

TREASURER'S REPORT - March 1994

GENERAL FUND

Ck. Acct. Beg. Bal. 3/1/94		8,139.50
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Deposits

Del. P. C. Taxes	296.50
E.I.T.	14771.67
Interest	813.52
Transfer Tax	2053.10
Fines	229.46
Taxes	4747.37
Bldg. Permits	203.80
Road Permits	108.30
Use & Occupancy	90.00
Mobile Home Parks	52.50

 23,416.22

31,555.72

Less March Expenses

21,353.82

Bal. as of 4/1/94

10,201.90

Money Market Acct.

145,795.46

CD's

300,000.00

STATE FUND

Ck. Acct. Beg. Bal. 3/1/94

164.90

No Activity - Bal. 4/1/94

164.90

Money Market Acct.

46,118.67

The East Nottingham Township Board of Supervisors met in the Township Building on January 3, 1994 to organize for the year and to conduct regular business for the month. Mr. W. Cheek called the meeting to order at 7 p.m. with J. Dean Cheek and the newly elected Supervisor - J. Roger Moran - present. Mr. W. Cheek welcomed Mr. Moran to his first night on the Board. Mr. J. Dean Cheek was appointed temporary chairman and Constance F. MacNeal temporary secretary.

Mr. J. Dean Cheek asked for nominations for Chairman. On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to appoint J. Dean Cheek Chairman for 1994.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Dean Cheek, it was approved to appoint J. Roger Moran Vice-Chairman for 1994.

Aye: W. Cheek, D. Cheek, R. Moran Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to re-appoint Constance F. MacNeal Secretary/Treasurer for 1994 at the same compensation as 1993 - 5% of all Township expenses.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to re-appoint Lester Andes Township Engineer for 1994.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Dean Cheek, it was approved to re-appoint Winifred Moran Sebastian Township Solicitor for 1994.

Aye: W. Cheek, D. Cheek Nay: -0-
Abstained: J. Roger Moran

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to re-appoint Berkheimer Associates Earned Income Tax Collector for 1994.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to re-appoint Berkheimer Associates Delinquent Per Capita Collector for 1994.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to set Richard Kurtz's 1994 wages the same as 1993 - \$10.25/hour.

Aye: W. Cheek, R. Moran, D. Cheek

Nay: -0-

The Secretary asked about the number of vacation weeks for Kurtz and in turn a question was raised as to the policy for vacations and when Costello first got two weeks. The Secretary reported that we do not have a vacation policy and as to when Ed starting getting two weeks she does not know.

On motion by J. Dean Cheek, seconded by J. Roger Moran, it was approved to give Richard Kurtz two weeks vacation in 1994.

Aye: D. Cheek, R. Moran, W. Cheek

Nay: -0-

Mr. J. Roger Moran recommended that a vacation schedule be set-up and as an example he suggested one week after one year employment, two weeks after three years, three weeks after seven years, etc. The Board is going to consider implementing such a policy this year.

Paid sick days remain at three and paid holidays at 10. Time and one-half will be paid after the employee works 40 hours. If the employee is sick and has sick time left that sick time would be considered as working. If the employee has used all the paid sick time and he is off he must work 40 hours before being paid over-time.

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to set the pay rate for part-time help in 1994 as follows: \$6.50/hr for a Laborer and \$8.00/hr. for a truck driver.

Aye: W. Cheek, R. Moran, D. Cheek

Nay: -0-

On motion by J. Dean Cheek, seconded by William R. Cheek, Jr., it was approved to appoint Pamela A. Mason as Auditor to fill the two year unexpired term of Lee Ann Price.

Aye: D. Cheek, W. Cheek, R. Moran

Nay: -0-

Mr. David Shelton questioned the appointment of an Auditor because it was his understanding that Ed Lobely was the elected auditor. According to Shelton there were two write-ins on the ballot with each write-in receiving one vote and Voter Services had a drawing and Ed Lobley was the winner. Mr. Dean Cheek reported that they are going to let the appointment of Mason stand and will look into the situation. The Secretary was asked to contact the Township Solicitor regarding this matter.

On motion by J. Roger Moran, seconded by William R. Cheek, Jr., it was approved to use the Peoples Bank of Oxford as depository for all Township funds, including taxes collected by the Tax Collector.

