

The East Nottingham Township Board of Supervisors held a public hearing on September 24, 2001, to consider a proposal to add Tax Parcel 69-9-13.03B consisting of 11.0717 acres owned by Mason's Chrome View Ltd. to the East Nottingham Township Agricultural Security Area.

The meeting was called to order at 7:00 p.m. by Chairman Samuel A. Goodley, Jr., with Leo M. Levandowski and Charles D. Shelton present.

Mr. Goodley reported that we have the comments from the Agricultural Security Advisory Committee, the Township Planning Commission and the Chester County Planning Commission and all three agencies recommended that the Mason's Chrome View Ltd. parcel be included in the East Nottingham Township Agricultural Security Area.

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

Being of no further business, on motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, the meeting was adjourned at 7:09 p.m.

Respectfully Submitted,



Helen E. Warren, Secretary

APPROVED:

10-8-01
Date


Samuel A. Goodley, Jr.

Leo M. Levandowski


Charles D. Shelton

September 24, 2001
Oxford, PA

The East Nottingham Township Board of Supervisors held a Special Meeting in the Township Building on September 24, 2001, to determine whether the Board will take a position on the Zoning Hearing Application of John and Teri Rigby.

The meeting was called to order at 7:25 p.m. by Chairman Samuel A. Goodley, Jr., with Leo M. Levandowski and Charles D. Shelton present.

Mr. Goodley asked the Rigby's what relief they were looking for. Mrs. Rigby reported: (1) floodplain encroachment abandoned as a nuisance, (2) the dumpster moved in violation, and (3) the chain link fence removed in violation. Mr. Coates stated that they are looking for a determination of violations of various ordinances. Mr. Coates also stated that there is an appeal in regards to the Engineer's communication to allow 180 days for the Doolittle's to comply.


On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to have Winifred Sebastian, the Township Solicitor, present and presenting of testimony at the East Nottingham Township Zoning Hearing on application of John and Teri Rigby. (The Solicitor to decide to have the Township Engineer present.)

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Being of no further business, on motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, the meeting was adjourned at 7:35 p.m.

Respectfully Submitted,



Helen E. Warren, Secretary

APPROVED:

10-8-01
Date


Samuel A. Goodley, Jr.

Leo M. Levandowski


Charles D. Shelton

September 24, 2001
Oxford, PA

The East Nottingham Township Agricultural Security Area Advisory Committee held a meeting in the Township Building on September 24, 2001, to consider the proposal, modifications and report its recommendations to the Board of Supervisors concerning Masons Chrome View Ltd's request to add 11 acres located at Tax Parcel 69-9-13.03B to the East Nottingham Township Agricultural Security Area established by the Board in September, 1989.

The meeting was called to order at 6:45 p.m. by Chairman Samuel A. Goodley, Jr., with G. William Freese, Paul Smoker and Dan Miller present.

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

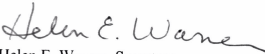
On motion by Samuel A. Goodley, Jr., seconded by G. William Freese, it was unanimously approved to recommend to the Board of Supervisors to add Tax Parcel 69-9-13.3B containing 11.0717 acres owned by Masons Chrome Ltd. to the East Nottingham Township Agricultural Security Area.

Aye: Goodley, Freese, Smoker and Miller

Nay: -0-

Being of no further business the meeting was adjourned at 6:55 p.m.

Respectfully Submitted,


Helen E. Warren, Secretary

APPROVED:

10/2/01

Samuel A. Goodley, Jr.


Samuel A. Goodley, Jr.

October 8, 2001
Oxford, PA

The regular monthly meeting of the East Nottingham Township Board of Supervisors was held in the Township building on October 8, 2001. The meeting was called to order at 7:04 p.m. by Chairman Samuel A. Goodley, Jr., with Charles D. Shelton present.

On Motion by Charles D. Shelton, seconded by Samuel A. Goodley, Jr., it was unanimously approved to accept the agenda for October 8, 2001.

Aye: Goodley, Shelton

Nay: -0-

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

On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to accept the minutes from the September 10, 2001 Regular Meeting.

Aye: Goodley, Shelton

Nay: -0-

On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to accept the minutes from the September 24, 2001 Ag Security Hearing.

Aye: Goodley, Shelton

Nay: -0-

On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to accept the minutes from the September 24, 2001 Special Meeting.

Aye: Goodley, Shelton

Nay: -0-

Pam Mason presented a Treasurer's Report.

Mr. Goodley read Resolution No. 17-2001 in its entirety, pertaining to Doann Freese, Tax Collector, who has not been paid for certification fees for the calendar years 1998, 1999, 2000 and 2001. This amount totals to \$11,574.80. The Resolution will be adopted further on in the meeting.

Bills totaling \$46,250.51 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.

