

**WEST NOTTINGHAM TOWNSHIP**  
**Board of Supervisors Meeting Minutes**  
**Tuesday, February 11, 2020**

Chair Tiffany Bell called the meeting to order at 7:02 p.m. The pledge of allegiance was followed by a moment of silence.

**The following were in attendance:** Tiffany Bell, William Winand (called in), Candace Miller, Don Armstrong, Robert Russell, David Ross, Mary Lou Baily, Brian Wenzka, Terri Dugan, Bill Romanelli, and Shelley Meadowcroft.

**AGENDA COMMENTS**

The following items were added to the agenda: Solar panel ordinance; review of the letter from the Planning Commission; and a follow-up to the meeting with PennDOT.

**COMMITTEE REPORTS**

Committee reports are available upon request.

**APPROVAL OF MEETING MINUTES**

**Minutes from the January 28, 2020 Supervisors Meeting:** Mrs. Miller moved to approve the minutes from the January 28, 2020 supervisors meeting. Mr. Winand seconded the motion. Motion carried.

**EXECUTIVE SESSIONS**

An executive session was held on January 28, 2020 to discuss a legal matter.

**SPECIAL GUESTS/PRESENTATIONS**

**Brian Wenzka, OMI Executive Director:** Mrs. Meadowcroft gave a brief summary of the OMI and why they wanted to come to a Township meeting. Mr. Wenzka talked about OMI and the desire for OMI to take the commercial pressure off the rural community. Mrs. Bell asked about the Connective Festival. Ms. Baily said the festival was a collaborative effort between OMI and the Arts Alliance. She gave an overview of the event and the process for artists and vendors to participate. There were about 6,000 people who attended last year and this year they expect more. Mr. Wenzka said Oxford Borough contributes by providing police and public works. He said OMI is 80% self-funded; they get a small amount of money from the Borough through a Business Improvement District (BID) tax. Mr. Ross wanted to know why the municipalities have to pay to participate in First Friday. Mr. Wenzka said that First Friday is an expense to OMI and the modest fee helps to recoup costs associated with putting on and promoting the event. Mr. Ross wanted to know the relationship between OMI and the Oxford Chamber of Commerce. Ms. Baily said that members of the Chamber include businesses from the surrounding area, including Rising Sun, MD. OMI concentrates its efforts on getting businesses to move into the downtown area. Once a business is in town, they can join the Chamber and get support through that organization. OMI is hosting an investor open house in March in which developers or investors will be looking at available real estate in the Borough. OMI is helping with the development of the Shoebox Theater. Initially, it will be a small 50 seat theater that will run short programs and second run movies. There are plans to expand the theater to 400 seats. Mrs. Miller said in

the initial email from Mrs. Meadowcroft, she mentioned that OMI is seeking support from municipalities through event sponsorships. Mrs. Bell wanted to know if the Township were to sponsor, could we give our space to an organization affiliated with the Township, like the ORPC? Ms. Baily said yes, that could be arranged. She also said they would consider an in-kind sponsorship, like including fliers with their newsletter. Mr. Wenzka acknowledged that downtown Oxford would not thrive without the support from the surrounding communities. Mr. Russell said he and his wife volunteered at the Connective Festival and it was a great experience. He encouraged others to try it. Mrs. Bell thanked Mr. Wenzka, Ms. Baily and Mrs. Meadowcroft for attending and sharing information about OMI.

## **OLD BUSINESS**

**Transportation District - ECON Partners:** Mrs. Bell said that the Solicitor reviewed the agreement and sent back comments to the Supervisors. Mrs. Miller noted that some of the changes were typos or word tense. Mrs. Bell pointed out that the Solicitor said most municipalities could apply for DVRPC grants on their own. Because of the limited resources here at the township, Mrs. Bell thought it would be easier for ECON Partners to apply for this grant especially since they would be submitting grants with similar information to other organizations. Mrs. Bell said she was comfortable moving forward with the agreement. Mrs. Miller moved to sign the agreement. Mrs. Bell seconded the motion. Motion carried.