Aye: R. Moran, W. Cheek, D. Cheek

Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to require two signatures on all checks - J. Dean Cheek and Constance F. MacNeal.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to name J. Roger Moran as the alternate signer for checks and other banking matters.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to recommend to the Auditor's that the Treasurer's Bond be set at \$200,000.00.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to use the Chester Co. Press for advertising in 1994.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to use the Daily Local News as the alternate paper for advertising in 1994.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to hold the 1994 regular monthly meetings on the second Monday of each month at 7 p.m. in the Township Building.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, J. Dean Cheek was appointed as the voting delegate at the State Convention.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

Mr. Alvin Miller advised the Board that he feels they should only be paid for the monthly meetings they attend. In other words, for each month any Board member misses their \$375.00 quarterly compensation would be reduced by \$125.00. Mr. W. Cheek strongly objected stating that some months he may attend 4 or 5 meetings and then not be able to make the monthly meeting and he does not feel it proper that he not be paid for that month. Mr. D. Cheek advised Mr. Miller that they will consider his recommendation.

Mr. Paul Williamson asked the Board if they are going to do anything with Bill Spencer who is operating an excavation business from his residence which is in a residential district. Also, Williamson suggested that they check on the barn which Campbell built on his property on Little Elk Creek Road because there may be a problem with setbacks.

The Tax Collector asked that a notice be put in the Chester Co. Press concerning the deadline for paying taxes before they are turned over to the delinquent collectors. The Secretary is to take care of this.

Being no further business, on motion by William R. Cheek, Jr., seconded by J. Roger Moran, the organizational meeting was adjourned at 7:34 p.m.

The East Nottingham Township Board of Supervisors held their regular monthly meeting for January immediately following the 1994 organizational meeting. Chairman J. Dean Cheek called the meeting to order at 7:35 p.m. with William R. Cheek, Jr., and J. Roger Moran present.

Bills totalling \$1,381.27 were presented for approval for payment. On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to pay all bills presented.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

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

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
3928	Oxford Auto Parts	143.31
3929	Prewitt's Garage	25.00
3930	Kauffman's Gas	360.09
3932	Karasch & Assoc.	540.00
3933	Cameron's	24.12
3934	Winifred M. Sebastian	288.75

On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to adopt Resolution No. 1-1994 designating the agencies responsible for fulfilling the public safety needs in East Nottingham Township for 1994.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

A letter was received from Edgar Jefferis, Agent for John Coldiron, requesting that the review period for the Coldiron final subdivision plan be extended by 90 days in order to give Mr. Coldiron time to acquire escrow funds for the public improvements. On motion by William R. Cheek, Jr., seconded by J. Roger Moran, it was approved to extend the review period for the John Coldiron plan until April 12, 1994.

Aye: W. Cheek, R. Moran, D. Cheek Nay: -0-

The Roadmaster was not present to give his monthly report. Mr. R. Moran commented that he does not understand why Ed will not tell them why he won't come to the meetings and give his report.

Mr. A. Miller asked the Board about Levi Fisher adding the room to his house despite the fact that all the Township officials (Zoning Officer and Supervisors) had told him he could not do it and his only recourse was to go before the Zoning Hearing Board for a Variance. Mr. D. Cheek reported that the Zoning Officer has been in touch with Mr. Fisher and we will have to let the law take its course.

Mr. A. Miller raised concern about the high telephone bills and suggested that we look into the cost of having one answering service versus the voice mail box we have. Mr. W. Cheek is going to look into this.

The Board reported that they are looking into getting a time clock for the road workers. Mr. D. Shelton suggested that they consider using the same kind of a clock as he uses because it calculates time down to minutes and it makes payroll easy. Mr. Shelton is to call the Secretary to give her the name and address of where he purchased his.

Being no further business, on motion by J. Roger Moran, seconded by William R. Cheek, Jr., the meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Constance F. MacNeal
Constance F. MacNeal
Secretary

APPROVED: 1-31-94
Date

J. Dean Cheek
J. Dean Cheek

J. Roger Moran
J. Roger Moran

William R. Cheek, Jr.

TREASURER'S REPORT - January 1994

General Fund

Ck. Acct. Beg. Bal. 5,053.73

Deposits

Interest	775.83
Eng. Fees	386.20
Transfer Tax	4923.40
E.I.T.	1290.62
Del. P. C. Taxes	247.50
Subdivision	50.00
Misc.	212.00
Fines	459.77

8,345.32

13,399.05

Less January Expenses

9,781.79

Bal. as of 2/1/94

3,617.26

Money Market Acct.

145,172.94

CD's

300,000.00

State Fund

Ck. Acct. - Beg. Bal.

164.90

No Activity - Bal. as of 2/1/94

164.90

Money Market Acct.

45,921.75

The East Nottingham Township Board of Supervisors held a Special Meeting in the Township Building on January 31, 1994 for the purpose of discussing Community Development Block Grant applications for 1994 and to conduct any other business brought before them. The meeting was called to order at 7:01 p.m. by Chairman J. Dean Cheek with J. Roger Moran present.

