

TREASURER'S REPORT - September 14, 1998

GENERAL FUND

Ck. Acct. Beg. Bal.

39,997.30

Deposits

Building Permits	3,125.94
Use & Occupancy	960.00
Mobile Home	100.44
Road Permits	610.00
Misc.	878.15
Books	45.00
Eng. Fees	1728.10
Subdivisions	615.00
Fines	434.57
Earned Income Tax	25,047.71
Transfer Tax	12,569.84
Del. P. C.	164.00
Taxes	5,534.73
Del. Taxes	<u>415.68</u>

52,229.16

92,226.46

Transfer to Money Market
Expenses for month of August

60,000.00

12,626.01

Bal. as of 9/1/98

19,600.45

Money Market Acct.

578,175.53

STATE

Ck. Acct. Bal. 8/1/98

98.88

No Activity - Bal. as of 9/1/98

98.88

Money Market Acct.

118,837.64

* CD's General Fund

300,000.00

Oxford, PA
September 14, 1998

The regular monthly meeting of the East Nottingham Township Board of Supervisors was held in the Township Building on September 14, 1998. The meeting was called to order at 7:00 p.m. by Chairman J. Roger Moran with Howard L. Mahan and Charles D. Shelton present. On motion by Charles D. Shelton, seconded by Howard L. Mahan, the minutes from the August 10, 1998 meeting were approved as presented.

Aye: Moran, Shelton, Mahan

Nay: -0-

Bills totalling \$141,457.89 were presented for consideration for approval. The Secretary reported that we received a bill from Gerald M. Pisano Excavation in the amount of \$600.00 which is not included in the above figure because it appears the bill is wrong. Mr. Pisano billed \$160.00 for the backhoe on Pugh Road on May 7 and this was paid on May 11. Also, on May 28 we were billed for 2 hours on Waterway Road and it is not reflected in the Roadworkers report that there was any pipe work done on this date. The bill showed 6 hours for pipe work on June 24 and 3 hours on July 3 which agrees with the Roadworkers' reports. It was decided to pay Pisano \$360.00 for June 24 and July 3 and get the bill straightened out for next month. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to pay all bills presented including \$360.00 to Pisano Excavation.

Aye: Moran, Shelton, Mahan

Nay: -0-

The following bills were approved for payment from the General Fund:

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
6379	PECO Energy	139.04
6380	Bell Atlantic	81.38
6381	AT & T	5.63
6385	Peoples Bank of Oxford	1,339.92
6386	Pa. Dept. of Revenue	144.02
6388	Ad Pro Inc.	125.00
6389	H. A. Berkheimer Inc.	581.27
6390	Postmaster, Oxford	85.00
6391	Winifred M. Sebastian	873.75
6392	County of Chester	330.89
6393	Cameron's	3.97
6394	Joseph H. Cowl	95.00
6395	Farm Plan	25.52
6396	Chester Water Authority	66.00
6397	Anita C. Gaul	570.15

Page 2 - Minutes of September 14, 1998 Meeting

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
6398	Goldie Enterprises	24.00
6399	B. F. I.	74.39
6400	Walker Oil	237.85
6401	Brandywine Auto Parts	47.41
6402	Oxford Agway	58.19
6403	Aramark Uniform Service	82.60
6404	D. M. Stoltzfus & Son	1,398.49
6405	Sico	280.99
6406	McMinn's Asphalt	23,933.23
6407	Doann E. Freese	354.20
6408	ADR Inc.	500.00

The following bills were approved for payment from the State Fund:

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
149	McMinn's Asphalt Co.	110,000.00

The following subdivision/land development plans were presented for consideration for approval:

A preliminary land development plan for Curtis Mason (Regester Associates Plan # M-710, Job # 22193 dated 4/2/98 last revised 7/22/98) for a small shopping mall containing 5 stores each having approximately 1,000 square feet of sales area adjacent to the Bellybusters Restaurant/Deli on Baltimore Pike. Mr. Andes has reviewed the revised preliminary plan and recommends approval as does the Planning Commission. On motion by Howard L. Mahan, seconded by Charles D. Shelton, the preliminary land development plan for Curtis Mason was approved as presented.

