a timely manner it is requested that residents and developers provide their input to the Township Secretary and Planning Commission Secretary (ZO) no later than noon on Thursday before all scheduled meetings. This recommendation was proposed by Supervisor, Charles D. Shelton with support of Chairman and Vice-Chairman.

#### **C. Escrow Releases**

On motion by Chairman, seconded by Vice-Chairman, it was unanimously approved to release the following escrows: **Blackburn Knoll**, Release #07 for \$35,646.40; **Happy Harry's**, Release #04 for \$142,958.25; **Misty Meadows**, Release #09 for \$266.60; **Oxford Area High School**, Release #10 for \$145.10; **Reburn Subdivision**, Release #05 for \$14,126.19; **Twin Ponds**, Release #16 for \$40.40 and **Wiltshire**, Release #46 for \$40.40.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

#### **Residents and Developers:**

Ms. Teri Rigby, resident, discussed Thom Olivieri's letter that was presented to BOS by Thom Olivieri at the 11/17/03 meeting and the role of the Task Force. Ms. Rigby reviewed specifics of Mr. Olivieri's letter noting the timing of establishment of the Task Force. Ms. Rigby commented that if Mr. Levandowski did this for votes, well good for him, that's how some politicians operate. Ms. Rigby also stated that the creation of the Task Force was well received. Ms. Marianne Russo, who stated there was some negative response to the establishment and that it was not all favorable, refuted this, however.

Mr. & Mrs. Wilbur Lewis made inquiry concerning the status of preliminary plan approval of their property. Mrs. Kovach, Zoning Officer, replied this is pending as their surveyor has not returned her calls. After much discussion it was recommended and agreed that the Lewis' would submit a request for a 60 day extension in efforts to clarify this situation. On motion of the Chairman, seconded by the Vice-Chairman, it was unanimously approved to accept the request for extension from the Lewis's.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

#### **Correspondence:**

Oxford Area Sewer Authority Minutes, 10/15/03

Oxford Area School District, Regular Meetings of 10/28/03 and 11/18/03

Oxford Public Library/Board of Trustees Meeting, 11/20/03

SCC EMS Inc, MEDIC 94 Annual Operations Report for FY 2002-2003

Local Government Commission List of Acts Signed Into Law by the Governor, 10/07/03 and 11/10/03

Chester Water Authority Newsletter, 11/05/03

Senator Thompson Newsletter, 11/03

PSAT Newsletter Bulletin, 10/03

**Supervisors:** Chairman Goodley reported notifications have been published regarding the following scheduled meetings: End of Year Meeting, 12/29/03, 7:00pm; BOS Reorganization Meeting, Monday, 01/05/04, 7:00pm, Planning Commission Reorganization Meeting, Tuesday, 01/06/04, 7:00pm; and Auditors Reorganizational Meeting, Wednesday, 01/07/04 at 8:30am. Motion was entered by Chairman, seconded by Vice-Chairman, unanimously approving scheduled meeting dates and times.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

**Recognition of Visitors:**

Thom Olivieri thanked the BOS for implementation of the speed limit ordinance.

Jerry Durnan inquired into status of property issue with Herr's. Mr. Goodley reported return call is pending from involved parties.

Marianne Russo stated the PC would be looking at all plans submitted more closely in efforts to eliminate delays.

Teri Rigby stated disbandment of the Task Force would be the last common denominator for ENT.

Ed Lawrie reported the speed limit has increased near the new high school.

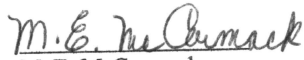
Ken Knapp congratulated the Township road crew for the excellent snow removal recently.


Joe Bauer reported the next meeting of the Oxford Area Recreation Authority is scheduled for Thursday, 12/11/03, Lower Oxford Township at 7:00pm.

Alvin Miller inquired into road bank changes on Little Elk Creek Road and My Weigh. Mr. Miller also requested a copy of the proposed budget. Ms. Rigby offered to provide him a copy.

**Adjournment:** On motion by Samuel A. Goodley, seconded by Leo M. Levandowski, it was unanimously approved to adjourn the meeting at 9:05pm.

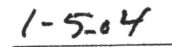
Respectfully submitted,

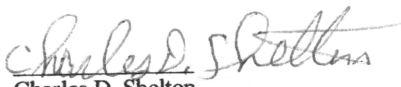
  
M. E. McCormack  
Secretary

  
Samuel A. Goodley, Jr.  
Chairman

\_\_\_\_\_  
Leo M. Levandowski  
Vice-Chairman

Approved:

  
Date

  
Charles D. Shelton  
Supervisor



**WORK SESSION  
BOARD OF SUPERVISORS  
DECEMBER 15, 2003  
MINUTES**

The work session meeting of the East Nottingham Township Board of Supervisors was held in the Township Building on December 15, 2003. Those present were Supervisors, Samuel A. Goodley, Jr., Charles D. Shelton; Secretary, Mary Ellen McCormack and guests.

Chairman, Samuel A. Goodley, Jr., called the meeting to order at 8:50pm

Supervisor, Charles D. Shelton, led the Pledge of Allegiance

On motion by Samuel A. Goodley, seconded by Charles D. Shelton, it was unanimously approved to accept the agenda for December 15, 2003.

Aye: Goodley, Shelton

Nay: -0-

Chairman asked if there was any public comment on agenda and received none.