Aye: Goodley, Shelton

Nay: -0-

BILLS PRESENTED FOR APPROVAL FOR PAYMENT - 10/8/01 GENERAL FUND:

<u>Check #</u>	<u>To:</u>	<u>For</u>	<u>Amount</u>
	Doanne Freese	tax collections and clerk fee for Aug/Sept.	870.30
	Doanne Freese	tax certification fees for 1998,1999,2000,2001	7559.72
	Charles Shock, Inc.	Zoning 7/31-9/30/01-1240.00; bid inspt. Sept-4938.66	6178.66
	Brandywine Net	internet access for zoning officer (1 year)	191.00
	Winifred M Sebastian	legal services for Sept.	4420.00
	Cumberland Truck	items for 1991 dump truck	408.80
	MMPMET	health and life insurance (includes adv mnth for Kovach)	2687.80
	Ragan Engineering	inspt, zoning hearing, plan reviews	3933.33
	Oxford Feed&Lumber	reinforcing rod	7.50
	SICO	low sulfur 496.0 gal @ 1.4560	672.58
	Cameron's	misc. repair items, keys, shoulder spreader	254.28
	Daily Local	adv for Ag Security, special mtg 9/24, bids-salt	701.44
	Verizon	phone, fax, internet lines	250.92
	PECO	electric service	297.02
	BFI	trash removal service	111.13
	GS Direct	flat file cabinets	2456.40
	HA Thompson	new bond for Secretary	2044.00
	Berkheimer	commission for eit	911.93
	Automotive Of Oxford	grease	13.40
	Howard Wiley	reimburse cellular phone	55.37
	Philips Florst	Shock funeral flowers	55.65
	Kauffman Gas	propane - 243.800 @ 1.240	302.31
	Environmental Mgt	design/admin/mtgs/ prep	709.98
	Rothwell	copier staples	40.00
	CFC	office chairs	456.00
	Jack's Enterprises	storage trailer rental	60.00
	Aramark	uniforms, shop towels	173.05
	Pam Mason	Treasurer salary, postage reimbursement	421.41
	Joseph R. Taylor	Zoning hearing board - Rigby hearing	44.27
	William Freese	Zoning hearing board - Rigby hearing	44.27
	William Blackburn	Zoning hearing board - Rigby hearing	44.27
	Samuel A. Goodley	supervisor - 3rd qtr	332.06
	Charles D. Shelton	supervisor - 3rd qtr	332.06
	Lco M. Levandowski	supervisor - 3rd qtr	332.06
	David Sweet	4/01-9/01 Open Space plan,7/01-9/01 Vision Partnr	2310.46
	Cupola Construction	installation of guide rail on Elk Creek Rd	2536.25
	Peoples Bank	941 deposit	2946.70
	PA Dept. of Revenue	Sept. withholding deposit	289.08
	PSATS UC Group Tr.	3rd qtr unemployment	358.93
	HAB-EIT	3rd qtr EIT withhold	<u>436.12</u>

Those Who Asked to Be Placed on the Agenda

Mr. John Ware spoke about the Oxford Area Vision Project. Mr. Ware stated that in May or June of 2002 a team of up to ten (10) Land Planning and Land Use experts will visit Oxford for a week long stay. They will be investigating key economic development and growth issues. At the end of their stay they will publish a report outlining recommendations for how to resolve the economic development and growth issues. Steering Committees will be formed to work on these issues. Mr. Ware would like East Nottingham to place two (2) representatives on a Steering Committee - preferably one (1) Supervisor and one (1) Planning Commission Member. The cost of the project is \$150,000 which the Chester County 2020 trust has already raised. The Chester County 2020 trust is a non-profit group. Mr. Ware stated that he does not know what the growth issues will be or what sites will be toured yet. Mr. Shelton asked if two (2) representatives from the Planning Commission could represent East Nottingham Township. Mr. Ware said that would be fine.

Ms. Kim Maculley brought in a petition and stated to the Supervisors that they would like to see a speed limit sign or other signs to slow down speeders on Waterway Road near Tweed Crossing. Mr. Goodley stated that the Township's position on speed limit signs is that we don't have a police force to enforce the speed limit, but the Supervisor's support other signs being put up. Ms. Maculley stated that she spoke with Bob Trimble at PennDot and that they would do a traffic study at no charge to the Township. Ms. Maculley stated that the weeds on the corner also make it hard to see. The Roadmaster stated that the weeds have been mowed back on that property that James Hancock owns. A resident inquired as to whether we could paint lines on Waterway Road. Mr. Goodley stated that they will look into it. Mr. Scott Holmes stated that maybe we could put a caution or dangerous curve sign up.