Aye: Moran, Mahan, Shelton

Nay: -0-

A final subdivision plan for Miller G. and Joyce B. McDowell (Regester Associates Plan # M-699, Job # 23175 dated 3/31/98, last revised 7/1/98) subdividing Tax Parcel # 69-6-151.3 containing 1.759 acres on Twin House Road into two lots. Lot # 1 contains 1.161 acres gross - 1.000 net and Lot # 2 containing 0.598 acres gross - 0.582 net. Lot # 2 is to be added to other lands of Miller McDowell which will increase the size of the other lands from 0.263 to 0.761 acres. The Board granted a waiver for this plan to allow the access strip for Lot # 1 to be 20 feet wide instead of 25 feet and this waiver is so noted on the plan. Mr. Moran signed the Sewage

Planning Module for a waiver of the planning requirements for the residual tract of this subdivision. On motion by Howard L. Mahan, seconded by Charles D. Shelton, the Miller McDowell final subdivision plan was approved as submitted.

Aye: Moran, Mahan, Shelton

Nay: -0-

A final subdivision plan for James Chamberlain (Concord Land Planners Drawing # 9814 dated 3/12/98, last revised 8/10/98 - Tax Parcel # 69-4-17) subdividing 5.121 acres into 2 lots. Lot # 3 contains 4.094 acres gross - 4.019 net with an existing dwelling and Lot # 6 contains 1.027 acres gross - 1.000 net with an existing barn and 2 car garage. Mr. Moran signed the Sewage Planning Module requesting a waiver of the planning requirements for the residual tract of this subdivision plan. On motion by Charles D. Shelton, seconded by Howard L. Mahan, the James Chamberlain 2 lot subdivision plan was approved as submitted.

Aye: Moran, Shelton, Mahan

Nay: -0-

The Secretary reported that the Township Solicitor has reviewed the new Road and Construction Improvement Agreement and Letter of Credit for the revised Tweed Crossing plan and advised it is okay to sign the Road Agreement and plans. The agreement and plans were signed.

Mr. James Arnold, Wayne Megill, Jr., and Eric S. Coates were present to bring the Board up-do-date on the status of the Hunter Knoll plan. Mr. Arnold reported that Megill Development Company will be doing this subdivision and they will be coming to the October meeting of the Planning Commission to present revised plans. The Secretary informed Mr. Arnold that if they want to discuss the revised plan with the Planning Commission at their October meeting, they need to get the revised plan submitted at least seven working days prior to the meeting.

The Secretary presented a letter from Kenneth Crossan requesting waivers from the East Nottingham Township Subdivision and Land Development Ordinance on behalf of his client, Ethel J. Coates, for the Hunter Knoll Estates Subdivision regarding the following:

A. Section 402.05G Traffic Study Impact. The Secretary reported that the Township Planning Commission's recommendation is that the waiver not be granted. Mr. Andes' recommendation is that the waiver request be approved because it is his opinion that the development will not have a major impact on the adjoining roads since the existing volumes are low. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to grant a waiver from having to comply with Section 402.05G requiring a Traffic Impact Study for any proposal having over 50 lots.

Aye: Moran, Shelton, Mahan

Nay: -0-

B. Section 502.11 Improvement of Existing Streets and Roads. The Township Planning Commission's recommendation is that the waiver request to be denied. Mr. Andes' recommendation was that the grading of the shoulders and installation of stormwater management facilities be required as they are important in keeping water flow off of the cartway and the wide shoulders provide an area for plowed snow. Mr. Andes does not feel the widening of the cartway is critical because the existing cartway is 18 feet or more. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to grant the waiver subject to the recommendations in Mr. Andes' July 20, 1998 letter being adhered to.

Aye: Moran, Shelton, Mahan

Nay: -0-

C. Section 504.01A requires a maximum block length of 1200 feet. Joseph Road from Glendale Road to David Way is 1,399.91 feet. The Township Planning Commission recommends that a waiver be granted to permit a block length of 1,399.91 feet for Joseph Road. Mr. Andes' also recommends a waiver be granted to allow the block length of Joseph Road to be 1,399.91 feet. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to grant a waiver from Section 504.01A to allow the block length of Joseph Road to be 1,399.91 feet.

Aye: Moran, Shelton, Mahan

Nay: -0-

A letter was received from Fronefield Crawford granting an extension to the Township's review period for the Locksley Glen Section I, Phase I, final plan through October 12, 1998. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to extend the review period for the Locksley Glen, Section I, Phase I, final plan through October 12, 1998.

Aye: Moran, Shelton, Mahan

Nay: -0-

The Secretary reminded the Board that they need to make a decision on Mr. Andes' August 31 letter regarding fire hydrants/water main extension on Baltimore Pike for Locksley Glen, Section I as well as other properties along Baltimore Pike and Waterway Road.

The Secretary reported that the eight fire hydrant applications for Wiltshire at Oxford need to be signed and returned to Chester Water Authority now that the plan has been approved and signed. Mr. Moran signed the applications and the Secretary is to return them to Chester Water Authority.