Mr. Dean Cheek read a letter of resignation from William R. Cheek Jr. effective January 31, 1994. Mr. Cheek advised that his reason for resigning is due to personal as well as vocational conflicts.

Minutes from the December 29, 1993 Special Meeting and the January 3, 1994 Organizational Meeting and Regular Meeting were presented for approval. On motion by J. Dean Cheek, the minutes from the December 29, 1993 meeting were approved. On motion by J. Roger Moran, seconded by J. Dean Cheek, the minutes from the January 3, 1994 meetings were approved.

Aye: 12/29/93 - D. Cheek
1/3/94 - D. Cheek, R. Moran Nay: -0-

Mr. Dean Cheek reported that the Community Development Block Grant project we proposed is off because the income per person in the area surrounding the proposed project exceeds the Federal income guidelines to qualify.

Bills totalling \$3,831.40 were presented for approval for payment. On motion by J. Roger Moran, seconded by Dean Cheek, it was approved to pay all bills presented.

Aye: D. Cheek, R. Moran Nay: -0-

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

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
3946	Bell of PA	93.29
3947	Phila. Electric	164.55
3948	B.F.I.	51.00
3949	D. M. Stoltzfus	187.90
3950	Patricia Post	250.00
3951	Ad Pro	24.30
3952	Cargill Salt	3060.36

The Secretary presented the Emanuel F. Stoltzfus final plan (Crossan-Rainato Plan #87068-158 dated 12/2/93 - Tax Par. #'s 69-7-39.3 and 69-7-74.1A) subdividing 65.8873 acres into 2 lots on Woods Road for consideration for approval. Lot #1 contains 1.1056 acres gross - 1 acre net with an existing dwelling and Lot #2 the remaining lands of 64.7817 acres. Mr. Stoltzfus proposes to build a dwelling on the south side of Woods Road. An existing water supply on the north side of Woods Road is to be tied into the new dwelling. The Secretary reported that the Planning Commission is not happy with this proposed water supply but this is governed by the Chester Co. Health Dept. and therefore they cannot deny plan approval for this

reason; but the Health Dept. was contacted and they advised that the existing well must meet today's standards and be tested before Stoltzfus gets permission to use the existing water supply for the new dwelling and if he can't meet the standards then he would have to drill a separate well. On motion by J. Roger Moran, seconded by J. Dean Cheek, the Emanual Stoltzfus plan was approved as presented.

Aye: D. Cheek, R. Moran

Nay: -0-

Two escrow fund releases for the Meadowbrook Subdivision were presented for approval. Application No. 5 in the amount of \$42,318.02 was for road construction work and Application No. 6 in the amount of \$766.46 was for inspection and engineering fees. On motion by J. Roger Moran, seconded by J. Dean Cheek, it was approved to release funds from the Letter of Credit for Application No. 5 and Application No. 6.

Aye: D. Cheek, R. Moran

Nay: -0-

Mr. Dean Cheek reported that the road projects being considered for this year are: rebuild Waterway Road from Tweed Road to Twin House which includes widening, a base course and a wearing course; a wearing course to be placed on Waterway Road from Rt. 131 to Tweed Road, King James Circle, Woodview Lane, Frog Hollow Road from Rt. 472 to Neyman's chicken house and Greenhouse Road from Chromo to the Bell property; a tar and chip application on Barren Road, Election Road, Union Square between Forge and Rt. 272, Graves Road, Frog Hollow between Little Elk Creek and Waterway, Woods Road from Pugh Road to Rt. 472; Oaks Road from Twin House to Union Square and Twin House from Oaks Road down to the dead-end.

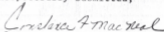
Mr. Alvin Miller questioned the Board as to why we aren't mixing sand with our deicing materials because sand will absorb the salt water and penetrate into the cracks in the road. He also suggested that calcium be used with the salt when the temperatures drop. Mr. Dean Cheek thanked Mr. Miller for his recommendations.