Mr. John Welsh stated that his issue is a water problem where he lives at 625 Devonshire Drive in Locksley Glen Development. Mr. Welsh stated that discussion took place in putting a pipe in from the catch basin. The catch basin catches all the water from the McCormick property and Andre's Pizza. The water is exited out onto his property through a 5-inch pipe. Mr. Welsh stated that nothing has been resolved. Mr. Goodley reported that our Engineer has communicated with both the McCormick's and Mr. Dilsheimer about this problem. Mr. Goodley stated that in Mr. Ragan's letter to the McCormick's, Mr. Ragan found several discrepancies between the as-built basin and the approved design. Mr. Ragan also gave the McCormick's 45 days to complete the corrections. Mr. Goodley stated that in addition to what Mr. Ragan is asking the McCormick's to do, the Township is asking Mr. Dilsheimer to solve the drainage problem by connecting the outlet from the Orthodontist Office stormwater basin directly to Inlet #6 in Devonshire Drive. Mr. Welsh stated that if nothing is done soon, he will go to court. Mr. Welsh stated that several residents would like copies of the Locksley Glen Plans. Mr. Hillard stated we could have copies made at his office for \$1.00 a copy. Mr. Shelton stated that anyone who wants copies of the plan to see the Zoning Officer. Mr. Tom Sacker, Lot 151, stated that he also has water problems from Andre's Pizza. Other residents stated that they have problems with runoff. Discussion took place about Escrow Releases for

Locksley Glen. A resident stated that he lives on Lot 147 and his property is also affected by the pipe. Mr. Welsh stated that Lot 145 is also affected. Residents also complained that silt fences were not being removed properly. Mr. Goodley stated that the supervisors and Mr. Dilsheimer should have a meeting to discuss these issues.

Mrs. Rigby stated that she felt the Supervisors have done nothing in regards to issues with her property. Mrs. Rigby reported that she would be running for Supervisor on a write-in position. Mr. Goodley explained to Mrs. Rigby that she choose to use the legal process available to her and have the Zoning Hearing. The Supervisors have nothing to do with that. Mr. Goodley stated that the Zoning Hearing decision stated that basically this is a private property dispute between neighbors. Mr. Goodley reported that the Township has spent a lot of money and resources for Mrs. Rigby to pursue what has been characterized as private complaints with her neighbor. Mr. Shelton reported that last month it cost the taxpayers \$900.00. Mrs. Rigby stated that there are land use issues and zoning ordinance violations. Mrs. Rigby stated that our Solicitor was there to protest enforcing our zoning laws. Mr. Goodley reported to Mrs. Rigby that she is entitled to appeal that decision.

Bids

One bid was received for 250 tons of road salt. This bid is from the Eastern Salt Company, Inc. located in Chelsea, Massachusetts. Their salt terminal is located in Baltimore, Maryland.

On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to award the bid contract to the Eastern Salt Company, Inc., for 250 tons of road salt delivered to the East Nottingham Township Building. The bid being \$42.20/per ton delivered at our location for a total of \$10,550.00.

Goodley, Shelton

Nay: -0-

The following business was considered relative to subdivision plans:

Robert Droz – Final Plan Approval

Mr. Goodley stated that there is no DEP approval yet for the sewage module. This had marginal soils for on-site septic system and DEP has requested us to come up with a program for monitoring septic systems. Mr. Goodley stated that we have directed our Engineer to communicate to DEP about this. Mr. Goodley read the Extension Letter for Robert Droz Subdivision granting 60-days for the review period up until December 9, 2001.

On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to not grant Final Plan approval until DEP approval. .

Goodley, Shelton

Nay: -0-

Darlington Hunt – Phase IV – Final Plan Approval

Mr. Hillard stated that they do not have DEP approval yet. Mr. Goodley stated that they would like to put this on hold and have a Special Meeting.

Alan D. Reburn Subdivision Plan

Mr. Goodley stated that the applicant is asking the Supervisors to consider two waiver requests. One under Section 508, regarding stormwater management, proposing to use roof-drained dry wells for the dwellings. The Planning Commission recommended that this waiver be granted. The other waiver request is under Section 402.05.E which requires plans for sites of five acres or greater be submitted to the Chester County Conservation District. Mr. Goodley stated that the Planning Commission and the Engineer recommended not granting this waiver.

On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to not grant a waiver from Section 402.05.E. for the Alan D. Reburn Subdivision and require the plan be submitted to the Conservation District.

Goodley, Shelton

Nay: -0-

Mr. Goodley stated that the request for waiver from Section 508 would be on hold until they have a Special Meeting and talk with the Engineer.

Cooper Subdivision – Preliminary Plan Approval

Mr. Shelton stated to Mr. Spence Address that they would like to put this request on hold and address this at a Special Meeting. Mr. Shelton stated that he would like to have the Planning Commission, the Engineer and Leo Levandowski present at this Special Meeting. Mr. Shelton stated that he would like to know the dollar signs involved. Mr. Address stated that he and Mr. Ragan have worked that out.

Two dates were chosen to hold a Special Meeting, October 23, 2001 or October 24, 2001 at 7:00 p.m. The Secretary is to make sure that our Engineer can be present on one of those dates.

Locksley Glen II – Majesty Properties Inclusive – Preliminary Plan Approval

On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to reject Locksley Glen II – Majesty Properties for Preliminary Plan Approval.

Goodley, Shelton

Nay: -0-

Barry M. and Joann C. Arrowood - Final Plan Approval

Mr. Goodley read Resolution No. 18-2001 in its entirety. Mr. Goodley stated that this plan is conditionally approved and the plans will be signed when DEP approval is returned.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to adopt Resolution No. 18-2001.