Page 5 - Minutes of September 14, 1998 Meeting

Field reports were received from Mr. Andes for the following developments: Country Meadows, Wiltshire at Oxford, and Robin Hill. Also received from Mr. Andes was a copy of a letter he wrote to Wilmer Hostetter concerning excessive run-off in Darlington Hunt, Phase II, during storms. Mr. Hostetter was directed to make repairs to the shoulders and have them seeded to establish a good grass stand.

An amended Letter of Credit for Wilmer and Joyce Hostetter for Darlington Hunt, Phase II, was received from the Fulton Bank. The original Letter of Credit was for \$623,350.83 and the Fulton Bank has issued a new Letter of Credit for \$351,251.73. Fulton Bank asked the Township to accept and acknowledge their amended Letter of Credit and return a signed copy to them. The Secretary reported that the original letter of credit does not expire until January 29, 1999 and this is the first time anyone has asked that the original Letter of Credit be amended to reflect the releases until the expiration date of the original Letter of Credit. Also, the Secretary reported that when the bank first called about reducing the original letter of credit, she explained that this was the first time for such a request and if Mr. Hostetter is requesting an amended letter of credit, he should first send a letter to the Township. Nothing happened after this until we received the amended letter of credit in the mail today. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to table this request until the October meeting.

Aye: Moran, Shelton, Mahan

Nay: -0-

The following roads were offered for dedication to the Township as public roads:

Glen H. Freese offered a Deed of Dedication for Anvil Road in the Forge Crossing Development. The Secretary reported that both the Township Engineer and Township Solicitor have reviewed all the documents submitted with this dedication request and everything is in order according to them. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to adopt Resolution No. 8-1998 accepting the Deed of Dedication for Anvil Road.

Aye: Moran, Shelton, Mahan

Nay: -0-

Megill Development Company offered the Deeds of Dedication for Montana Drive and Wyoming Circle in the Elk Valley Subdivision and Highland View Drive and Bryans Way in Heatherfields. The Secretary reported that the Township Solicitor informed her that neither the Deeds of Dedication for the roads in Heatherfields or Elk Valley were submitted in a form acceptable for recording and, therefore, she does not feel the Deeds of Dedication for the roads in either Elk Valley or Heatherfields should be accepted. Mr. Wayne Megill, Jr. of Megill Development Company was present and indicated the Township Solicitor would not return calls placed to her to resolve the issues. The Secretary reported that she does not know what transpired between the Township Solicitor and other people but she does know that there were

new documents delivered to the Township concerning these two roads on September 11, 1998 after 4 p.m. and to the Township Solicitor after that time. On motion by J. Roger Moran, seconded by Howard L. Mahan, it was unanimously approved to not accept the Deeds of Dedication for the roads in Elk Valley or Heatherfields.

Aye: Moran, Mahan, Shelton

Nay: -0-

Mr. Moran reported that the Township will not take the roads for another year.

Mr. Carl Eiselle, 115 Bryans Way, Heatherfields Development, registered a concern/complaint about the curbing along his property line. According to Mr. Eiselle, the curbing has cracks and chips and has been patched. Mr. Eiselle's concern is that he will be held responsible for repairing or replacing the curb as it deteriorates or if he would sell the property. Mr. Moran advised Mr. Eiselle that he does not have to worry about it for another year.

The Secretary reported that she recently learned that the driveway for Lot # 15 is on Highland View Drive and the address is 115 Bryans Way. Lot # 15 was assigned a Bryans Way address because that is where the driveway is showing on the plan. The Zoning Officer reported that the driveway permit was for Bryans Way and she did not think about the driveway being on Highland View Drive when the Use and Occupancy permit was issued. Mr. Megill was asked why he put the driveway on Highland View Drive instead of Bryans Way and he reported it was done at the request of the property owner. The Zoning Officer was instructed to make sure to check the driveway locations in the future. The Secretary reported that this is important because the address was given based upon the location of driveway and a different location on another street means the number has to be changed in West Chester for 911 purposes.

The Secretary reported that Paul Elser, Keystone Custom Homes, has requested that the driveway for Lot # 52 in Darlington Hunt, Phase II, be on Heron Drive instead of Quail Drive as shown on the plan. Mr. Andes looked at the lot and did not see a problem providing it would not require renumbering the lots on Heron Drive. The Secretary advised the address was given based upon the location of the driveway on the subdivision plan and every time a driveway location is changed it requires a change in West Chester with 911. On motion by Charles D. Shelton, seconded by J. Roger Moran, it was unanimously approved to require the driveway to be located as shown on the plan.