Mr. Joseph Muzzi was present to discuss with the Board the possibility of subdividing Lot #39 in the Fox Chase Subdivision on Lees Bridge Road. This lot contains 6.2 acres and is being used for the keeping of horses which makes it a non-conforming agricultural lot. The Secretary reported that last fall Chester Diem of Register's asked if this lot could be subdivided and the barn still be used for horses and she in turn contacted the Township Solicitor and the Solicitor's answer was "no" - a non-conforming agricultural lot cannot be further reduced in size and still be used as a non-conforming agricultural lot. Mr. Muzzi has a total of 12.2 acres but there are four parcels involved. The Board gave Mr. Muzzi the same advice as the Planning Commission and that was: in order to subdivide a lot off of the 6.2 acre parcel and keep the horses all the parcels would have to be combined into one and then 10 acres be subdivided off for the agricultural use. Mr. Muzzi complained about water running off of Lees Bridge Road down across his property causing damage. The Board advised Mr. Muzzi that they will take a look at the problem. The Secretary pointed out that the original subdivision plan for this property has a note on it stating that no construction is to take place in the natural drainage swale on Lot #39 and this should be looked into because it may be that Mr. Muzzi will not be able to have the 50 ft. r.o.w. for the proposed lot at the location shown on the

first plan that he submitted back in April 1993 as a sketch. The Secretary is to contact the Township Solicitor to get her interpretation of the note on the plan and then call Mr. Muzzi.

Being no further business, on motion by J. Roger Moran the meeting was adjourned at 8:13 p.m.

Respectfully submitted,


Constance F. MacNeal
Secretary

APPROVED: 2-14-94 J. Dean Cheek
Date J. Dean Cheek

J. Roger Moran
J. Roger Moran

The regular monthly meeting of the East Nottingham Township Board of Supervisors was held in the Township Building on February 14, 1994. The meeting was called to order at 7:05 p.m. by Chairman J. Dean Cheek with J. Roger Moran present.

On motion by J. Roger Moran, seconded by J. Dean Cheek, Charles D. Shelton was appointed to fill the vacancy on the Board.

Aye: R. Moran, D. Cheek

Nay: -0-

Mr. Shelton did not immediately take the seat on the Board because the Notary scheduled to be present to administer the oath had not arrived at the time the appointment was made.

The following business was conducted while awaiting the arrival of the Notary:

On motion by J. Roger Moran, seconded by J. Dean Cheek, the minutes from the January 31, 1994 Special Meeting were approved as presented.

Aye: R. Moran, D. Cheek

Nay: -0-

The Auditor General's audit report for the Union Fire Co. No. 1 Volunteer Firemen's Relief Association for fiscal years 1991 and 1992 was received. The Auditor General pointed out that this audit report is public information and must be made available for examination by all interested citizens.

A petition was received from the residents of Brick Road asking that Brick Road be better maintained by plowing and salting the road on a regular basis. According to information contained in the petition both East Nottingham Township and Oxford Borough pass the "buck" as to responsibility for maintenance. Mr. Dean Cheek asked the Roadmaster to address this matter. Mr. Costello reported that East Nottingham Township only takes care of the portion of the road that is in East Nottingham and that the plowing is done the same as any other road in the Township. Mr. Roger Moran reported that he inspected Brick Road at 8:15 a.m. on February 3 and his observation was that the East Nottingham Township portion of Brick Road looked good. Mr. Costello reported that there is a drainage problem on the section of Brick Road which is totally within Oxford Borough and because of this water collects and freezes.

The Secretary reported that the Spring County Convention for Township Officials is scheduled for March 3 at the Festivities in Exton and reservations must be made by February 24.

Mr. Costello, Roadmaster, gave his monthly report. Mr. Costello reported that since the end of December almost all of their time has been devoted to keeping up with the weather. Also, he reported that there have been some mechanical problems with the grader and the 1900 truck transmission and both are being repaired.

Mr. Kenneth Knapp, Lees Bridge Road, registered a complaint about water running off of the road down on his property. Mr. Knapp reported that this has been an on-going problem but was abated to some degree several years ago when the Township cut ditches and diverted the water. But now the problem has come up again because there has not been any ditch work done. Also, Mr. Knapp reported that Lees Bridge Road gets a lot of run-off from Forge Road which adds to an already bad drainage problem. The Board advised Mr. Knapp that they will investigate the situation. During the public comment period of the meeting, Mr. Knapp asked that the Township contact Soil Conservation and PennDOT to have them come out to assess the problem and help work out a solution.

At 7:20 Mrs. Maryann Reisler administered the Township Officer's Oath of Office to Mr. Shelton and he then assumed a seat on the Board.

The 1994 contract with the Union Fire Co. to provide fire protection to East Nottingham Township for the sum of \$26,218.40 was presented for consideration. The Board inquired as to whether the Fire Co. ever provided the Audit requested. The Secretary reported that an audit was provided for the equipment fund but nothing for the general fund. Mr. Dean Cheek suggested that we continue to try to get an audit but accept the contract and in turn made a motion to accept the contract. The motion failed due to the lack of a second. Mr. Dean Cheek reported that he understands that the Fire Co. is having a problem getting an audit from their accountant. It was suggested that the Board have the Solicitor write a letter to the Fire Co. requesting a copy of their audit. On motion by Charles D. Shelton, seconded by J. Roger Moran, the 1994 Union Fire Co. contract was tabled until they find out about the Audit report.