## **NEW BUSINESS**

**Bill Romanelli – Event Barn:** Mr. Romanelli introduced himself and spoke briefly about why he was at the meeting. He presented plans of a property owned by Jim Mark. He was there to ask the Board's position on something before presenting a plan to the township. He gave a brief history of the project. In 1998, there were 18 lots on the original plan. The current lot, which is about 3.5 acres, was permitted to have 30% impervious coverage with existing barn on the lot. In 2009, a plan was submitted for CVS in which 60% impervious coverage was approved. In 2012, the Township changed their zoning in which lots within the VCOM district are allowed 15% impervious coverage. However, if you use TDRs, then you can go up to 60% impervious coverage. At the January Planning Commission, Mr. Ross noted that section 603.B which allows the Supervisors to waive or modify some of these standards if a land development plan is required or if there is an expansion for a change in use. He asked if the Supervisors would be in favor to allow an increase in impervious coverage to 40%. He also wanted to know what would be required to get a use and occupancy permit to hold the event in May. Mr. Romanelli was told that there would need to be a sewer solution and fire suppression. For the sewer solution, Mr. Mark is planning on bringing in trailered port-a-potties with sinks and lavatories. Chester Water Authority (CWA) is working on a water main extension to the property to hopefully be installed before May. Mr. Romanelli said the idea would be to have sprinkler system in place and ready to go once they were able to connect to the water line. He asked the Supervisors for feedback on the other questions posed. Mrs. Bell said she would recuse herself from the discussion because her husband mows the hay ground around the barn. Mrs. Miller asked if the Zoning Officer had seen the plan. Mr. Romanelli said he did email it to Mr. Moran, but he didn't know if he had reviewed. Mr. Winand said he didn't have an issue with the temporary sewer solution. Mr. Romanelli said until public sewer is available, the next step after the port-a-potties would be a holding tank. He said they would seek approval from PADEP and enter into a holding tank agreement with the township, with the understanding that once public sewer service was available, they would connect to it. Mrs. Miller said she was not opposed to the sewer solution either. She asked Mr. Romanelli to show her on the plan where the additional impervious coverage would be. He indicated that it would be on the side of the

barn; they would also add permanent bathrooms, and a canopy over a driveway to drop off guests in inclement weather. He added they would do architectural drawings of the building as required by the Building Codes Official. Mr. Ross said he wondered whether Mr. Mark would be interested in buying TDRs in say, within 5-years. Mrs. Miller asked if another option would be to designate one of the open lots adjacent to the property as “open” to offset the additional impervious coverage. Mr. Romanelli said he did discuss that option with Mr. Mark, and he said if he did that, he would not need the waiver or modification. Mrs. Miller said that she would need to know what that percentage would be. Is it going to be the maximum of 10% or 6%? She added that she had not talked to the Solicitor about 603.B and the implications of the section. She also said she’d like Mr. Moran to weigh in on the impervious coverage increase. Mr. Winand agreed with Mrs. Miller. Mr. Romanelli said time was short and he asked that a response be given quickly. Mrs. Miller asked Mr. Romanelli to put the exact request in writing relative to the impervious coverage and to email a copy of the plan so she can forward it to the Solicitor and the Zoning Officer. Mrs. Miller asked about the water line and whether or not business along the line could tap in. Mr. Romanelli said that would be up to CWA.

**OARA Representative:** Mrs. Bell moved to appoint Terri Dugan to serve as a representative on the Oxford Area Recreation Authority. Mrs. Miller seconded the motion. Motion carried.

**CWA Hydrant Location Request:** CWA asked the township to indicate the location of any hydrants on a proposed watermain extension from Baltimore Pike down to Ponds Edge Drive. Mrs. Bell asked who recommended the locations. Mrs. Miller said CWA with input from the Union Fire Company Fire Chief. One would be at the corner of Ponds Edge Drive and Route 272. The other would be between the Inn and the Veterinary hospital. Mrs. Bell said that the locations make sense given the district. The cost would be approximately \$435 per hydrant per year. Mrs. Miller moved to approve the two proposed hydrant locations. Mr. Winand seconded the motion. Motion carried.

**Reamortization of the USDA loans:** Mrs. Miller reported that David Busch is asking the Supervisors to support the resolution to reamortize the loan or indicate their willingness to pay their portion of the debt service. At the last OASA meeting, the Board voted to pursue the reamortization of the two USDA loans which are currently in default. The USDA requires each municipality to enter into a new loan guarantee as the reamortization will increase the amount of the loan. Since all of the municipalities must agree to the new guarantee, the Board also asked that each municipality signify its intent to enter into the guarantee prior to the OASA committing to the expense of the financing. Mrs. Miller read a memo from the Borough spelling out conditions for a reduced payment of the amount owed. The reduced payment is calculated by subtracting the sale amount of the Reedville Road property and the potential sale amount of the OASA administration building. She pointed out that there is a signed contract for the Reedville Road property, but there are expenses that need to be taken out of the proceeds, so the amount listed in the memo will be less. There is no contract on the administrative building, and there is no guarantee that the OASA will get what the Borough spells out in the memo. Condition number two states that payments are considered a loan to the OASA with repayment to begin no later than 2-years from the date of the loan and will be repaid over 10-years with 1% interest. The third condition requires the OASA to make necessary changes to policy so that OASA rate payers never assume the risk of construction. This means, the developers hold the risk until they are repaid by new rate payers. The fourth condition requires a moratorium on payments for spraying until a healthy capital reserve is established, or for a specific number of years as approved by the Board. And finally, payments should be made to all municipalities for spraying on all land at the same rate. Mrs. Miller said that when the Borough owned the sewer plant, they sold spray fields to Tasty Bake and found that they didn’t have enough spray fields for the capacity. They made a conditional use application to Lower Oxford

Township to use the Osborne Farm fields for spraying. Lower Oxford Township approved the conditional use request but set some conditions, which included payment in lieu of tax revenue that might otherwise have been collected if the land was developed. When the Ross Farm was purchased, the Sewer Authority had to seek a conditional use to spray on the Ross fields. Similar conditions were agreed upon; the only difference was the way the fee was calculated. Mrs. Miller pointed out that no other municipality has any right to those payments; the agreements were between Oxford Borough and the OASA. Mrs. Bell pointed out that we've already agreed to guarantee the loan and we should stick to that guarantee. Mrs. Bell moved to pay the 12% share of the past due debt of the USDA loan and to not reamortize the loan. Mr. Winand seconded the motion. Motion carried.