Aye: Moran, Shelton, Mahan

Nay: -0-

The Secretary was instructed to send a letter to Paul Elser advising him the driveway must be located as shown on the plan.

On motion by Howard L. Mahan, seconded by Charles D. Shelton, it was unanimously approved to adopt Resolution No. 4-1998 to contract with the Lewis Insurance Agency for a contract of annuity for the purpose of establishing a pension plan for all full-time employees of the Township.

Aye: Moran, Mahan, Shelton

Nay: -0-

The Secretary reported that Concord Land Planners submitted an easement plan for Keystone Wood Treating to correct the setback problem with their new building and because this was the first time an easement plan was ever submitted, the plan was referred to the Solicitor. The Solicitor sent a letter stating that an easement will not change the lot perimeter and will not change the setback line and this information was passed along to Concord and nothing has happened since.

The Secretary reported that on August 1, 1998 Megill Development Company was sent a six (6) month bill for the fire hydrants in Heatherfields and Megill has not paid the bill. The Secretary was instructed to send Megill another bill.

Mr. Alvin Miller advised the Board that the original Heatherfields subdivision plan required concrete monuments be placed on the East Nottingham/Lower Oxford Township line and he does not believe this has been done. Mr. Miller suggested to the Board that they find out if the approved plan designates that concrete monuments are to be placed on the Township line and if so, make sure they are there.

The Secretary reported that we received a check from DEP for \$1,784.22. This check represents a grant for 50% of the cost for revising our 537 plan for Baltimore Pike from Oxford Borough Line to Waterway Road. Mr. Moran signed the general invoice acknowledging receipt of the check and it will be returned to DEP.

The Secretary reported that the Township Solicitor sent us a copy of a letter she received from Mr. and Mrs. Donald Doolittle's attorney, Alan M. Kraut, regarding the bill we sent to the Doolittle's for the serviced rendered by Mr. Andes in connection with the Doolittle building permit application. Mr. Kraut indicated that he does not feel Mr. Doolittle should have been billed for the services of the Township's consultant. The Secretary is to contact the Solicitor about this letter.

A letter was received from Wayne Buckwalter, attorney for Richard Brewer, asking that the Township request PennDot to lower the speed limit on Route 272 to 40 mph in order to provide adequate site distance for a driveway on the Brewer property. Mr. Buckwalter also sent a letter to the Township Solicitor on this matter and she in turn sent the letter to the Township. The Secretary is to contact the Solicitor about this matter.

Three quotes were received for repairing the bridge on Woods Road. The following quotes were received: Gerald M. Pisano - \$18,000.00; I. F. W. Excavating \$19,500.00 and W. J. Castle - \$9,975.00. The Secretary is to contact the Solicitor to find out what should be done next.

On motion by J. Roger Moran, seconded by Charles D. Shelton, it was unanimously approved to hire W. J. Castle Co. to repair the abutment on the Woods Road bridge as per their quote for \$9,975.00

Aye: Moran, Shelton, Mahan

Nay: -0-

A letter was received from the County Assessment Office thanking the Township for providing addressing assistance with the County's E-911 system. The Secretary reported that Tim Kissell would like to have a date as to when this could be finalized. The date of December 1 was set. The Secretary is to have a letter printed to send to property owners advising them of their new address.

The Secretary read a letter from Amy French of Integrated Risk Management advising that East Nottingham Township has been dismissed from the Marie McQueen lawsuit. Mrs. McQueen was involved in an accident at the intersection of Fifth Street and Media Road and named the Township, PennDot, and property owners in the lawsuit.

The Secretary reported that the County Association Fall Convention is scheduled for November 12 at the Downingtown Country Club and reservations must be in by November 3, 1998.

The Secretary reported that a notice was put in the Chester County Press concerning applications being received for inclusion in the East Nottingham Township Agricultural Security Area and we only received one inquiry and that person never returned the application. The application period is over September 19 and after that the applications can be given to the various agencies for their comments.

The Secretary reported that Bruce McClure of the Oxford Area Sewer Authority has given the okay to sign the ADR Inc. designated User Sublicense Agreement and order the PECO/GIS Landbase Mapping tiles which is needed for the Regional 537 plan for the Oxford Area Sewer Authority. Mr. Moran signed the agreement and the agreement along with a check for \$500.00 will be sent to ADR Inc.

A letter was received from Foxco Insurance Management Services regarding their inspection of the Township property on June 22, 1998. There were several items which the Township must complete, such as exit signs over doors, fire extinguishers to be placed in certain areas, etc.

