

The East Nottingham Township Board of Supervisors met in the Township Building on January 6, 1997 to organize for the year and to conduct regular business for the month. The meeting was called to order at 7 p.m. by J. Roger Morgan with Howard L. Mahan and Charles D. Shelton present. On motion by Charles D. Shelton, seconded by Howard L. Mahan, J. Roger Moran was appointed temporary chairman and Constance F. MacNeal temporary secretary.

Aye: Moran, Shelton, Mahan ----- Nay: -0-

Mr. Moran assumed the chair and asked for nominations for Chairman. On motion by Charles D. Shelton, seconded by Howard L. Mahan, J. Roger Moran was appointed Chairman for 1997.

Aye: Moran, Shelton, Mahan ----- Nay: -0-

Mr. Moran then asked for nominations for Vice-Chairman. On motion by Charles D. Shelton, seconded by J. Roger Moran, Howard L. Mahan was appointed Vice-Chairman for 1997.

Aye: Moran, Shelton, Mahan ----- Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, Constance F. MacNeal was re-appointed Secretary/Treasurer; Planning Commission Secretary, which includes all subdivision work; and Secretary to the Agricultural Security Advisory Board for 1997 by a unanimous vote.

Aye: Moran, Shelton, Mahan ----- Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to re-appoint Lester R. Andes Township engineer for 1997.

Aye: Moran, Shelton, Mahan ----- Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to re-appoint Winifred M. Sebastian Township Solicitor for 1997.

Aye: Shelton, Mahan ----- Nay: -0-
Abstained: J. Roger Moran

(Mr. Moran announced that he was recusing himself from voting on this appointment because Winifred Sebastian is his sister).

On motion by Charles D. Shelton, seconded by Howard L. Mahan, Berkheimer Associates was re-appointed Earned Income Tax Collector for 1997 by a unanimous vote.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to re-appoint Berkheimer Associates Delinquent Per Capita Collector for 1997.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to re-appoint George A. Brutscher Solicitor for the Zoning Hearing Board for 1997.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to re-appoint Constance F. MacNeal Secretary to the Zoning Hearing Board for 1997.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to re-appoint G. William Freese to the Zoning Hearing Board for a 3 year term. The term ends 12/31/99.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to re-appoint Kathryn R. Moran to the Planning Commission for a four year term. The term ends 12/31/00.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to re-appoint Wayne E. Reisler to the Vacancy Board for 1997.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to re-appoint J. Roger Moran as Temporary Roadmaster for 1997.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to re-appoint Anita C. Grail as Zoning Officer, Mobile Home Park Administrator and Flood Plain Management Officer for 1997. The Zoning Officer is to be reimbursed for phone calls, mileage, and office supplies.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to pay all employees \$0.20 per mile for using their personal vehicle for Township business.

Aye: Moran, Shelton, Mahan

Nay: -0-

Jennings and Elville are to receive time and one-half for any time worked over 40 hours in a week; 10 paid holidays and five paid sick or personal days. Jennings has 1 week paid vacation and Elville gets 1 week after April 1, 1997.

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to set part-time wages at \$10.00 per hour for equipment operators and \$8.00 per hour for a laborer for 1997.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to use the Peoples Bank of Oxford as depository for all Township funds, including taxes collected by the Tax Collector for 1997.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to require two signatures on all checks - J. Roger Moran and Constance F. MacNeal with Howard L. Mahan as the alternate signer for checks and other banking matters for 1997.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to recommend to the Board of Auditors that the Treasurer's bond be set at \$300,000.00 for 1997.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to use the Chester County Press for advertising in 1997 with the Daily Local News as the alternate paper for advertising.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was approved to hold the 1997 regular monthly meetings on the 2nd Monday of each month at 7 p.m. in the Township Building.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, J. Roger Moran was appointed the voting delegate at the State Convention.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, wages for Jennings, Elvile, Graul and MacNeal were increased 3.5% ~~including~~ the wages for the Zoning Hearing Board Secretary. Mr. Moran reported that the increase is to be rounded to the nearest \$0.05.

Aye: Moran, Shelton, Mahan

Nay: -0-

Being no further business, on motion by Charles D. Shelton, seconded by Howard L. Mahan, the meeting was adjourned at 7:15 p.m.

Respectfully submitted,


Constance F. MacNeal
Secretary

APPROVED: 1/06/97

Date

J. Roger Moran
J. Roger Moran

Howard L. Mahan
Howard L. Mahan

Charles D. Shelton
Charles D. Shelton

The East Nottingham Township Board of Supervisors held their regular monthly meeting for the month of January in the Township Building on January 6, 1997. The meeting was called to order at 7:16 p.m. by Chairman J. Roger Moran with Howard L. Mahan and Charles D. Shelton present.

Bills totalling \$1,210.57 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. Mr. Mahan asked that we get something in writing from Tri-State Rentals stating that we have four hours credit for backhoe rental because we were billed for 8 hours and only used it for four hours. The Secretary is to call Tri-State to ask for a letter stating we have four hours backhoe rental credit.