**U.S. Census Boundary and Annexation Survey:** Mrs. Miller explained that the township received a request to confirm or change the boundaries of the township prior to the US Census. The county received a copy of this request and reached out the township because the map the Census Bureau sent them was different than what they had on file. The Census map has the creek as the boundary between Lower Oxford and West Nottingham Townships. However, the County has a straight line across the top. She talked to Ron Kepler and he remembered that in April 2000, there was discussion between Lower Oxford and West Nottingham about the boundary being the creek. Lower Oxford had no objection to the boundary being the creek and told West Nottingham. After consulting with counsel, it was determined that in order to change the boundary, the township would need to pay for a survey and for court papers to be filed officially changing the boundary. This would be costly, so the Supervisors decided not to go through with it. However, when zoning maps were created in 2003, the creek was used as the boundary and it has been used ever since. The County wants us to decide whether we want to use the creek as the boundary or if we want to just go with what the county has for the boundary. The Boundary and Annexation Survey (BAS) needs to be completed as soon as possible. Mrs. Miller moved to change the BAS map to a straight line. Mrs. Bell seconded the motion. Motion carried.

**GASB 67 and 68 reports:** Mrs. Bell moved to have the \$500 fee deducted from the assets of the pension plan. Mr. Winand seconded the motion. Motion carried.

**Second monthly meeting:** At the organization meeting, Mr. Winand suggested that the Board consider not holding the second meeting of each month. Mrs. Miller said there is no way to know what will be on the agenda so maybe we consider cancelling it the Friday before the meeting. She pointed out that she may need to attend a meeting at the high school for course selection. She and Charice Russell are also scheduled for training that day for the WebEOC, the County's emergency tracking program.

**Solar Panels Ordinance:** Mrs. Miller said that Mr. Moran received a call from a developer about installing a solar panel farm on E. Christine Road. Mr. Moran said there is no ordinance for this type of project, and he thought it was something that the Planning Commission should consider. Mrs. Bell said she also asked the Planning Commission to look at the township's woodland protection ordinance.

**Planning Commission Letter:** Mrs. Bell said the Planning Commission made a recommendation for proposed changes. Mr. Ross said the Planning Commission was looking for guidance from the Supervisors as to a billboard ordinance and possibly regulating the "nits" in electronic billboards. Mr. Ross was going to reach out to Kevin Coutts who offered to provide some guidance to the Planning Commission.

**PennDOT meeting follow-up:** Mrs. Bell said the attendees included Bill Weaver from East Nottingham Township, Pete Eisenbrown, Scott Moran, Representative Lawrence, and representatives

from PennDOT. Our portion of Route 1 will be done in 2027-2028, the third phase of the project. They talked about development coming to the area and access to Route 1 from Forge Road. Mrs. Bell said the next step would be to take it to the ORPC. She said we need to keep pushing and asking while there is time.

**Penn State “Live Stake” Initiative:** Mrs. Bell said she talked to Meghan Hopkins-Dorr of Penn State. They are taking branches that have been trimmed off of trees are kept in water and then staked along the stream banks. The effort counts for MS4 credits. Mrs. Bell said it sounds really simple, and Ms. Hopkins-Dorr said it was simple.

**Route 272 Speed Change:** Mrs. Miller reported that the signs came in for the speed limit change for Route 272. She printed the permit and gave a copy to the Road Master and the Police.

### **FINANCIAL REPORTS**

**Bank Statements:** Mrs. Bell moved to accept the bank statements for the period ending January 31, 2020 and give them to the Secretary/Treasurer for reconciliation. Mr. Winand seconded the motion. Motion carried.

**General Fund Bills List:** Mr. Winand moved to approve the General Fund bills list for the period January 29 to February 11, 2020 subject to audit. Mrs. Bell seconded the motion. Motion carried.

### **ANNOUNCEMENTS**

The township is seeking a volunteer to be the Recycling Coordinator; this person would be responsible for submitting the recycling grants to the State each year. Anyone interested should contact the township.

The township received notice that Armstrong is raising their rates beginning this month.

### **PUBLIC COMMENT**

Mrs. Miller was asked to see what the speed limit is on Old Baltimore Pike, the second Old Baltimore Pike along the plant.

### **ADJOURNMENT**

Mrs. Bell moved to adjourn the meeting at 8:52 p.m. Mr. Winand seconded the motion. Motion carried.

Respectfully Submitted,

Candace Miller  
Secretary/Treasurer