Page 9 - Minutes of September 14, 1998 Meeting

The semi-annual bulk trash disposal weekend was set for October 16 and 17. The Secretary is to advertise this in the Chester County Press and the Oxford Tribune and contact Jim Mark about containers.

Mr. Moran asked Mr. Shelton if he had gotten a quote on a computer. Mr. Shelton reported that he would take care of it.

Mr. Shelton asked if the drums were still on Wilson Mill Road. The Secretary reported that as far as she knows nothing has been done. Mr. Shelton is going to call Kevin Bowers at DEP.

Mr. Moran gave the Roadmaster's Report on work performed during the month of August.

Mr. Alvin Miller asked about the plans on the new building. Mr. Moran reported that they need to agree on what they want and need and move ahead with this project.

Mrs. Graul advised the Board she had some things to discuss with them after the meeting.

Being no further business, on motion by Charles D. Shelton, seconded by Howard L. Mahan, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Constance F. MacNeal
Constance F. MacNeal
Secretary

APPROVED:

Date

10/12/98

J. Roger Moran
J. Roger Moran

Howard L. Mahan
Howard L. Mahan

Charles D. Shelton
Charles D. Shelton

TREASURER'S REPORT - October 12, 1998

GENERAL FUND

Ck. Acct.

Beg. Bal. 9/1/98

19600.45

Deposits

Del. P. C.	16.50
Interest	984.58
Transfer Tax	8576.27
Misc.	30.00
Grant	1784.22
Fines	520.23
Mobile Home	68.40
Road Permits	300.00
Use & Occupancy	525.00
Building Permits	1788.28
Eng. Fees./Legal	678.75
Earned Income Tax	<u>20339.35</u>

35611.58

Less September Expenses

55212.03

34509.24

Bal. as of 10/1/98

20702.79

Money Market Acct.

580328.24

CD's

300000.00

STATE

Ck. Acct.

Bal. as of 9/1/98

98.88

Deposit - Transfer from M.M.

110000.00

110098.00

110000.00

Less September Expenses

98.88

Bal. as of 10/1/98

9496.18

Money Market Acct.

Oxford, PA
October 12, 1998

The regular monthly meeting of the East Nottingham Township Board of Supervisors was held in the Township Building on October 12, 1998. The meeting was called to order at 7 p.m. by Chairman J. Roger Moran with Howard L. Mahan and Charles D. Shelton present. On motion by Charles D. Shelton, seconded by Howard L. Mahan, the minutes from the September 14, 1998 meeting were approved as presented.

Aye: Moran, Shelton, Mahan

Nay: -0-

Bills totaling \$77,916.24 were presented for approval for payment. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to pay all bills presented.

Aye: Moran, Shelton, Mahan

Nay: -0-

The following bills were approved for payment from the General Fund:

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
6414	PECO Energy	145.35
6415	AT & T	5.74
6416	Bell Atlantic	84.15
6421	Union Fire Co. Vol. Fire Relief Assoc.	19,735.83
6423	Peoples Bank of Oxford	1,138.07
6424	Pa. Dept. of Revenue	126.67
6425	HAB-EIT	237.50
6426	PSATS UC Group Trust	183.04
6427	J. Roger Moran	307.06
6428	Howard L. Mahan	332.06
6429	Charles D. Shelton	332.06
6430	Anita C. Graul	572.54
6431	Constance F. MacNeal	4,180.59
6432	Winifred M. Sebastian	778.75
6433	Union Fire Co.	32,948.49
6434	Lincoln National Life Ins.	6,000.00
6435	Berkheimer Assoc.	491.23
6436	Chester Water Authority	66.00
6437	Trustees Ins. Fund	5,302.25
6438	Donnelly Transmissions	127.50
6439	Cumberland Truck Parts	13.94

Page 2 – Minutes of October 12, 1998 Meeting

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
6440	U. S. Municipal Supply	1,719.16
6441	Aramark Uniform Service	103.25
6442	SECCRA	120.00
6443	England's Hardware	16.42
6444	Holbrook Fire Protection	69.95
6445	Browning Ferris Ind.	74.39
6446	Cameron's	49.61
6447	Lester R. Andes	1,897.90
6448	Doann Freese	536.74
6449	G. M. Pisano	220.00

The following business was conducted regarding subdivision and/or land development plans or related matters:

A final land development plan for Curtis Mason (Register Plan # M-710 dated 4/2/98, last revised 9/9/98 – Tax Parcel # 69-2Q-010) for a building to house five retail sales stores each containing approximately 1,000 square feet of sales area. The Secretary reported that the Planning Commission recommends that the plan be approved. Mr. Andes recommended approval subject to financial security being posted and a financial improvement agreement being executed. On motion by Howard L. Mahan, seconded by Charles D. Shelton, it was unanimously approved to adopt Resolution 8-1998 approving the final land development plan for Curtis Mason.