Aye: Moran, Shelton, Mahan

Nay: -0-

The following bills totalling \$1,210.57 were approved for payment from the General Fund:

Ck. No.	To	Amount
5573	Ad Pro Inc.	107.34
5574	Cameron's	2.32
5575	Big A Auto Parts	149.78
5576	Azmark Uniform Service	92.75
5577	England's Hardware	.53
5578	Tri State Rentals	231.00
5579	Winifred M. Sebastian	92.75
5580	Lester R. Aades	533.10

A letter was received from Jim Mark of JMCW, Inc. extending the Township's review time for the Wiltshire Sewage Planning Module until March 14, 1997. Wiltshire is still waiting to hear from the Oxford Area Sewer Authority on how they are going to handle tapping fees, etc. On motion by J. Roger Moran, seconded by Howard L. Mahan, it was approved to extend the review time for the Wiltshire Sewage Planning Module until March 14, 1997.

Aye: Moran, Mahan

Abstained: Shelton

Nay: -0-

Mr. Jack Baughman reported on the proposed sewage extension to the Acme on Baltimore Pike. According to Baughman, the Acme is willing to pay for the line to their property. Mr. Baughman reported the Township must find a way to pay for the line and advised there is grant money available for municipal sewage. Also, Mr. Baughman reported that the Sewer Authority has applied to DEP for a stream discharge to Twosed Creek as a temporary fix to their storage capacity. Further Baughman reported that it has been suggested that the Authority start a 5 year plan to increase their capacity. Mr. Shelton asked if the Authority is going to make the Acme pay to have the Authority's engineer review the plan that Coleman Associates prepares for the Acme. Mr. Baughman could not answer the question but did indicate that the Acme's plan

would have to be reviewed by the Authority's engineer to make sure it meets the Authority's specs but they may waive the review fees.

Mr. Moran gave the Roadmaster's report for work done during the month of December.

It was decided that the Secretary would continue the practice of contacting subdivision applicants when the Township's review time is expiring for plans because the Township must reject the plan or it would be deemed approval. It is more economical for the Township to contact the applicant than have the Township Solicitor draft a letter giving particular details for the rejection.

Anita Graul reported that at the intersection of Mt. Olivet Road and Media Road there is a problem with the pipe. It appears the end is smashed and nothing will go through. Mr. Moran is going to take a look at this to see what the problem is and if it is a Township or State matter.

Mr. Kenneth Knapp asked about 911 addressing and was told we hope to have it done within 90 days. He also asked about an application for flood insurance and was told he would have to obtain this from his insurance company but we have met the guidelines which enables homeowners to purchase the insurance. Lastly, Knapp asked if the Township is going to do anything about the water problem on Lees Bridge Road. Mr. Moran advised Mr. Knapp that the Township is going to follow Mr. Andes' recommendations in the Spring. Mr. Knapp was not completely satisfied with Mr. Andes' recommendation and questioned why a plan was not implemented at the time the subdivision plan was approved. The Secretary reported that at the time the plan was approved there were not as many regulations nor a subdivision ordinance. Also, the plan indicates that each and every lot was to have a well and erosion control plan done by the lot owner before a building permit was issued.

Several residents from the Wyndham Hill Development were present to voice concern about the road and detention basins in the Development. They indicated that Megill has made several promises to take care of the problems but has not fulfilled his promises. They also expressed some dissatisfaction with the builder because of wet basements, etc. The Board advised that they will talk with the Township Engineer and Megill about the basins and road but problems with the houses is not a Township matter. They also raised several questions and expressed concern about the mushroom houses at the corner of Glendale Road and Route 472. The Zoning Officer reported that her last conversation with the Township Solicitor about this property resulted in the Solicitor saying that the mushroom houses have limited use for anything but growing mushrooms and if we deny them the right to grow mushrooms we may have a problem.

Anita Graul reported that mud, etc. is washing out on Elk Creek Road from the William Spencer driveway which is causing a problem for vehicles. Mr. Moran is going to talk with Mr. Spencer.

Mr. Jack Baughman asked the Township to help him run the sewer line from the Acme Markets property to his property at the intersection of Bamsely Chrome Road and Baltimore Pike. He suggested that the Board pass a mandatory hook-up ordinance which would require everyone along Baltimore Pike to pay and hook into the sewer. Mr. Shelton suggest to

Baughman that he contact Jim Mark because he previously expressed an interest in having public sewer on Bamsley Chrome Road. Mr. Shelton also asked Baughman to find out who along Baltimore Pike is interested in having public sewers. Baughman also suggested that the Township revise their 537 plan to provide for public sewers down Baltimore Pike which would allow the proposed Tweed Crossing development to be served by public sewers. Mr. Alvin Miller reported that what he heard about the Acme Markets paying for the sewer line and charging property owners, etc. does not sound right because it seems the Acme is forming an authority. Mr. Miller suggested to the Board that East Nottingham pull out of the Oxford Area Sewer Authority before they get in any deeper. The Board did not give Baughman an answer on passing a mandatory hook-up ordinance.

Mr. Baughman also asked that the Township write a letter to PennDot requesting a light be installed at the intersection of Baltimore Pike and Bamsley Chrome Road. Mr. Baughman reported that this intersection is a big problem because people do not stop and he knows of two accidents within one week. The Secretary reported that back in 1988 or 1989 Majesty Properties had a traffic study done on Baltimore Pike and the end result was that there was not sufficient traffic to warrant signals. Mr. Baughman volunteered to pay for the electric to operate the signal for as long as he owns the property at the intersection. The Board agreed to send a letter to Representative Art Hershey.