Aye: C. Shelton, R. Moran, D. Cheek
Nay: -0-

Two escrow fund releases for the Meadowbrook Subdivision were presented for approval. Application No. 7 in the amount of \$88.19 was for engineering/inspection fees and Application No. 8 in the amount of \$1,509.21 was for utility trench work. On motion by Charles D. Shelton, seconded by J. Roger Moran, the release of funds from the Letter of Credit for Application Nos. 7 and 8 was approved.

Aye: C. Shelton, R. Moran, D. Cheek
Nay: -0-

Bills totalling \$8,472.01 were presented for approval for payment. On motion by J. Roger Moran, seconded by Charles D. Shelton, all bills presented were approved for payment.

Aye: R. Moran, C. Shelton, D. Cheek
Nay: -0-

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

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
3959	Berkheimer Assoc.	
3960	Winifred M. Sebastian	32.91
3961	Anthony W. D'Onofrio	214.50
3962	Browning Ferris Industries	42.50
		51.00

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
3963	Karasch & Assoc.	174.25
3964	County of Chester	1500.00
3965	Time Recorders Unlimited	318.00
3966	Hastings Glass	12.00
3967	Brandywine Auto Parts	6.51
3968	Kauffman Gas	506.34
3969	Cameron's	4.79
3970	Ag Ind. Equip. Co.	19.23
3971	Oxford Auto Parts	65.74
3972	Oxford Grain & Hay	1086.67
3973	D. M. Stoltzfus & Son	1643.49
3974	Wm. R. Cheek, Jr.	110.69
3975	Peoples Bank of Oxford	1375.03
3976	Giles & Ransome	55.20
3977	Pa. Dept. of Revenue	151.17
3978	Anita C. Gaul	448.90
3979	Oxford Grain & Hay	21.28

Mr. Dean Cheek reported that the Oxford Area Regional Co-op will be meeting soon and this new Board will decide whether to join the Co-op or bid for materials on our own.

Mr. Dean Cheek reported that we are working with the Co. Dept. of Emergency Services and the Post Office on 911 addresses and the County is trying to get information from RAM so we can move ahead with assigning addresses.

Mr. Dean Cheek asked for a motion to direct the Township Solicitor to proceed with enforcement procedures against Steve Seivwright and Levi Fisher because of zoning violations. Prior to any action it was suggested that the Secretary explain what has happened in these two situations. The Secretary felt it would be better for the Zoning Officer to explain what happened. Mrs. Mills explained the problems and also reported that these persons were given proper notices and the opportunity to respond and/or correct the violations and neither have done anything. On motion by J. Roger Moran, seconded by Charles D. Shelton, the Township Solicitor was directed to proceed with enforcement procedures against Steve Seivwright and Levi Fisher.

Aye: R. Moran, C. Shelton, D. Cheek Nay: -0-

It was reported that in order to meet DER regulations on underground storage tanks we need to advertise for bids to remove the underground tanks here at the building. Mr. R. McDonough questioned the size of the tanks and then reported that any tank with a capacity of 1000 gallons or less is not regulated by DER and therefore we are not obligated to remove them. The Board instructed the Secretary to contact DER to find out what our obligations are concerning this matter.

A request was received from Kelly Derr to be exonerated from paying the 1992 and 1993 per capita tax because he is a student at Millersville University. On motion by J. Roger Moran, seconded by Charles D. Shelton, the Tax Collector, Doann Freese, was exonerated from collecting the 1992 and 1993 per capita tax from Kelly Derr.

Aye: R. Moran, C. Shelton, D. Cheek Nay: -0-

Mr. Joseph Muzzi requested that he be given a letter to confirm that the Township Secretary told him that no construction is to take place in the natural drainage swale on Lot #39 in the Fox Chase Subdivision as per a note on the plan. The Board advised Mr. Muzzi that the information he is requesting is written on the subdivision plan and they will not put it in writing. Mr. Muzzi insisted that he be given this letter because he will need it when he goes against the Township as his Engineer has informed him the water can be diverted from the swale. The Board advised Mr. Muzzi that on the advice of the Township Solicitor they are recommending to him that he contact DER concerning the natural drainage swale on his property because this is under their jurisdiction.

Mr. & Mrs. Larry Nead complimented the Board on the good job the road crew did during the last snow storm. The Board thanked the Nead's for their thoughtfulness.