Aye: Moran, Mahan, Shelton

Nay: -0-

A final plan for Edward Simpler (Concord Land Planners & Surveyors Inc. Project # 9837 dated 7/21/98, last revised 8/20/98 – Tax Parcel # 69-8-5) subdividing 39.57 acres into 2 lots. Lot # 1 contains 3.3116 acres with an existing dwelling and the remaining lands also with an existing dwelling. The Chester County Health Department required a Form B – Request for Non-Building Waiver – be signed by the Township because no building is proposed at this time. On motion by Howard L. Mahan, seconded by Charles D. Shelton, it was approved to sign the Form B – Request for Non-Building Waiver – for the Edward Simpler subdivision. On motion by Howard L. Mahan, seconded by Charles D. Shelton, the Edward Simpler final subdivision plan was approved as presented.

Aye: Moran, Mahan, Shelton

Nay: -0-

A final plan for Majesty Properties entitled Locksley Glen, Section I, Phase I for 39 residential lots off of Wedgewood Road (Reagis Project # 96045 – dated 6/20/98, last revised 9/11/98). The Secretary reported that the Planning Commission recommends approval of the plan based upon Mr. Andes' September 16, 1998 review letter. Mr. Andes' letter states that it appears the plan meets conditional approval for Section I/Phase I, subject to financial guarantee being posted and an agreement executed. The Secretary reported that we got a copy of a document that was filed in the Prothonotary's Office on October 8, 1998 advising them to mark the Majesty Properties versus East Nottingham Township case settled, discontinued and ended. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to adopt Resolution # 10-1998 approving the final subdivision plan for Locksley Glen, Section I, Phase I, contingent upon the applicant's/developer obtaining financial security as approved by the Township and executing the financial improvement agreement.

Aye: Moran, Shelton, Mahan

Nay: -0-

Messrs. Dick and Tom Dilsheimer were introduced to the Board as the developers of this project.

Escrow Release # 5 for Wilmer Hostetter for Darlington Hunt, Phase 2, in the amount of \$134,268.97 was presented for consideration for approval. On motion by Howard L. Mahan, seconded by Charles D. Shelton, it was unanimously approved to release \$134,268.97 from the Wilmer Hostetter Letter of Credit for Darlington Hunt, Phase 2.

Aye: Moran, Mahan, Shelton

Nay: -0-

A request from Fulton Bank to amend the Letter of Credit for Wilmer and Joyce Hostetter for Darlington Hunt, Phase II, from \$623,350.83 to \$351,251.73 was resubmitted to the Board. The Secretary reported that the Township Solicitor was asked to check into this and at this time has not made any recommendations as to how it should be handled. The Board tabled the request for the second time.

A letter was received from G. William and James R. Freese requesting that the review time for the Autumn Hill, Phase II, subdivision plan be extended until November 23, 1998. On motion by Howard L. Mahan, seconded by Charles D. Shelton, it was unanimously approved to extend the review time for the Autumn Hill, Phase II, subdivision plan until November 23, 1998.

Aye: Moran, Mahan, Shelton

Nay: -0-

A letter was received from Keystone Wood Treating requesting a temporary order reprieve from the Cease and Desist order dated September 24, 1998 from the Township Zoning Officer. The Cease and Desist order was issued because Keystone was using two new buildings

without a Use and Occupancy Permit for either building. Keystone did not erect one of the buildings at the location shown on the land development plan nor where it was staked out when the Zoning Officer checked setback lines. Therefore, the building did not meet the setback requirements and Keystone could not get a Use and Occupancy Permit to use the building. Keystone has submitted a subdivision plan trading land with Tipton Trucking Co. so they can meet the building setback regulations and is seeking a reprieve while the plan is going through the review process. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to give Keystone Wood Treating a reprieve from the Cease and Desist Order until the subdivision has been finalized.

Aye: Moran, Shelton, Mahan

Nay: -0-

The following requests were received asking for a waiver from having to do a land development plan for their proposed building or buildings.

Mr. Elmer Lapp requested a waiver for a barn and garage he is proposing to build on the farm he is buying from the estates of Anna Weaver and Robert Weaver. Mr. Lapp is subdividing off the main farm house and the lot where the mobile home is located. New farm buildings and a house will be built along Hilltop Road. Regester Associates plotted the location of the proposed buildings on the plot plan. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to grant Elmer Lapp a waiver from having to do a land development plan for his new buildings and dwelling. The Zoning Officer can issue a building permit for the barn.