Mr. Howard Mahan thanked the people for coming to the meeting and indicated that the Board would like to see more Township residents come to the meetings regularly.

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

Respectfully submitted,

Constance F. MacNeal
Constance F. MacNeal
Secretary

APPROVED: 2/0/97
Date

J. Roger Moran
J. Roger Moran

Howard L. Mahan
Howard L. Mahan

Charles D. Shelton
Charles D. Shelton

TREASURER'S REPORT - February 10, 1997

GENERAL FUND

Checking Acct. Bal. as of 1/1/97	41,267.45
Deposits - None	
January Expenses	<u>51,70.76</u>
	36,096.69
Credit Account for Service Charge in Dec. which should not have been debited	<u>71.04</u>
Bank Bal. as of 2/1/97	\$ 36,167.73
Money Market Acct. as of 1/31/97	314,027.52
CD's	300,000.00
<u>STATE FUND</u>	
Checking Acct. Bal. as of 1/1/97	75.68
No Activity - Bal. as of 2/1/97	75.68
Money Market Acct.	14,675.48

The regular monthly meeting of the East Nottingham Township Board of Supervisors was held in the Township Building on February 10, 1997. The meeting was called to order at 7:03 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 December 30, 1996 special meeting, the January 6, 1997 organizational meeting and regular monthly meeting were approved as presented.

Aye: Moran, Shelton, Mahan

Nay: -0-

The Secretary reported that she contacted Tom Gouge from Tri-State Rentals requesting a letter stating that East Nottingham Township has four hours credit for backhoe rental because we were billed for a whole day and only used the machine for one-half day but he never sent anything as promised. Mr. Moran is going to Tri-State Rental and get a credit memo and then we will only pay for the time the machine was actually used. Also, the Secretary reported that Oxford Borough never sent us a copy of the bill they received from their insurance company for the workmen's compensation for the fire company.

Bills totalling \$14,486.22 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:

Ck. No.	To	Amount
5595	Peoples Bank of Oxford	1281.90
5596	Bell Atlantic	98.19
5597	AT & T	5.00
5598	PECO Energy	134.08
5599	Anita C. Graul	513.48
5600	Rodney Jennings	12.40
5601	Berkheimer Associates	137.51
5602	England's Hardware	37.87
5603	Aramark Uniforms	74.20
5604	Triangle Communications	2351.70
5605	York Building Products	416.85
5606	U.S. Municipal Supply	99.84
5607	McMinn's Asphalt	599.50
5608	Kauffman's Gas	614.98

Ck. No.	To	Amount
5609	Treasurer of Chester County	140.19
5610	Cargill Salt	1735.25
5611	D. M. Stoltzfus & Son	153.19
5612	Charles D. Shelton	152.98
5613	Sico Co.	614.14
5614	Pa. Dept. of Revenue	136.77
5615	Bill Mullias	35.00
5616	Cameron's	33.33
5617	Lester R. Andes	1979.30
5618	The Sico Co.	25.44
5619	Winifred M. Sebastian	750.00
5620	Joe W. Snow	23.46
5621	Brandywine Auto Parts	8.52
5622	Connie MacNeal	32.63
5623	Ad Pro Inc.	64.27
5624	Sico	144.95
5625	B. F. I.	141.70
5626	Rothwell Office Machine	1645.60
5627	Howard Fisher Plumbing	292.62

Mr. Moran announced that during 1996 the Board had executive sessions with the Township Solicitor, Township Engineer and Planning Commission for instructions on ordinances and will be meeting at various times this year to continue the instructions.

A letter was received from John Coldiron requesting an extension of time until April 14, 1997 to post the financial security for the public improvements for Wilson Mill Estates. On motion by Howard L. Mahan, seconded by Charles D. Shelton, it was unanimously approved to extend Mr. Coldiron's time to post the financial security for the public improvements for Wilson Mill Estates until April 14, 1997.

Aye: Moran, Mahan, Shelton

Nay: -0-

The Secretary reported that Mr. Andes reviewed the cost estimates for this project because of the time span since the original estimate and is recommending that the financial security be in the amount of \$233,251.93 rather than the original estimate of \$219,246.43. Mr. Andes sent a copy of the new financial security amount to Mr. Coldiron so he is aware of the new amount.

The Secretary reported that the School District has submitted the land development plan for the new athletic fields on Reisler Road and in doing so asked that consideration be given to the fact that sidewalks are not integral to a baseball field and are not included in their plans or budget. Mr. Mahan stated that he feels sidewalks are needed and in turn questioned Mr. Shelton as to his feelings. Mr. Shelton declined to comment stating that he owns the Reisler Farm which is adjacent to this land. Mr. Moran indicated that he also feels sidewalks are needed but perhaps they could wait to install them until the Wiltshire Development does theirs. On motion by Howard L. Mahan, seconded by J. Roger Moran, it was approved to require the School District to install sidewalks on Reisler Road where school property abuts Reisler Road.

Aye: Moran, Mahan

Nay: -0-

Abstained: Shelton

The Secretary is to advise the School District of this decision.

The Secretary reported that she received a call from Carl Pretz, Peoples Bank, wanting to know the amount needed for the escrow for Bethany Christian School. Mr. Andes recommended \$2,700.00 and the Peoples Bank will be giving us a new Letter of Credit for this amount to cover remaining work to be done.