Goodley, Shelton

Nay: -0-

Twin Ponds - Mt. Pleasant - Waterway Road Improvement Plan

This project is tabled and will be discussed further at the Special Meeting.

The following Escrow Releases were submitted for approval:

Release No. 10 for Elk Creek Reserve in the amount of \$35.00. On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to release Escrow Release No. 10 for Elk Creek Reserve in the amount of \$35.00.

Aye: Goodley, Shelton

Nay: -0-

Release No. 19 for Darlington Hunt III in the amount of \$183.90. On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to release Escrow Release No. 19 for Darlington Hunt III in the amount of \$183.90.

Aye: Goodley, Shelton

Nay: -0-

Release No. 12 for Paper Mill Woods in the amount of \$183.00. On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to release Escrow Release No. 12 for Paper Mill Woods in the amount of \$183.00.

Aye: Goodley, Shelton

Nay: -0-

Release No. 27 for Wiltshire in the amount of \$183.45. On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to release Escrow Release No. 27 for Wiltshire in the amount of \$183.45.

Aye: Goodley, Shelton

Nay: -0-

Release No. 13 for Twin Ponds - Phase I in the amount of \$105.00. On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to release Escrow Release No. 13 for Twin Ponds - Phase I in the amount of \$105.00.

Aye: Goodley, Shelton

Nay: -0-

Release No. 11 for Locksley Glen in the amount of \$855.35. On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to release Escrow Release No. 11 for Locksley Glen in the amount of \$855.35.

Aye: Goodley, Shelton

Nay: -0-

Release No. 9 for Locksley Glen - Section 3 in the amount of \$1,002.25. On Motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to release Escrow Release No. 9 for Locksley Glen - Section 3 in the amount of \$1,002.25.

Aye: Goodley, Shelton

Nay: -0-

No action was taken on Hunter Knoll Escrow Release #18 for \$35,707.33. This release will be discussed at the Special Meeting.

Correspondence

Correspondence was received in reference to the Stroud Water Research Center for a Seminar being held October 18, 2001 - Growing Greener.

Supervisors

Mr. Goodley stated that our fee resolution collects all our various fees in a single resolution. Mr. Goodley read Resolution No. 16-2001 in its entirety.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to adopt Resolution No. 16-2001 East Nottingham Fee Schedule.

Goodley, Shelton

Nay: -0-

Mr. Goodley stated that we need to amend our R-2 district to delete Section 501-g permitting single-family dwellings on lots of 1/3 acre. Mr. Goodley stated that we need to set a hearing date. The hearing date is set for October 15, 2001.

Mr. Goodley stated that there was a hearing of the Agricultural Security Area Advisory Committee on September 24, 2001 and they recommended unanimously to add the 11 acres to our existing Agricultural Security Area.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to adopt Resolution No. 11-2001 to add the 11 acres to our Agricultural Security Area.

Goodley, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to have the Secretary send a letter to the Chester County Planning Commission requesting an extension of our contract until December 31, 2002 for the Chester Heritage Park and Open Space Municipal Grant Program.

Goodley, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to adopt Resolution No. 17-2001 authorizing payment of tax certification fees to Doann Freese, Tax Collector, for 1998, 1999, 2000 and 2001 - accumulated certification fees totaling \$11,574.80.

Goodley, Shelton

Nay: -0-

Mr. Goodley read correspondence from Teri Doolittle regarding construction of the chain link fence around the perimeter of their property.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to authorize the Zoning Officer and our Township Engineer to take a look at our ordinances and determine what permits, if any, the Doolittle's need to install a chain link fence on their property.

Goodley, Shelton

Nay: -0-

Mr. Goodley read a letter addressed to the Supervisors requesting a refund of a building permit for Robert J. Morris who died on July 16, 2001, in the amount of \$220.00. Mr.

Goodley stated that \$80.00 would be charged for a plan review fee, leaving a balance of \$140.00.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to authorize our Treasurer to issue a refund check to Barbara Morris in the amount

of \$140.00 with a cover letter explaining that \$80.00 has already been spent to our Building Inspector to review the plan.

Goodley, Shelton

Nay: -0-

Mr. Paul Stolz spoke tonight about jurisdictional issues with the Oxford Area School boundary lines. Mr. Stolz stated that without the proper documentation there could be a legal liability for the Oxford Borough Police Department, the Oxford Borough, the school District or East Nottingham Township. Mr. Stolz stated that there has been a 75% increase in school calls. Mr. Stolz stated that the school has passed a resolution asking for East Nottingham's support on the issue of having extra patrol and this is offered to East Nottingham at no cost factor. Mr. Stolz stated that he would like to see an agreement worked out as they did in Lower Oxford. Mr. Goodley asked Mr. Stolz if he wanted permission for both routine patrol and to respond to emergencies and calls. Mr. Stolz stated that that was correct. Mr. Stolz stated that this request is dealing with the present Oxford School campus.