Aye: Moran, Shelton, Mahan

Nay: -0-

A request from Henry R. Fisher asking for a waiver from having to do a land development plan for a 2,698 square foot shed on land he recently purchased off of Wilson Mill Road. On motion by Charles D. Shelton, seconded by J. Roger Moran, it was approved to deny Mr. Henry Fisher's waiver request. The Secretary is to notify Mr. Fisher that he must submit a land development plan for the shed.

Aye: Moran, Shelton, Mahan

Nay: -0-

A request from J. Raymond Harnish asking for a waiver from having to do a land development and soil erosion plan for a 75 x 151 foot hog barn. Mr. Harnish has been working on the building without a building permit and it is well underway. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to deny Mr. Harnish a waiver from having to do a land development plan. Mr. Harnish was told to not use the building until everything is straightened out.

Aye: Moran, Shelton, Mahan

Nay: -0-

A letter was received from Jeff Rutt, Keystone Custom Homes, asking the Board to reconsider their September 14, 1998 decision to not grant driveway access for Lot 52 in Darlington Hunt, Phase II, onto Heron Drive rather than on Quail Drive as shown on the approved subdivision plan. Last month the Board denied Rutt's request to change the driveway for Lot 52 to Heron Drive from Quail Drive unless Mr. Rutt revised the subdivision plan to show the driveway on Heron Drive. On motion by Howard L. Mahan, seconded by Charles D. Shelton, it was unanimously approved to not grant driveway access for Lot 52 in Darlington Hunt, Phase II, to Heron Drive unless the plan is revised to show the change. The Secretary is to notify Mr. Rutt of this decision.

Aye: Moran, Mahan, Shelton

Nay: -0-

Letters were received from the Township Engineer concerning trash in an existing drainage swale on the James Jones property. The trash is located in an existing drainage swale which drains into an existing drainage swale on the Robin Hill property. Mr. Andes feels this trash should be removed. Also received was a letter regarding Wilson Mill Estates. Mr. Nickey is not responding to previous letters Mr. Andes sent to him regarding the lack of compliance with the soil erosion and sedimentation control plan. Mr. Andes advised Mr. Nickey that if he fails to cooperate he is going to recommend to the Board that all permits be held until the plans are complied with.

The Secretary reported that Mr. Andes sent out letters to all property owners on Baltimore Pike from Wedgewood Road to Waterway and all Waterway Road residents from Baltimore Pike to 5th Street Road concerning the availability of fire hydrants. The installation cost would be \$1,500 during initial construction plus the yearly rental fee of \$396.00 per hydrant. Both the installation costs and yearly rental fee would be the responsibility of the property owner. Interested property owners were asked to contact the Township Secretary or Engineer.

Mr. Curtis Mason reported that Chester Water Authority will be billing privately rather than to the Municipality not too far in the future.

Field reports were received for the following projects: Robin Hill; Tweed Crossing; Wilson Mill Estates; and Darlington Hunt, Phase 2.

Three (3) fire hydrant application contracts were received from Chester Water Authority for Wiltshire at Oxford, Phase II. Mr. Moran signed the contracts and they are to be returned to Chester Water Authority.

Resolution No. 9-1998 abolishing Resolution No. 5-1998 outlining the procedure and fee for waiver requests from the East Nottingham Township Subdivision and Land Development Ordinance for land development plans was presented for consideration for approval. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to adopt Resolution No. 9-1998 abolishing Resolution No. 5-1998.

Aye: Moran, Shelton, Mahan

Nay: -0-

The 1999 SPCA Animal Control Agreement was received. The SPCA is offering two contracts: Contract # 1 is the Animal Protection Services Contract. The full contract provides that the SPCA will investigate all complaints of violation of the Dog Law and will pick-up and transport animals in violation of the Dog Law. The SPCA will charge a boarding fee of \$20.00 for any stray dog or cat taken to the SPCA by the public or any dog or cat taken by a police officer or animal control officer. Contract # 2 is a Stray Boarding Limited Contract. The boarding charge is \$35.00 and includes dogs, cats, or any stray animal. This includes goats, pigs, snakes, etc. The cost for the Animal Control Agreement is \$750.00 per year. The contract offer was tabled.

The Secretary reported that we need to have an Emergency Operation Plan on file with the Chester County Department of Emergency Services. Therefore, the existing plan was updated and it needs to be adopted and sent to the Department of Emergency Services. On motion by Howard L. Mahan, seconded by Charles D. Shelton, it was unanimously approved to adopt Resolution No. 11-1998 adopting the Updated Emergency Plan for East Nottingham Township.