The Secretary reported that the Sewage Facilities Planning Module for the Mill Pond Farm Development needs to be finalized so it can be sent to DEP when preliminary plan approval is given. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to adopt Resolution No. 2-1997 approving the Sewage Planning Module for Mill Pond Farm as a revision to the Township's Official Sewage Facilities Plan and submit it to DEP for its approval as a revision to the Township's Official Sewage Facilities Plan.

Aye: Moran, Shelton, Mahan

Nay: -0-

The Secretary presented the Ernest M. and E. Mitchell Delp two lot and one lot add-on final plan (Concord Land Planners Plan # 9644 dated 11/8/96, last revised 1/7/97) for consideration for approval. The plan subdivides 12.526 acres into 2 lots plus an add-on on Woods Road. Lot #3 contains 1.112 acres gross - 1.000 net; Parcel "A" containing 8,098 square feet as an add-on to the Francis C. and Cheryl A. Rendler property and remaining lands of 12.238. The add-on to the Rendler property is to correct a setback problem so there will be a side yard of 50 feet from the 50 foot right-of-way the Delp's are providing for access to the remaining lands. The Chester County Health Department required a Form B (Request for Non-Building Waiver) for the add-on parcel and a Form C (Residual Tract Waiver) for the 12.238 acre residual tract. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to sign Waivers B and C and the final plan for E. Mitchell and Ernest M. Delp.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to adopt Resolution No. 1-1997 outlining the public safety needs of East Nottingham Township and listing those agencies responsible.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Howard L. Mahan, seconded by Charles D. Shelton, it was unanimously approved to sign the agreement with Union Fire Company No. 1 to provide fire protection to East Nottingham in 1997 at a cost of \$29,225.00.

Aye: Moran, Mahan, Shelton

Nay: -0-

The Vision Partnership Program, Memorandum of Understanding, between Chester County and East Nottingham Township was received from the Chester County Planning Commission. This is a program whereby the Chester County Planning Commission wants to work with East Nottingham in our local planning activities in order to accomplish the goals of Landscapes - the Comprehensive Plan for Chester County - which the County Commissioners adopted in 1996. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to table the Memorandum of Understanding until a later date.

Aye: Moran, Shelton, Mahan

Nay: -0-

A copy of a letter Acer Engineering sent to James Hillard, N. M. Lake and Associates, regarding sewer capacity for the Wiltshire Development was received. According to the letter, the Oxford Area Sewer Authority has sufficient capacity for the Wiltshire Development.

A copy of a letter PennDot sent to Ronald Shepherd regarding water flowing onto Elkdale Road from his property was received. PennDot has given Mr. Shepherd fifteen days to contact PennDot's County Maintenance Office to discuss the problem.

A letter was received from Chester County Voter Services requesting permission to use the Township building on May 20 and November 4 as a polling place. The Secretary is to return the card indicating the building will be available on both dates.

Correspondence was received from the Chester Co. Association of Township Officials advising that the annual Spring convention will be held on March 6 at the Festivities, Exton. Reservations must be in by February 20, 1997.

The Secretary advised the Board that the 911 addressing that was done by the Department of Emergency Services is not any good. In many cases not enough numbers were left between properties to assign a number every 50 feet. In other cases, addresses do not correspond with where the driveway and/or lane is located and in some instances there was only one number

assigned for a property where there is more than one residence. Mr. Shelton suggested that we advise the County we will not be done by March 1. Mr. Moran questioned whether this is a good idea.

The Secretary reported that she has received proposals to add approximately 300 acres to the existing ag security area and will be advertising it next week because we only have 15 days to take action on the proposals. Also, the PIRMA representative will be here on March 5 at 10:00 a.m. to review the policies and update the coverage.

Mr. Howard Mahan recommended that we write a letter to Richard Breckbill about the tires that he was to have removed from the Bishop Nursing Home property on Crowl-Toot Road and has failed to do. The Secretary was instructed to send a letter to Bishop Nursing Home giving them 60 days to remove the tires and advise them that if they fail to do so, it will be turned over to the Township Solicitor.

The Secretary was asked to contact Ron Kepler, Lower Oxford Township, to find out if they closed their portion of Brick Street which has been abandoned for years.

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to have the Township Solicitor advertise the proposed revised Subdivision and Land Development Ordinance for a public hearing and send it out to Chester County Planning for their comments.

Aye: Moran, Shelton, Mahan

Nay: -0-

Mr. Jack Baughman reported that the Oxford Area Sewer Authority revised their rules and regulations to allow large developers to post a guaranteed letter of credit for the review of plans and installation of the sanitary sewer system rather than pay up front. The new regulations require so much down initially and 1/3 each year for two years. Mr. Baughman wanted to know if the Township would handle the escrow for the Sewer Authority. Again, Mr. Baughman asked if the Township would consider passing a mandatory hook-up ordinance. Also, Mr. Baughman reported that the engineering fees alone to run the line from the Acme to his property was estimated to be \$16,000. He also reported that the Township should update their 537 plan and there are funds available.

Mr. Moran gave the Roadmaster's report for the work performed in January.

Mr. Kenneth Knapp asked if we have heard anything from Sprint Spectrum since the hearing on the tower. The Board reported nothing at this time.