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to authorize our Township Solicitor to draw up a contract.

Goodley, Shelton

Nay: -0-

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to confirm the settlement of Donald C. Hickey v. East Nottingham Township, et al. in Chester County Court of Common Pleas, term and #99-09846 by means of PIRMA paying \$2,100.00 on behalf of the Township toward a total settlement amount of \$21,000.00. The remainder to be paid by other defendants.

Goodley, Shelton

Nay: -0-

Mr. Goodley stated that we had a request from a resident to consider revising our ordinance dealing with temporary housing dealing with elderly residents. Mr. Goodley stated that our ordinance limits temporary housing to parents only. Mr. Goodley stated that other Townships are more liberal with this idea and that further discussion needs to take place.

Mr. Goodley stated that the Borough has asked the Township to let them know where we stand with joining in on the Recreation Field Project. Mr. Goodley stated that East Nottingham Township is the likely site for the recreation field. They have worked out a contribution schedule. Based on a \$.50 per resident contribution, they are looking for a contribution from East Nottingham Township in the amount of \$200,000. The Borough is willing to front the money and we can pay that back to the Borough over a 20-year period. Mr. Shelton stated that this did come up about three years ago and the amount back then was \$55,000 over a period of 20 years. Mr. Goodley stated that at the November 12, 2001 Supervisors Meeting we will adopt a resolution.

Mr. Shelton reported that we have not paid for the Workers Compensation for the Fire Company since 1994. Mr. Shelton reported that we will now have the correct bills for the years owed. The amount owed is \$14,820.00 since 1994. Mr. Shelton reported that the bill for this will be paid next month.

Recognition of Visitors

Mrs. Rigby had a question about an auger being used on the Doolittle property to get around a field. Mrs. Rigby stated that Mr. Doolittle told the previous Zoning Officer that he would be using this on the steep slope. Mrs. Rigby stated to Mr. Goodley that that will not be done on the steep slope. Mr. Goodley replied that that is what the letter says. Mr. Goodley read the letter again and agreed that that is his understanding.

Mr. Ken Mulligan had a question about snow removal at Locksley Glen since the roads were not taken for dedication.

Ms. Russo had a concern about the Emergency Operations Plan. Ms. Russo thought that this should be discussed at a public meeting. The Secretary was directed to get in contact with John Reynolds, the Emergency Response Coordinator. Ms. Russo expressed her concern about the infrastructure in the Township. Ms. Russo stated that we don't have traffic studies and safety should be a main concern. Ms. Russo also expressed to have a moratorium on building. Mr. Andress stated that the Pennsylvania Supreme Court has stated that having a moratorium on building is illegal and Act 209 dealing with traffic impacts is a tool that is available to the Township.

On motion by Charles D. Shelton, seconded by Samuel A. Goodley, Jr., it was unanimously approved to discuss the following at the Special Meeting: (1) Darlington Hunt Phase IV, (2) Cooper Farm Subdivision, (3) Twin Ponds – Waterway Road Project, (4) Alan D. Reburn and, (5) Escrow Release #18 for Hunter Knoll for \$35,707.33.

Goodley, Shelton

Nay: -0-

Mr. Jack Baughman wanted to know about the red light status at Waterway. Mr. Shelton stated that our Township Engineer is working on that. Mr. Goodley stated that Representative Art Hershey stated that funds are not available at the state level right now, but that he would be willing to work with us.

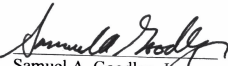
Being of no further business, on motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, the meeting was adjourned at 10:02 p.m.

Respectfully Submitted,

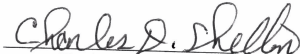

Helen E. Warren, Secretary

APPROVED:

11-12-01
Date


Samuel A. Goodley, Jr.

Leo M. Levandowski


Charles D. Shelton

October 24, 2001
Oxford, PA

The East Nottingham Township Board of Supervisors held a Special Meeting in the Township Building on October 24, 2001 to discuss four (4) subdivisions and one escrow release.

The meeting was called to order at 7:04 p.m. by Chairman Samuel A. Goodley, Jr., with Leo M. Levandowski and Charles D. Shelton present.

Mr. Goodley asked for comments from the public on the agenda. Mrs. Teri Rigby questioned why we were doing this in a Special Meeting. Mr. Goodley replied that we were taking care of business that was not taken care of at a Regular Meeting.

On Motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to accept the agenda for October 24, 2001.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Business to Discuss:

1. **Consider Final Plan Approval for Darlington Hunt – Phase IV Subdivision**

Mr. Ragan stated that there were some technical legal documents that needed to be put into place and acted on. Mr. Ragan stated that there were two (2) outstanding items with respect to the technical documents. They were the Planning Modules, which are now approved for sewage disposal and the Stormwater MPDS permit for the stormwater management system and erosion sedimentation control plan project, which has now been received. Mr. Ragan stated that all the legal agreements are in place with our Solicitor. Mr. Ragan stated that the only item that was still an issue and that was recommended on to the Planning Commission, was that the Fire Company had requested a fire hydrant down on Oxford Road across from Montana Drive in the Elk Valley Subdivision. There is no provision to make arrangements to pay for fire hydrants. Mr. Ragan stated that the developer had agreed to put the hydrant in, but asked not to require to pay for maintenance because the hydrant would benefit Elk Valley and not his subdivision. Mr. Ragan stated that the Planning Commission recommended that we not require one there. Mr. Ragan stated that is what the plan reflects now, it just shows the fire hydrants that serve this development. Mr. Goodley questioned why wouldn't the Township just pick it up. Mr. Alvin Miller stated that we would be setting a precedent if the Township took over this fire hydrant. Mr. Olivieri stated that conversation took place at the Planning Commission meeting and that they had decided that an Ordinance would have to be created and then assess four (4) residents for the fee of a fire hydrant. Mr. Olivieri stated that the Planning Commission felt it wasn't worth the expense and trouble to do this. Mr. Goodley stated that he felt that we should be sensitive to what our Fire Department requests.

Commission felt it wasn't worth the expense and trouble to do this. Mr. Goodley

Mr. Fred Blair had a concern about the runoff water basin that will almost be directly in front of his house for this development. Mr. Ragan stated that a portion of the runoff will be routed through a retention basin and a new storm sewer system will be put in along Crowl Toot Road, down the hill and discharged through an end wall. Mr. Ragan stated that there are several different stormwater basins. Mr. Blair stated that he was told that they are all tied into this one retaining basin. Mr. Ragan stated that they flow in different directions. Mr. Blair was concerned about the standing water. An Amish resident had a concern also and would like to see a bigger pipe put in so that it drains down the other way. More discussion took place and Mr. Ragan reported that they will coordinate some possible minor changes to the drainage system on Crowl Toot Road. Mr. Hillard stated that there are two (2) speed limit signs shown on the plan. Mr. Goodley stated that we never decided to put speed limit signs up.

On Motion by Leo M. Levandowski, seconded by Charles D. Shelton, it was approved to not put the fire hydrant in that was to be placed at the intersection of Montana Drive and Oxford Road that will serve the Elk Valley Subdivision based on the recommendation of the Planning Commission. Mr. Goodley opposes this decision.

Aye: Levandowski, Shelton

Nay: -1-

On Motion by Leo M. Levandowski, seconded by Samuel A. Goodley, Jr., it was unanimously approved to grant Final Plan Approval for Darlington Hunt – Phase IV Subdivision.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

2. **Twin Ponds – Waterway Road Project**

Mr. Andress reported that in reference to two (2) of the agenda items (Twin Ponds and Cooper Farm Subdivision) that there is a third issue involving both and those are the improvements to Waterway Road and Mt. Pleasant Road. Mr. Andress reported that he feels there is an understanding with the Township with respect to the improvements themselves. Mr. Andress stated that if they are granted some relief (like curbs and sidewalks) they will put those dollars into improving the Waterway Road and Mt. Pleasant Road system from Fifth Street over to Mt. Pleasant and up to the Edwards Property, which is under agreement under the present time. Mr. Andress stated it's a little complicated because there are the two subdivisions and the road improvements all working in conjunction. Mr. Andress stated that he had two (2) notes for the record. The first being that Mr. Levandowski requested that they put in writing their new proposal. Mr. Andress stated that a letter was sent to the Supervisors and that Mr. Brian Campbell signed the letter stating that he is committed to doing those improvements. The Secretary stated that the Supervisors did receive a copy of the letter. Mr. Andress stated that the second note was that there was a question raised

about sewer capacity for the Cooper project. Mr. Address stated that a letter was sent to the Township in reference to this and that they have reserved for them sufficient capacity to take care of the Cooper project. Mr. Shelton asked Mr. Address if there was any more ground that he could buy that is located up from the Edwards property. Mr. Address stated that there are a few lots that are narrow and deep with road frontage.