Mr. Wayne Reisler raised a question about a cluster housing ordinance in the Township. The Secretary informed Mr. Reisler that the proposed changes to the zoning and subdivision ordinances does not include any provisions for cluster housing but does include the proposal to increase the density in R-2 from 2 to 3 units per acre with certain conditions. Mr. Reisler then questioned Dean Cheek about promising to look into a cluster ordinance to replace the PRD when it was eliminated and that was almost three years ago. Mr. Cheek apologized for the delay stating that he thought it would just fall into place. Mr. Cheek promised that they would push cluster as hard as they can.

The Zoning Officer, Anita Graul, asked the Board to consider modifying the definition of agriculture as it relates to the keeping of animals. She used as an example the need for 10 acres to have one duck, chicken, goose, etc. as a pet. Mr. Wayne Reisler asked the Board what happens in a situation where an Amish has one acre with a dwelling and horse which he uses for transportation. The Board suggested to the Zoning Officer that she express her concerns to the Planning Commission on the 28th because they will be discussing this issue at that time.

Being no further business, on motion by J. Roger Moran, seconded by Charles D. Shelton, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Constance F. MacNeal
Constance F. MacNeal
Secretary

APPROVED 3-11-94

J. Dean Cheek
J. Dean Cheek

J. Roger Moran
J. Roger Moran

Charles D. Shelton
Charles D. Shelton

TREASURER'S REPORT - February 1994

General Fund

Ck. Acct. Beg. Bal.		3,617.26
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Deposits -	E.I.T.	11,108.01	
	Transfer Tax	4,332.58	
	Fines	229.80	
	Tax Liens	618.22	
	Misc.	19.50	
	Bldg. Permits	280.50	
	Use & Occup. Permits	140.00	
	Rd. Permits	140.00	
	Mobile Home Park Permits	280.00	
			<u>17,148.61</u>

20,765.87

Less February Expenses

12,626.37

Bal. as of 3/1/94

8,139.50

Money Market Acct.
CD's145,468.06
300,000.00State Fund

Ck. Acct. Beg. Bal.		
No Activity - Endning Bal. 2/28/94		164.90
		164.90

Money Market Acct.

46,015.10

The regular monthly meeting of the East Nottingham Township Board of Supervisors was held in the Township Building on March 14, 1994. The meeting was called to order at 7:01 p.m. by Chairman J. Dean Cheek with J. Roger Moran and Charles D. Shelton present. On motion by J. Roger Moran, seconded by Charles D. Shelton, the minutes from the February 14, 1994 meeting were approved as presented.

Aye: D. Cheek, R. Moran, D. Shelton Nay: -0-

Bills totalling \$17,194.71 were presented for approval for payment. On motion by Charles D. Shelton, seconded by J. Roger Moran, it was unanimously approved to pay all bills presented.

Aye: D. Cheek, R. Moran, D. Shelton Nay: -0-

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

<u>Ck. No.</u>	<u>To</u>	<u>Amount</u>
3990	Bell of PA	
3991	PECO Energy	85.67
3994	Peoples Bank of Oxford	192.39
3995	Pa. Dept. of Revenue	1251.81
3996	Clearview Business Machines	144.19
3997	Winifred Sebastian	390.00
3998	Berkheimer Assoc.	115.00
3999	Lester R. Andes	360.76
4000	Prewitt's Garage	156.10
4001	Kauffman Gas	759.49
4002	B.F.I.	323.80
4003	J&L Tire	51.00
4004	Cargill Salt	139.30
4005	Municipal Supply	1648.14
4006	Brandywine Auto Parts	464.00
4007	Oxford Auto Parts	149.81
4008	Cameron's	181.35
4009	D. M. Stoltzfus & Son	566.15
4010	Oxford Grain & Hay	639.38
4011	J&L Tire Service	979.92
4012	Stewart Criswell	48.50
4013	Bud's Spring & Suspension	13.00
4014	Martin Bradley	44.84
4015	Samuel Goodley	61.10
4016	Pam Mason	74.38
4017	Anita C. Graul	114.23
4018	District Court	262.26
4019	District Court	57.40
4020	Cecil Sand & Gravel	52.80
4021	Giles & Ransome	575.27
4022	Triangle Communications	6591.82
4023	Blakingler, Byler, Thomas	118.00
4024	Doann E. Freese	14.68
4025	Huble's Printing	234.17
		184.00

The following business was discussed concerning subdivisions:

The Secretary reported that Majesty Properties will be submitting the final plan for their PRD to the Planning Commission on March 28. Also, the final plan for Section II of the "Davis Tract" has been submitted and reviewed by the Planning Commission.