Mr. Andy Nevrincean asked if the dedication of Sherwood Drive has been done. Mr. Shelton advised that according to the Solicitor it will not be completed until the end of March.

The Eberle's from Wyndham Hill asked if the growing of mushrooms is going to resume in the mushroom houses at the end of Glendale Road. Mr. Shelton reported that they probably will be growing mushrooms there because there is not much else mushroom houses can be used for. The Eberle's questioned the legality of starting up the mushroom operation when the use had been discontinued several years ago. They also asked about additional housing. The Zoning Officer reported that she is going through the building and mobile home permits for prior years to see if she can find where a permit was issued for the mobile home and if so that mobile home could be replaced but otherwise additional housing would not be permitted.

A questions was raised about getting copies of minutes from prior meetings. The Secretary reported she can place minutes in the building.

Mr. Jack Baughman asked about the letter to PennDot regarding a traffic light at the intersection of Barnsley Chrome Road and Baltimore Pike. The Secretary reported that the Board is going to sign that letter tonight so it can be sent to PennDot.

Mr. Bob Muchback reported that the catch basin on the Chamberlain property is eroding and silt is draining on his property. The Board reported that they will contact Mr. Andes about this problem.

Mr. Muchback volunteered to help with the 911 addressing if we need assistance.

Being no further business, on motion by Charles D. Shelton, seconded by Howard L. Mahan, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,


Constance F. MacNeal
Secretary

APPROVED:

Date

2/10/97


I. Roger Moran


Howard L. Mahan


Charles D. Shelton

Oxford, PA
February 24, 1997

The East Nottingham Township Board of Supervisors held a Special Meeting in the Township Building on February 24, 1997 to consider for approval a minor subdivision plan for Heatherfields. The meeting was called to order at 9:00 p.m. by Chairman J. Roger Moran with Howard L. Mahan and Charles D. Shelton present.

The Secretary presented the minor subdivision plan for Lots 2 and 3 in the Heatherfields Subdivision (Lake, Roeder, Hillard and Beers Project No. 861474 dated 12/3/97) for consideration for approval. The plan adjusts the lot line between Lots 2 and 3 so the house on Lot 2 will meet the side yard setback requirements of the Zoning Ordinance. Also, the new lot line allows the driveway for Lot 2 to be on Lot 2 and not partially on Lot 3. Mr. Moran completed the Form B - Request for Non-Building Waiver - which the Chester County Health Department required. On motion by Charles D. Shelton, seconded by Howard L. Mahan, the Heatherfields minor plan changing the lot line between Lots 2 and 3 was approved as presented.

Aye: Moran, Shelton, Mahan

Nay: -0-

Mr. Howard Mahan suggested that we contact Richard Breckbill about the tires he promised to remove from the Bishop Nursing Home property on Crowl-Toot Road last year. The Secretary is to write Mr. Breckbill a letter informing him that the Board would like him to abide by his promise and remove the tires from the Bishop Nursing Home property on Crowl-Toot Road.

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to authorize the Secretary to pay the constable for delivering letters when the Board deems it necessary that the letter be hand delivered by a constable and not be mailed.

Aye: Moran, Shelton, Mahan

Nay: -0-

Being no further business, on motion by Charles D. Shelton, seconded by Howard L. Mahan, the meeting was adjourned at 9:35 p.m.

Respectfully submitted,


Constance F. MacNeal
Secretary

APPROVED: 3/10/97
Date

J. Roger Moran
J. Roger Moran

Howard L. Mahan
Howard L. Mahan

Charles D. Shelton
Charles D. Shelton

GENERAL FUND

Ck. Acct. Beg. Bal. as of 2/1/97	36,167.73
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Deposits

Snow Reimbursement	3486.00
Transfer Tax	15158.42
Eng. Fees/Legal Fees	589.35
Subdivisions	355.00
E.I.T.	27947.75
Del. P. C.	302.00
Tax Liens	684.45
Mobile Home Park Permits	927.50
Fines	231.42
Building Permits	1437.28
Use & Occupancy Permits	420.00
Mobile Homes	147.12
Road Permits	380.00
Sign Permits	10.00
Books	110.00
Miscellaneous	242.43

52,429.22

Less Transfer to M.M. Expenses for February	88,596.95
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Void Check 5578	59,000.00
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	17,977.31
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231.00

Correct error on Ck. No. 5618 add in	11,850.64
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	10.57
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Bal. as of 3/1/97	11,861.21
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Money Market Acct. CD's	373,881.16
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	300,000.00
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STATE FUND

Ck. Acct. Bal. as of 2/1/97	75.68
No Activity Bal. as of 3/1/97	75.68
Money Market Acct.	14,704.75

The regular monthly meeting of the East Nottingham Township Board of Supervisors was held in the Township Building on March 10, 1997. 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 February 10, 1997 regular meeting and the February 24, 1997 special meeting were approved as presented.

Aye: Moran, Shelton, Mahan

Nay: -0-

Mr. Allen Fowler, Fire Chief, Union Fire Company, gave a report on the 1996 fire and rescue calls they handled and thanked the Board for their cooperation with the Fire Company. Mr. Ron Griffin, Rescue Captain, reported on the number of rescue calls handled. Mr. Griffin reported that they will be buying a new ambulance this year. A question was raised as to what they do with the old ambulance and Mr. Griffin's response was that they either trade it in or sell. Mr. Ronald McDonough questioned if the purchase of a new ambulance is done on a bid process. Mr. Griffin reported it was put out for bid this year but this is not always the case. In a situation where there is a good relationship with a company they have purchased equipment from they will use them for a purchase and not solicit bids.