Mr. Ragan reported on his memo and the two (2) spreadsheets. Mr. Ragan stated that the first spreadsheet puts together an estimate of what savings a developer will incur as a result of either eliminating or replacing certain types of development along Waterway and Mt. Pleasant Roads. It assumes that Twin Ponds is developed, Gray Property is developed, Cooper Tract is developed, Halverson and Edwards Tract is developed. It assumes that the Gray Property would have been developed the same way that the Twin Ponds and Cooper Subdivision was going to be developed on Waterway Road in that it would have curbs and sidewalks. The cost is associated with doing the Gray Property similar to the way Twin Ponds was proposed with curbs and sidewalks. The portion of Cooper along Mt. Pleasant Road and the Edwards and Halverson properties did not include curbs and sidewalks because in the original Cooper Plan we did not have curbs and sidewalks on the Mt. Pleasant portion of the Cooper Subdivision. Mr. Ragan stated that essentially we're looking at Twin Ponds, the Gray Property, Cooper property on both Waterway and Mt. Pleasant, the Edwards Property, the Halverson property, the Cooper Tract going south on Waterway from Mt. Pleasant – basically what could have been vs. what is proposing to be – what's eliminating – what's the value of that. This is in the first item. Mr. Ragan stated that the other item was that in the original Twin Pond's Subdivision there was a connector road that went out to Fifth Street called Stillwater Drive. The cost estimate that we have in the performance guarantee for the improved Twin Ponds Subdivision is for \$32,600.00. Mr. Ragan stated that all the figures added comes up to a total of \$166,070.00- the cost savings that the developer would incur by not having to do those items. This would be replaced with widening Waterway Road from Fifth Street to Mt. Pleasant with a cartway of 22 feet, having grass shoulders that would range between 6 to 8 feet. If they dropped below 6 feet they would have to have special permission from us. This would include digging the road out along each side, putting in proper sub base, stone, binder course, overlaying that entire 22 foot wide cartway and putting a wearing surface on top of that. Mr. Ragan stated that there could be one of two options. One option would be to go from 50 feet south of the intersection of Mt. Pleasant and Waterway to a point of the northern boundary of the Edwards property, properties that we had given credit for and that hydrants would be eliminated if he developed those properties, giving a total of \$220,983.50. Mr. Ragan stated that if we do it all the way to Grant Street, the Township would pick up the difference. Mr. Ragan stated that if we do agree to do this with the developer, that the best place to put this would be into the Performance Guarantee for Twin Ponds. This will be part of

doing the Cooper Subdivision and Twin Ponds Revised Subdivision to incorporate these changes to Waterway Road and to Stillwater Drive, the money is in a Performance Guarantee and we have an insurance package that the work gets done.

Mr. Goodley reported that the letter from Brian Campbell does not contain any substantive information about what is going to be done. Mr. Goodley asked Mr. Ragan if the substance of his estimates are all reflected on the plans. Mr. Ragan stated that the scope of work that is reflected in these cost estimates is shown true and accurate to what's in the cost estimate on the two respective plans. Mr. Ragan stated that the specific language and plans match the project they they are envisioning. Mr. Goodley stated that the secretary signed the letter and probably is not really legally binded. Mr. Andress stated that those improvements are represented on the plans. Ms. Russo asked for clarification in what's actually being eliminated. Mr. Ragan reported that on Mt. Pleasant we are eliminating curbs on the entire length. The sidewalks completely from the Chester Water Authority property to the Mt. Pleasant intersection, with the exception of in between the two roads into Twin Ponds, because it's likely that school buses will enter that subdivision. These sidewalks are reflected on the revised Twin Ponds plans showing that they are just back beyond the right-of-way. In addition to what's being replaced along Twin Ponds, Gray and Cooper side, we will now have the cartway widened to 22 feet. Mr. Olivieri stated that he would like everything reflected on the Final Plan. Mr. Ragan stated that our Solicitor has reviewed the concept. The contractual agreement is when we sign the final plans and get the Performance Guarantee in place. Mr. Miller questioned to why only doing 50 feet south on Mt. Pleasant, why not to the property line up on top of the hill. Mr. Andress stated that this would be a natural transition point. Mr. Shelton questioned as to why couldn't the project start at the bridge. Mr. Andress stated that it was a safety issue - there would be a 22-foot wide road with no transition going to the bridge.

Mr. Levandowski asked Mr. Andress if he would ask Mr. Campbell to have the president or the CEO of Greenpoint Farms, Inc. to sign the letter rather than the secretary.

Mr. Andress stated that when they have an approved Cooper Preliminary Plan, then they can go ahead and lock down the details - then there will be a final Cooper Plan and a Final Revised Twin Ponds to act on at the same time. Mr. Ragan stated that he would like to see these plans run concurrently.

3. Cooper Farm Subdivision

Mr. Ragan stated that given the current concern about accepting dedication of roads and sidewalks within the right of way, we might want to think about slightly reconfiguring how we are doing the sidewalks on this subdivision when it becomes a final plan. Mr. Ragan stated that the Planning Commission recommended Preliminary

Plan Approval to the Supervisors. Mr. Ragan stated that open Items 2 & 3 on his review have been resolved with respect to the end walls and details for the interior swales. Mr. Ragan stated that the other open item is the sidewalks, which can be addressed on the Final Plan. Mr. Alvin Miller stated that the Preliminary Plan should have everything on it before it becomes a Final Plan. Discussion took place in reference to lots and EDU's. Discussion took place again in relation to the improvements of Waterway Road. Mr. Miller questioned how long the Township will go without the developer providing recreation. Mrs. Rigby stated that she was told the Ordinance could not be enforced because we did not have a Parks & Recreation Plan. Mrs. Rigby questioned Mr. Goodley about passive recreation areas. Mr. Goodley stated that we have spent the last 15 months working on revising the way development occurs in the Township and the Recreation Plan is one aspect of that that we have not enacted yet. More discussion took place in reference to this. Mr. Horner stated for clarification that the provisions for parks and open space in the Ordinance are voided until we get the Park & Recreation Plan in place. Mr. Goodley stated that that was his understanding. Discussion took place in reference to granting waivers and Mr. Horner stated that once the Municipality adopts the Ordinance, we bear different tests that the applicant does. Mr. Miller stated that if a developer can negotiate a waiver, then we should be able to negotiate a waiver for something the Township wants.