The Secretary reported that time is running out on the John K. Stoltzfus plan submitted by Douglas and Renee Hower and at this point the plan is not ready for consideration for approval. The final was submitted as a minor back in December and in February the Chester Co. Health Dept. determined it had to be a major because of the number of subdivisions on this property over the past 22 years. Therefore, the plan had to be sent out for a 537 review and we do not have comments back at this time. Further, on March 1 the Hower's were sent a letter explaining the situation and were asked to give us an extension and at this point they have not responded so in order to avoid "deemed approval" the plan should be rejected. Mr. D. Shelton reported that he received a call from Jim Hower about 6 p.m. and Mr. Hower advised that they want to withdraw the plan because they have decided to not purchase the lot from Stoltzfus. On motion by J. Dean Cheek, seconded by J. Roger Moran, the Stoltzfus plan was rejected by a unanimous vote because the plan does not comply with all the requirements of Sections 401 and 402 of the Subdivision and Land Development Ordinance including the 537 review by the Chester Co. Planning Commission.

Aye: D. Cheek, R. Moran, D. Shelton

Nay: -0-

A letter was received from the Township Solicitor addressing the issue of a Fire Co. audit. The Solicitor advised that the 2nd Class Township Code requires that an annual report of the expenditures of the appropriated monies be made to the Township Supervisors for each completed fiscal year before any further payments are made to the Fire Co. On motion by J. Roger Moran, seconded by Charles D. Shelton, it was unanimously approved to sign the agreement for the Union Fire Co. to provide fire protection for 1994 at a cost of \$26,218.40, and not make the 1994 payment until we receive a report for monies appropriated to the Fire Co. in 1993.

Aye: D. Cheek, R. Moran, D. Shelton

Nay: -0-

The Secretary was directed to send the Fire Co. a letter advising them we must have a report of the expenditures of the appropriated monies for 1993 before we can pay the 1994 contract assessment.

The Secretary reported that on November 18, 1993, DER returned the Stock-N-Trade subdivision Plan because they considered the submittal to be incomplete. The letter indicated that they need Oxford Borough's endorsement of the project and Component 3 of the Sewage Planning Module completed by the Oxford Area Sewer Authority. We heard nothing from Stock-N-Trade until February 18 when Eric Coates submitted the Sewage Planning Module completed by Oxford Borough with Jon Walker as the agent. Since that time several people have gotten involved and they have been told about the November 18, 1993 letter stating that the Oxford Area Sewer Authority must complete Component 3 and nothing has been done. This matter was discussed

with the Township Solicitor and it was her recommendation that we send a letter to Stock-N-Trade advising them that the Sewage Planning Module must be completed by the Oxford Area Sewer Authority before the Module can be sent to DER for final approval. On motion by J. Roger Moran, seconded by Charles D. Shelton, it was unanimously approved to send a letter to Stock-N-Trade advising them that the Sewage Planning Module must be completed by the Oxford Area Sewer Authority in order for us to forward it to DER for approval.

Aye: D. Check, R. Moran, D. Shelton

Nay: -0-

A letter was received from the Chester Co. Conservation District asking that we provide them with a list identifying all activities that may require a NPDES permit. This permit is required for all construction activities disturbing 5 or more acres. The Secretary is to supply this information to the Chester Co. Conservation District.

A letter was received from Kenneth Crossan concerning a proposed subdivision for the Leo Levandowski property on Twin House Road. The parcel contains 2.2 acres with existing improvements. Mr. Levandowski would like to subdivide the lot into 2 parcels but in order to do so he needs a waiver from Section 512.d of the Subdivision Ordinance to allow a 20 ft. wide accessway into Lot #2. Mr. Alvin Miller questioned whether the Board has the authority to give a waiver because the Zoning Ordinance requires 50 ft. road frontage for a residential lot. Mr. R. Moran suggested that prior to making a decision the plan be sent to the Township Engineer for his review and comments.

A letter was received from the Township Auditors advising that they do not feel the question raised by Alvin Miller regarding the Supervisors being surcharged for the use of Township personnel and equipment to assist McMinn's with the material-in-place contract is justified. The Auditors recommended that the Supervisors institute some procedure to ensure that such double charges do not occur in the future.

A letter was received from the Planning Commission with their recommendations regarding agriculture and the keeping of farm related animals. It was their recommendation that the definition of agriculture be changed and a new section be added pertaining to the keeping of farm related animals for private non-commercial use only. They recommended that the lot size for this purpose be five (5) acres minimum for one (1) animal and one (1) additional acre for each additional animal. Mr. D. Shelton asked what we do with the Amish who has a horse on one acre of ground. On motion by Charles D. Shelton, seconded by J. Roger Moran, it was unanimously approved to table any changes to agriculture until it is given further consideration.