Mr. Roger Moran recognized a group of Township property owners along Baltimore Pike who were there to discuss the proposed sewer line on Baltimore Pike. Mr. Moran asked that they limit their time to 45 minutes. Mr. Curtis Mason was the spokesman for the group and presented petitions from those in favor of a public sewer line along with information on a proposed mandatory sewer hook-up ordinance. Mr. Mason reported that Acme Markets is going to run a sewer line from Valley Avenue to their store and other property owners along the Baltimore Pike corridor would like to see the Township pass a mandatory hook-up ordinance so it would be affordable to them to hook into the line. Mr. Mason indicated that time is very important to all concerned because PennDot is going to resurface Baltimore Pike in May and it is going to be cheaper to put the line in before the paving than after. Mr. Art Hershey reported that there are grants that will help low income people to hook into the line. Mr. Andes, Township Engineer, reported that he could not make any recommendations to the Board at this time because there has never been any cost estimates nor a plan submitted to the Township. Also, mandatory hookup ordinances are only required when a sewer authority is putting in the line and it is his understanding that the Acme is putting in the line. The Township Solicitor, Winifred Sebastian, also raised several questions concerning the Acme paying for installation of the line. According to Fred Williams, Acme's representative, the Acme is willing to pay for one-half of the cost for putting in a gravity line which would be capable of servicing all the properties along Baltimore Pike down to the Acme.

Mr. Howard Mahan brought up a letter which Richard Simpson had written indicating that Howard Mahan has a conflict of interest on the sewer line and should be prohibited from voting on this issue. Mr. Simpson stated that the conflict of interest is that Howard's brother, Harvey,

owns a house on Baltimore Pike and will probably be asked to pay for the sewer when it passes his house costing Harvey and possibly Howard money. Mr. Mahan reported that his brother does not own any property in East Nottingham Township and he does not want his family brought into this nor any more letters written indicating he has a conflict of interest on this issue. Mr. Moran reported that the Township will not be making a decision on this issue tonight because they need time to review all the material that was presented.

Mrs. Terry McCormick criticized the Board for the manner in which they handled this issue and indicated they acted as if their minds were already made up. Mr. Moran's response was that he has nothing against sewage but wants to look at everything and do the right thing.

Mr. Dave Shelton suggested that a special meeting be held to continue the discussion on this issue. On motion by Charles D. Shelton, seconded by Roger Moran, it was approved to hold a special meeting on March 31, 1997 to continue this discussion.

Aye: Moran, Shelton, Mahan

Nay: -0-

The Solicitor is going to take care of advertising this meeting.

Bills totalling \$11,150.61 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:

Ck. No.	To	Amount
5640	PECO Energy	
5641	Bell Atlantic	129.77
5642	AT & T	103.48
5643	Peoples Bank of Oxford	5.00
5644	Pa. Dept. of Revenue	1231.90
5645	Daily Local News	132.46
5646	Ad Pro Inc.	42.33
5647	Brutscher, Brutscher & Foley	69.32
5648	Ernest M. Delp	2086.24
5649	Joseph R. Taylor	61.98
5650	G. Wm. Freese	61.98
5651	Constance F. MacNeal	91.64
5652	Network Building	92.88

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
5653	Howard Wiley	445.58
5654	Berkheimer Assoc.	575.15
5655	Anita C. Graul	515.99
5656	Hastings Glass & Aluminum	72.50
5657	Kauffman Gas	306.21
5658	York Building Products	426.79
5659	Ven Mar	28.97
5660	Cargill Salt	1700.82
5661	Morgan-Rail Inc.	262.60
5662	Henry E. Martin	36.73
5663	England's Hardware	15.35
5664	Aramark Uniform Service	74.20
5665	Big A Auto Parts	215.90
5666	D. M. Stoltzfus & Son	133.20
5667	Cameron's	15.62
5668	U. S. Municipal Supply	31.51
5669	Winifred M. Sebastian	281.25
5670	Sico	362.76
5671	Martin Bradley	47.82
5672	Samuel Goodley	42.51
5673	Pamela mason	79.85
5674	B. F. I.	70.85
5675	Lester R. Andes	1098.34
5677	Doann E. Freese	139.15

The preliminary plan for Mill Pond (Register Plan # D-565 dated 11/15/96, last revised 1/20/97, Tax Parcel # 69-3-010.1) subdividing 12.151 acres into 10 lots on Locust Road was presented for consideration for approval. The Secretary reported that the Planning Commission recommends that the preliminary plan for Mill Pond be approved subject to an acceptable certification from the Army Corps of Engineers on the Wetlands Delineation Report. Mr. Douglas White reported that he contacted the Army Corps of Engineers concerning the wetlands certification report and was told it should be sent out within the next two weeks. On motion by J. Roger Moran, seconded by Howard L. Mahan, the preliminary plan for Mill Pond was approved subject to a satisfactory certification from the Army Corps of Engineers on the wetlands delineation report.