**Business:**

A. On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to accept the Letter of Extension for the Pennwood Subdivision Plan. This extension will run through and include the date of January 06, 2004.

Aye: Goodley, Shelton

Nay: -0-

B. On motion by Charles D. Shelton, seconded by Samuel A. Goodley, it was unanimously approved to present Christmas Bonuses to ENT staff for the amount given in 2003, \$125.00.

Aye: Goodley, Shelton

Nay: -0-

C. On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, the Operation and Maintenance Agreement submitted for Israel Stoltzfus was unanimously approved.

Aye: Goodley, Shelton

Nay: -0-

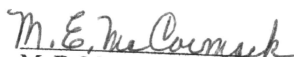
**Recognition of Visitors:**

Alvin Miller made inquiry concerning delivery date of new truck. Mr. Shelton reported truck was involved in accident and estimated to be totaled. The dealer, Bayshore Ford, recommended not to accept truck and a new one has been ordered with delivery expected early Spring.

Joe Bauer, ENT Representative to Oxford Area Recreation Authority (OARA), reported the next OARA meeting is scheduled for Thursday, 01/08/04 at the Oxford Borough Hall.

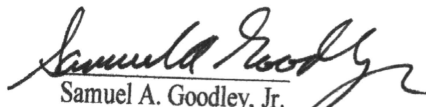
**Adjournment:** On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, on unanimous vote, the meeting was adjourned at 8:55pm

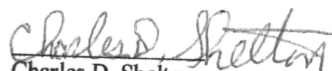
Respectfully submitted:

  
M. E. McCormack  
Secretary

Approved:

1-5-4  
Date

  
Samuel A. Goodley, Jr.  
Chairman

  
Charles D. Shelton  
Supervisor

**SPECIAL MEETING  
BOARD OF SUPERVISORS  
DECEMBER 29, 2003**

A special meeting of the East Nottingham Township Board of Supervisors was held in the township building on December 29, 2003. **The purpose of the meeting was to adopt the 2004 Budget and any other business that comes before the Board will be addressed.** Those present included; Chairman, Samuel A. Goodley, Jr., Supervisor, Charles D. Shelton, Treasurer, Pamela A. Mason, Secretary, Mary Ellen McCormack and guests.

The meeting was called to by Chairman, Samuel A. Goodley, Jr. at 7:00pm.

Prior to agenda approval request for amending agenda was proposed by the Chairman concerning invoice received from Triton Electric for wires cut while mowing bank.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, the agenda was unanimously approved for the December 29, 2003 Special Meeting.

Aye: Goodley, Shelton

Nay: -0-

Chairman asked if there was any public comment on agenda and received none.

**Business:**

A. Triton Electric Invoice – Review of incident and facts presented regarding invoice submitted, motion was entered by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, denying payment of invoice presented by Triton Electric, as no warning signs were visible of ongoing work to road crew. A letter will be drafted indicating the Townships denial of payment.

Aye: Goodley, Shelton

Nay: -0-

NOTE: Hern/Hutchison Property Authority – Supervisor, Charles D. Shelton requested approval for a payment of \$5,000.00 for deposit on purchase price of Hern/Hutchison property acquisition. This is in relation to the Waterway Road Realignment.

B. On motion by Chairman, Samuel A. Goodley, Jr., seconded by Supervisor, Charles D. Shelton, it was unanimously approved to pay all bills as read and presented. Included too was the request for authorization and approval of a \$5,000.00 check being issued for deposit only on condition of review of Agreement of Sale for purchase of Hern/Hutchison property acquisition.

Aye: Goodley, Shelton

Nay: -0-

C. Proposed 2004 Budget – Upon discussion by township residents, Teri Rigby and Alvin Miller, both of whom expressed their opposition to the recommended Proposed 2004 Budget motion was entered by Chairman, Samuel A. Goodley, Jr., seconded by Supervisor, Charles D. Shelton, and unanimously approved to adopt the Proposed 2004 Budget for ENT.

Aye: Goodley, Shelton

Nay: -0-

**FOR THE RECORD:** Mrs. Rigby stated she believes the budget was knowingly prepared in error.

2004 Budget Amendments – Chairman, Samuel A. Goodley, reviewed items to be amended in January due to oversight of original prepared budget.

D. Israel Stoltzfus – On motion by Chairman, Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to grant final plan approval for the Israel Stoltzfus.

Aye: Goodley, Shelton

Nay: -0-

**Recognition of Visitors:**

Alvin Miller made inquiry as to solicitor's explanation concerning passing of proposed budget.

Joe Bauer discussed web-site update and township mileage rates.

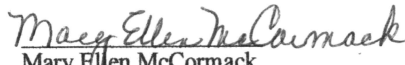
Teri Rigby made personal inquiry of Chairman's residence.

Robert Davego, discussed speed limit on Crawl Toot Road and retention pond in Darlington Hunt.

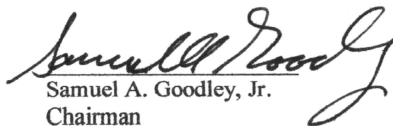
**Adjournment:** On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to adjourn the meeting at 7:45pm.

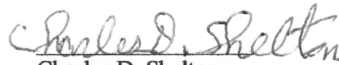
Respectfully submitted,

Approved:

  
Mary Ellen McCormack  
Secretary

1-5-04  
Date

  
Samuel A. Goodley, Jr.  
Chairman

  
Charles D. Shelton  
Supervisor