Mr. Shelton asked Mr. Address when Waterway Road would be resurfaced. Mr. Address stated that it is possible it could be this coming year.

On Motion by Charles D. Shelton, seconded by Leo M. Levandowski, it was unanimously approved to grant Preliminary Plan Approval for Cooper Farm Subdivision.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Preliminary Plans were signed and dated.

Consider granting a waiver from Section 508 for Alan D. Reburn Subdivision

Mr. Ragan stated that this subdivision is a major subdivision because of the number of lots. Mr. Ragan stated that they had requested two (2) waivers. One for the requirement to send to the Chester County Conservation District for review. Mr. Ragan stated that he recommended that this waiver not be granted and the Planning Commission endorsed this. Mr. Ragan stated that part of this subdivision is in Jordan Run which is an exceptional value watershed. The second waiver is for Stormwater Management. Mr. Ragan stated that most of the runoff will run to the front of the property and the septic systems are in the front of the property. Mr. Ragan stated that there will be a slight increase in runoff coming off this property. Mr. Ragan stated that he does support this waiver and so does the Planning Commission. Mr. Ragan stated that the Planning Commission put a condition on this waiver that they analyze the

stormwater conveyance structures within so many feet of the property. Mr. Ragan stated that the Planning Commission recommended granting the waiver for the Stormwater Management Plan if they put these dry wells in size for the 100-year storm and if they did an analysis of these culverts to make sure that they would handle a 100-year storm and put in inlet catch basins there. An additional condition that was requested was that it is our understanding that the same developer is going to build the tract of land across the road. Mr. Ragan stated we want him to take the drainage area across the road, include that in his analysis for stormwater management and include that in the runoff. Mr. Crossan stated that if you ran the calculations based on the existing real conditions, the increases are insignificant because of the nature of the development and the topography of the land.

Mr. Crossan stated that they are no longer asking for a waiver from Section 402.05.E. Mr. Crossan stated that the plans have been forwarded to the Chester County Conservation District. Mr. Goodley stated that he still wanted to make a motion to deny this waiver.

On motion by Samuel A. Goodley, Jr., seconded by Leo M. Levandowski, it was unanimously approved to not grant a waiver from Section 402.05.E for Alan D. Reburn Subdivision.

Aye: Goodley, Levandowski, Shelton
Nay: -0-

Mr. Levandowski stated that the Planning Commission had recommended that the waiver from Section 508 be granted with the following conditions - that the developer includes additional stormwater management in the plan for the property across Sunset Road to address any pre- to post-development increases associated with the Reburn Subdivision. Mr. Crossan stated that he would like to request that they evaluate this property. Mr. Miller stated that every subdivision should be taken on its own merit.

On motion by Leo M. Levandowski, seconded by Samuel A. Goodley, Jr., it was unanimously approved to not grant a waiver from Section 508, Stormwater Management, for Alan D. Reburn Subdivision.

Aye: Goodley, Levandowski, Shelton
Nay: -0-

5. Consider approving Escrow Release #18 for Hunter Knoll in the amount of \$35,707.33

On motion by Samuel A. Goodley, Jr., seconded by Charles D. Shelton, it was unanimously approved to not release Escrow Release #18 for Hunter Knoll in the amount of \$35,707.33.

Aye: Goodley, Levandowski, Shelton
Nay: -0-

Comments from the Public

Mr. Olivieri stated that he and Ms. Russo will be doing research into traffic safety for East Nottingham. Mr. Olivieri wanted to know if it is permissible to have the Township Secretary send letters out to different agencies requesting information about traffic study. Mr. Ragan suggested that the Township consider looking into bringing on board a Traffic Planning Consultant. Mr. Shelton stated that he would like Mr. Olivieri and Ms. Russo to first look into the traffic safety issue. Mr. Goodley stated that the Township Secretary would be available to help both Mr. Olivieri and Ms. Russo.

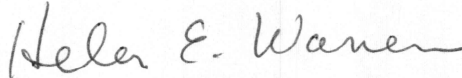
On motion by Charles D. Shelton, seconded by Samuel A. Goodley, Jr., it was unanimously approved to appoint Mr. Olivieri and Ms. Russo to do the research on traffic study for East Nottingham Township.

Aye: Goodley, Levandowski, Shelton

Nay: -0-

Being of no further business the meeting was adjourned at 8:55 p.m.

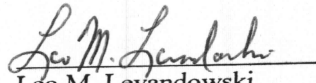
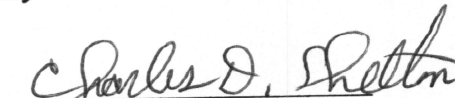
Respectfully Submitted,



Helen E. Warren, Secretary

APPROVED:

11-12-01
Date


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