Aye: Moran, Mahan, Shelton

Nay: -0-

A final plan for Forge Crossing (Government Specialists Plan # Freeze-2-1996, dated 1/6/97, Tax Parcel # 69-5-36-2) subdividing 63.485 acres into 40 lots on Union Square Road. The Secretary reported that we received a letter from DEP indicating additional information is needed before they will approve the Sewage Planning Module. Also, minor changes will have to be made to the Public Improvements Agreement before it is satisfactory to the Solicitor. The Secretary asked if the plan can be approved without sewage approval from DEP. Mr. Andes advised that the PMPC (PA Municipalities Planning Code) states that DEP must approve the sewage planning module prior to final plan approval but the Board could give conditional approval. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to adopt Resolution No. 3-1997 approving the Forge Crossing final plan contingent upon DEP's approval of the Sewage Planning Module, financial security for the public improvements being posted, and an executed Road Improvement Agreement.

Aye: Moran, Shelton, Mahan

Nay: -0-

Two letters were received from Charles Wilkinson regarding the "Wiltshire of Oxford" final plan. One letter granted a 60 day extension for the review period for the Sewage Planning Module which would be until May 14, 1997 and the other a 60 day extension for the Wiltshire final plan review period which would be until May 22, 1997. On motion by Howard L. Mahan, seconded by J. Roger Moran, it was approved to extend the review period for the Wiltshire Sewage Planning Module until May 14, 1997 and the review period for the Wiltshire Final Plan until May 22, 1997.

Aye: Moran, Mahan
Abstained: Shelton

Nay: -0-

A letter was received from Brian Campbell requesting that the review time for the final plan for the Violet L. Featherman 32 lot subdivision be extended until June 10, 1997. On motion by J. Roger Moran, seconded by Howard L. Mahan, it was unanimously approved to extend the review time for the Violet L. Featherman 32 lot final plan until June 10, 1997.

Aye: Moran, Mahan, Shelton

Nay: -0-

The Secretary reported that she is holding Majesty Properties' subdivision application and that based upon Mr. Andes review, the final plan for Sections I and II should be considered preliminary plans and a new submission and not final as submitted by Majesty Properties. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to have the Solicitor draft a letter to Fromefield Crawford, the attorney for Majesty Properties, giving a detailed basis for the rejection of Sections I and II as final plans.

Aye: Moran, Shelton, Mahan

Nay: -0-

Letters were sent to the following developers regarding complaints received about erosion control problems: Thomas Biedekapp, Joseph Chamberlain, and Bethany Orthodox Presbyterian Church. Also, a letter was sent to Thomas Buchanan concerning the detention basin on Lot 42 in Section II of Wyndham Hill. Mr. Buchanan owns Lot 42 and would like the developer, Megill Development Company, to regrade the basin to conform to the detention basin design shown on the plan. Also a copy of a letter sent to Megill from Chester Water Authority was received. According to the letter, Megill is installing PVC service lines from the curb instead of copper which violates Megill's agreement with Chester Water Authority.

The Secretary reported that we received a letter from PennDot concerning our request for a traffic study to determine if there is sufficient traffic to warrant a signal at the intersection of Route 131 and Barnsley Chrome Road. Prior to taking any action, PennDot needs a completed application form and accident reports for the last three years. The Secretary reported that PennDot agreed to try to get the accident reports since we do not have a police department. The application is a resolution whereby the Township agrees to prepare an engineering drawing of the intersection, accept responsibility of the installation, and for maintaining the signal if approved. Mr. Andes estimated the cost of the drawing to be about \$3,000 and the installation of the signal to be between \$65,000 and \$100,000. The Board discussed this matter and decided that they should at least proceed with the study to find out if a traffic signal is warranted. On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to adopt Resolution No. 4-1997 - authorizing an application be sent to PennDot for a permit to install and operate a traffic signal at the Intersection of Route 131 and Barnsley Chrome Road.

Aye: Moran, Shelton, Mahan

Nay: -0-

A letter was received from Vincent Visoskas, Chester County Assessment Office, concerning our Municipal Street Index. This street index was prepared by RAM and the Assessment Office would like verification of the street names. The Secretary is to contact the Assessment Office concerning this list as not all the names are accurate.

The Board authorized the Secretary to send copies of the Zoning and Subdivision Ordinances to Natural Lands Trust at no charge.

A letter was received from Charles E. Staub, PennDot Municipal Services Supervisor for District 6-0, informing us of the Highway Turnback Program.

The audit on the 1996 Township records has been completed and the report mailed to the appropriate agencies as well as a copy to the Township. A letter was sent to each Supervisor concerning the accumulated capital as well as other issues.

The semi-annual bulk trash clean-up weekend was tentatively set for April 18 and 19. The Secretary is to check to make sure that these dates do not conflict with West Nottingham's. If this is a problem another weekend in April will be chosen. The Secretary is to advertise this in the Chester County Press.

On motion by J. Roger Moran, seconded by Charles D. Shelton, it was unanimously approved to advertise for bids for road materials and in-place construction work for opening at the April meeting with performance bonds to be 50% of total bid price for materials and 100% for in-place work.

Aye: Moran, Shelton, Mahan

Nay: -0-

On motion by Charles D. Shelton, seconded by Howard L. Mahan, it was unanimously approved to authorize the Township Solicitor to advertise a trash/rubbish ordinance for consideration for adoption in April.