Aye: Moran, Mahan, Shelton

Nay: -0-

A letter was received from SECCRA advising that they have a new rate schedule for the remainder of 1998. The new rate reflects a \$3.00 decrease in the tipping fee.

A letter was received from Wayne C. Buckwalter regarding Richard and Janet Brewer's property on Route 272. The Secretary reported that at the September meeting a letter dated September 4, 1998 from Wayne Buckwalter was discussed and she was instructed to contact the Township Solicitor and ask her to contact Wayne Buckwalter and explain the Township's position but apparently this never happened. The Secretary is to contact the Solicitor on this matter.

The Union Fire Co. No. 1 Municipal Fund audit for the year ending December 31, 1997 was received from the Union Fire Co.

A thank you letter was received from the Oxford Senior Center for the 1998 donation.

A quote was received from King Electrical Service to install explosion proof electric service to the fuel tank located in front of the maintenance building. The price was \$575.00. Mr. Moran reported that he feels we need to get another quote. Ritchie Electric Service is to be contacted for a quote.

A letter was received from Lt. Michael Kazlo concerning a new law enacted regarding false alarms. Persons using alarm devices are only permitted to allow three false alarms to occur in a 12 month period. A person that violates this law can be fined up to \$300.00

The Secretary reported that she advertised the application period for additions to the Agricultural Security Area and only received one call. The application was sent but never returned. The Board advised her to go ahead with sending the application out for review.

The Secretary reported that she received a complaint about weeds at 26 Lees Bridge Road and she sent a letter and it was returned – “unable to forward.”

Mr. Moran gave the Roadmaster's report for work performed during the month of September.

Mr. Shelton reported that he understands that we are going to have to change our road name signs because they don't meet the standards for 911. The Secretary reported that the people she has been working with never mentioned anything about the road name signs not being acceptable. Mr. Shelton advised he got his information from U. S. Municipal Supply. The Secretary is to check with Tim Cassell on this matter.

Mr. Jack Baughman asked about the light at Barnsley Chrome Road. The Board advised Mr. Baughman that we may have a problem because we recently learned that PennDot is probably not going to go along with including Waterway Road because the accident history at neither Barnsley Chrome or Waterway warrants signals. Mr. Andes is still working on this project so at this time nothing is definite.

Mr. Baughman updated the Board on the business of the Sewer Authority. The Authority is looking into refinancing the bonds and next in line is to construct septage dumping facilities for haulers. Mr. Baughman was asked about Oxford Borough getting the contract to operate the Sewer Authority. Mr. Baughman reported that the Borough did get the contract for three years but the contract will be looked at on a yearly basis. Also, Mr. Baughman reported that the hiring of Bruce McClure on a part-time basis has improved the operation of the Authority because McClure has a good working relationship with DEP and this is certainly a plus compared to the relationship between the Borough and DEP.

A request was received from Grace Taylor, age 86, to be exonerated from paying the 1998 per capita tax. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to exonerate Doann Freese, Tax Collector, from collecting the 1998 per capita tax from Grace Taylor.

Aye: Moran, Shelton, Mahan

Nay: -0-

The Zoning Officer, Anita Gaul, brought up several issues: (1) it is her understanding that agricultural accessory buildings do not need a land development plan. The land development plan is only needed if dirt is being moved, (2) concerning the Rigby letter – Mrs. Rigby was advised by the Solicitor that the delivery of one load of material does not constitute a business and that she should keep a record of the number of deliveries being made to the Doolittle property. Mrs. Rigby has never mentioned any delivery except one, (3) Mr. DeCarlo has never obtained a Use and Occupancy permit for the pool or for the porch he enclosed. She is to call DeCarlo, (4) Mrs. Gaul asked if Lauren Replogle is going to use the former Holston property as a residence only. Mr. Shelton advised that Replogle has been told that he cannot operate a body repair business from that location, and (5) Howard Wiley needs to get a permit for the mobile home he replaced.

The Secretary asked the Board if it suits to have a budget work meeting on November 2, 1998. The Board did not have a conflict and she is to go ahead and advertise the work meeting for November 2, 1998.

Being no further business, on motion by Charles D. Shelton, seconded by Howard L. Mahan, the meeting was adjourned at 9:10 p.m.


Respectfully submitted,



Constance F. MacNeal
Secretary

APPROVED: 11/9/98

Date


J. Roger Moran


Howard L. Mahan


Charles D. Shelton