Aye: D. Check, R. Moran, D. Shelton

Nay: -0-

Mr. Dean Cheek reported that the Roadmaster is sick and therefore will not be here to give his report.

The Board was reminded that they should make their semi-annual road inspection next month.

Mr. Dave Shelton reported that he attended a meeting which the Oxford Area Co-op held on bulk bidding and he does not see any problem with us joining the Co-op but we do not have enough time to get everying in order to participate this year. He suggested that we start thinking about this in November so we will be ready for 1995.

Mr. D. Cheek reported that he would like to see us bid our road construction work in-place again this year. The Secretary advised Mr. Cheek that the Roadmaster should work up the quantities of stone and bituminous materials we need for the various projects so the bid proposals can be made up and advertised for opening in May.

Mr. Dean Cheek reported that there will be a Dumpster at the Township Building on April 22 and 23 for Township residents to drop off large unwanted items. This year there will be a \$10.00 charge for any appliance containing Freon and tires will not be accepted. Also, roadside clean-up day has been set for May 7 from 8 to 12 with lunch provided.

Mr. Alvin Miller asked what has been done with Levi Fisher and Bill Spencer. Mr. Miller reported that he understands Ralph Trout and Dean Cheek gave Spencer permission to keep his excavation equipment on the lot while he was building his house which they should not have done because they overrode the order of the Zoning Officer to cease and desist operating an excavation business in a residential district which they did not have the authority to do. But now that it appears that the house is completed, it is time to get the equipment off of the lot because the zoning ordinance does not permit an excavation business to be conducted in a residential district. He also suggested to the Board that they check Spencer's driveway because there is an erosion problem there. The Zoning Officer reported that the Township Solicitor has all the paperwork done on Levi Fisher and will be filing it with the District Court.

Mr. Kenneth Knapp thanked the Board for sending out a man to help with the water problem on Lees Bridge Road. Mr. Knapp reported that once the ice was broken up water was able to run down the ditch rather than across his driveway and lawn.

Mr. Wayne Reisler inquired as to where we stand on a cluster housing ordinance. Mr. Dean Cheek reported that nothing has been done because the County Planning Commission recommended that we not do anything until after the comprehensive plan has been revised. Mr. Reisler was quite upset over the fact that he was promised almost two years ago when the PRD section was eliminated from the Zoning Ordinance that the Board would look into a cluster housing ordinance to replace the PRD and nothing has been done. Mr. Dave Shelton advised Mr. Reisler that they will look into a cluster housing ordinance and let him know what they intend to do.

Mr. Jack Baughman gave a report on the latest events of the Oxford Area Sewer Authority. Mr. Baughman reported that hopefully by the end of the year the spray fields on the Osborne property will be operational and sewage will be available. Mr. Baughman was asked about the Authority running lines and Mr. Baughman advised that the Authority will not be running any lines. The people who want the sewage will have to pay for running the lines.

Mr. Alvin Miller asked the Board to look into the problem of the old Acme store parking lot being used as a truck terminal and get it stopped.

On motion by J. Dean Cheek, seconded by Charles D. Shelton, it was approved to proceed with the necessary paperwork to enact the proposed changes to the Zoning and Subdivision ordinances except for changing agriculture from 10 acres to 6.

Aye: D. Cheek, R. Moran, D. Shelton

Nay: -0-

The Board reported that we now have a time clock for the roadmen and have adopted a time clock policy. Mr. Moran read the policy the Board set up for punching in and out, overtime, etc.

Being no further business, on motion by J. Roger Moran, seconded by Charles D. Shelton, the meeting was adjourned at 8:35 p.m. by a unanimous vote.

Respectfully submitted,

Constance F. MacNeal
Constance F. MacNeal

APPROVED: 4-11-94
Date

J. Dean Cheek

J. Roger Moran

J. Roger Moran

Charles D. Shelton

Charles D. Shelton

TREASURER'S REPORT - March 1994

GENERAL FUND

Ck. Acct. Beg. Bal. 3/1/94 8,139.50

Deposits

Del. P. C. Taxes	296.50	
E.I.T.	14771.67	
Interest	813.52	
Transfer Tax	2053.10	
Fines	229.46	
Taxes	4747.37	
Bldg. Permits	203.80	
Road Permits	108.30	
Use & Occupancy	90.00	
Mobile HOME Parks	52.50	
		<u>23,416.22</u>
		31,555.72

Less March Expenses 21,353.82

Bal. as of 4/1/94 10,201.90

Money Market Acct. 145,795.46

CD's 300,000.00

STATE FUND

Ck. Acct. Beg. Bal. 3/1/94 164.90

No Activity - Bal. 4/1/94 ~~164.90~~

Money Market Acct. 46,118.67