Aye: Moran, Shelton, Mahan

Nay: -0-

It was announced that a public hearing on the proposed revisions to the Subdivision and Land Development Ordinance has been scheduled for April 23, 1997.

The Secretary reported that we did not receive any additional proposals for inclusion in the agricultural security area so, therefore, the proposals received will be sent out to the reviewing agencies for comments.

Mr. Roger Moran gave the Roadmaster's report on work performed in February.

Mr. Jack Baughman asked the Board to consider updating the 537 plan. Mr. Andes reported that it would be better to wait until after the Comprehensive Plan and the Zoning Ordinance has been revised. Also, Mr. Andes reported that DEP will advise us as to what needs to be done. If DEP is going to require water samples on wells, the cost to update the 537 will probably cost between \$25,000 - \$50,000 with 50% reimbursement if DEP approves it. Mr. Andes reported that he will be meeting with Glenn Stinson, DEP, on another matter and will inquire about what needs to be done.

Mrs. Ruth Sullivan asked if the Township could do something to stop the trees from being cut on the former Toot farm. The Board reported that this is private property and the Township cannot tell people what to do with their property.

Being no further business, on motion by Charles D. Shelton, seconded by Howard L. Mahan, the meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Constance F. MacNeal
Constance F. MacNeal
Secretary

APPROVED:

4/11/97

Date

J. Roger Moran

Howard L. Mahan
Howard L. Mahan

Charles D. Shelton
Charles D. Shelton

The East Nottingham Township Board of Supervisors held a special meeting in the Township Building on March 31, 1997 to discuss the sewer line which Acme Markets proposes to install along Baltimore Pike. The meeting was called to order at 7:10 p.m. by Chairman J. Roger Moran with Howard L. Mahan and Charles D. Shelton present.

Mr. Moran reported that Richard Simpson has asked that he be given a couple of minutes to say something then the meeting will be turned over to the Township Solicitor because she has a letter to read which may clear up any misunderstandings about the sewer line Acme is proposing to construct.

Mr. Simpson apologized to Howard Mahan and his brother Harvey for the letter he wrote to the Board which is as follows in part: "Because of a conflict of interest, I feel that Howard Mahan, a supervisor of East Nottingham Township, should be prohibited from voting at any time on the sewer line on Baltimore Pike running past the Acme. The conflict of interest is that Howard's brother, Harvey, owns a house on Baltimore Pike and will probably be asked to pay for the sewer when it passes his house costing Harvey and possibly Howard money." Mr. Simpson reported that it was never his intention to hurt anyone. Mr. Mahan accepted Mr. Simpson's apology.

Mrs. Winifred Sebastian, Township Solicitor, read a letter from Acme Markets which indicated the following: that they will be installing an eight inch gravity line to connect into the Oxford Area Sewer Authority on Valley Avenue. Further, that at no time has Acme Markets solicited or proposed mandatory connections to the sewer line for those along Baltimore Pike who wish to make connections now or in the future; and, we ask only that they pay their fair share of the cost of the line when and if they connect.

Mr. Paul Kavanagh asked who decides fair share. Mrs. Sebastian advised the Acme is going to install the line and dedicate it to the Sewer Authority and the fair share will be worked out between the Authority and the Acme. Reimbursement is based on an EDU charge.

Mr. Fred Williams of R. E. Coleman Associates who represents the Acme reported that they have estimates to run the line from \$284,000 to \$461,000 and this includes laterals across Baltimore Pike. It was estimated that it would cost each property owner about \$5,000 for this lateral and whatever other costs to connect from the lateral to their property.

Mr. Jack Baughman reported that he and three other people have hired Fred Williams to do a survey to find out what it would cost to run the line from the Acme down to Barnsley Chrome Road and that cost was estimated to be in the area of \$183,000 for the line. Mr. Lester Andes, Township Engineer, reported that he feels they would need a pumping station which could add to the cost.

Mr. Baughman asked the Board to consider entertaining a motion for a mandatory hookup ordinance. Mr. Kenneth Cameron asked that if there would be a mandatory hookup ordinance, would the property owner have to pay all at one time or could it be stretched out over a period of time. It was pointed out that the Township has various options which they could write into a mandatory ordinance and one could be to defer people over a certain age from hooking in until they sell their property.


A question was raised about the Sewer Authority running lines. Mr. Jim McLeod pointed out that when the Sewer Authority was formed the rules and regulations adopted prohibited the Authority from running lines. Mr. McLeod was asked if the rules and regulations could be changed and his response was that it would be almost impossible to change that policy.

Mr. Howard Mahan asked if the Sewer Authority is building or have they built a dumping station for the pumpers in the area. Mr. McLeod reported that nothing has been started.

Mr. Curtis Mason pushed the Board to give an answer as to whether the cost of \$5,000 was a fair amount. The Board declined giving an answer because they are not knowledgeable about the cost of running a sewer line. Mr. Lester Andes, Township Engineer, reported that the cost of \$5,000 is very good.

Being no further business, on motion by Howard L. Mahan, seconded by Charles D. Shelton, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,


Constance F. MacNeal
Secretary

APPROVED:

3/16/97
Date

J. Roger Moran
J. Roger Moran

Howard L. Mahan
Howard L. Mahan

Charles D. Shelton
Charles D. Shelton