

**WEST NOTTINGHAM TOWNSHIP**  
**Board of Supervisors Meeting Minutes**  
**Tuesday, March 27, 2018**

Chair Tiffany Bell called the meeting to order at 7:00 p.m. The pledge of allegiance was followed by a moment of silence.

**The following were in attendance:** Tiffany Bell, William Winand, Candace Miller, Charice Russell, and David Ross.

**AGENDA COMMENTS**

Mrs. Bell said she would update the Supervisors on the meeting with the Union Fire Company during New Business. She also said Ed Herr had reached out to her about the stop light. With warmer weather approaching, he wanted to know if the Supervisors had any thoughts on the light and the problems it will present.

Mrs. Miller said she wanted to add a letter of support for the Brandywine Conservancy; they are applying for a DCNR grant for the Glenroy Farms property.

**COMMITTEE REPORTS**

Committee reports are available upon request.

**APPROVAL OF MEETING MINUTES**

**Minutes from the March 13, 2018 Supervisors Meeting:** Mrs. Bell moved to approve the minutes from the March 13, 2018 supervisors meeting. Mr. Winand seconded the motion. Motion carried unanimously.

**EXECUTIVE SESSIONS**

There were no executive sessions since the last meeting.

**OLD BUSINESS**

**Resolution 8-2018, Declaration of Emergency:** Mrs. Bell moved to ratify the decision to declare an emergency for the winter storm that hit the area on March 20-22, 2018. Mr. Winand seconded the motion. Motion carried unanimously.

**Resolution 9-2018, Authorizing the submission of the Component 2M application:** Mrs. Bell announced that the Engineer and Solicitor have reviewed the public comments submitted at the public hearing and the following actions have been taken:

1. A complete set of responses by the Township to the written public comments of David Ross and John Kinnaird have been drafted. This response will be included along with the written public comments in the 2M application packet.

2. One minor change was made to the 2M application, regarding the public education component, and an additional detailed explanation has been attached to the document.
3. The township will provide a brief summary of the proposed funding sources of the program and anticipated employee time cost/fee schedule in administering the program and attach it to the application prior to sending it to DEP.
4. The typographical errors in the Ordinances have been corrected.
5. Any additional administrative steps to implement the program are not necessary at this time; it may be a good idea to let DEP know we are working on them.

Mrs. Miller moved to adopt Resolution 9-2018 authorizing the submission of the Component 2M application to DEP, along with all public comments. Mr. Winand seconded the motion. Motion carried unanimously.

**Ordinance 2018-1, Onlot Sewage Management Program Ordinance:** Mrs. Bell moved to adopt Ordinance 2018-1, an ordinance governing the municipal management of onlot sewage disposal facilities in West Nottingham Township, effective upon DEPs approval of the Component 2M application. Mr. Winand seconded the motion. Motion carried unanimously.

**Ordinance 2018-2, Holding Tank Ordinance:** Mr. Winand moved to adopt Ordinance 2018-2, an ordinance providing for and regulating the use of holding tanks in West Nottingham Township, and imposing fines for violations of this ordinance, effective upon DEPs approval of the Component 2M application. Mrs. Miller seconded the motion. Motion carried unanimously.

**Stoltzfus Stormwater Agreements:** Mrs. Miller moved to enter into the Stormwater Best Management Practices and Conveyances Operation and Maintenance Agreement, and the Simplified Approach Stormwater Best Management Practices Operation, Maintenance, and Inspection Plan and Agreement with Benue F. Stoltzfus for his property at 514 Lees Bridge Road, and to authorize William Winand to sign the agreements on behalf of the Township. Mr. Winand seconded the motion. Mrs. Miller and Mr. Winand voted in favor of the motion. Mrs. Bell recused herself from the vote because her husband might be doing work for Mr. Stoltzfus. Motion carried.

## **NEW BUSINESS**

**Stoneyfield Estates Escrow Release #2 Request:** Mrs. Bell announced that Ragan Engineering has recommended a release of escrow for Stoneyfield Estates in the amount of \$111,678.00. A performance guarantee tracking spreadsheet identifying the percentage completion of each task covered under the guarantee has been provided. Mrs. Miller moved to accept the escrow release recommendation from Ragan Engineering, Alternate Township Engineer, for construction and improvements to the Stoneyfield Estates, and to send a letter authorizing Fulton Bank to release \$111,678.00 of the original Irrevocable Letter of Credit for Martins Community LP. Mr. Winand seconded the motion. Mrs. Miller and Mr. Winand voted in favor of the motion. Mrs. Bell recused herself because she owns property bordering Stoneyfield Estates. Motion carried.

**Uncollectable Real Estate Property Tax Liens:** Mrs. Bell moved to remove the tax liens on the following tax parcels and to authorize Candace Miller to sign the form from Chester County on behalf of the Township: \$70.21 for tax parcel 68-1-55T owned by Jason Owens; \$10.42 for tax parcel 68-2-139T owned by Veronica Vernon; and \$83.40 for tax parcel 68-6-165T owned by Theresa Burkey. Mr. Winand seconded the motion. Motion carried unanimously.

**Conditional Use Hearing Request:** Mr. Winand moved to send the two Conditional Use Hearing requests to the Planning Commission for review at their April meeting and authorize the Secretary to reach out to the applicant and supervisors to schedule a hearing date. Mrs. Bell seconded the motion. Motion carried unanimously.

**Advertisement of Bids for Road Work:** Mrs. Bell moved to advertise the bids for Seal Coat In-Place and Skin Patching to be opened at the April 24, 2018 meeting. Mr. Winand seconded the motion. Motion carried unanimously.

**Publication of 2018 Financial Summary:** Mr. Winand moved to authorize the Secretary to advertise the 2018 Financial Summary. Mrs. Bell seconded the motion. Motion carried unanimously.

**Union Fire Company Liaison Meeting:** Mrs. Bell attended a meeting at the fire company last week to get a financial update from Union Fire Company and the Ambulance Division. Last year, the Ambulance Division was \$185,000 in the red; this year, they anticipate being \$251,000 in the red. They have doubled their paid staff and lost volunteer staff. They also don't get reimbursed enough when they provide service to Medicare patients. The fire company wants to purchase a 2018 Pierce Forcer Pumper Truck for \$613,000 to replace their 25-year old truck. They like Pierce trucks because the service provider is much closer than service providers for other manufacturers. They paid for it with funds on hand and a loan for a portion. The manager from Oxford Borough, Brian Hoover, was at the meeting and alleged that the formula used to determine the municipal contribution, the 1/3 scenario (1/3 each of the valuations, populations, calls) was unfair. Mrs. Bell said that Mr. Hoover said the borough's assessed value is \$177M but \$69M of that is tax exempt, which is 40% of the properties in the borough. Mr. Hoover wants it to be evaluated to be more equitable for all the municipalities. Mrs. Bell told Mr. Hoover that when funding for the ambulance division was discussed this method was approved by all the municipalities and was determined to be the most equitable. She said that if the municipalities were to look at all their non-taxable properties, maybe we all have the same percentage. There are 600 acres in the park, 1100 acres in the State forest, and over 2000 acres of land in agricultural preserve. Mr. Hoover said the schools don't pay taxes and that is \$35M of assessed value. He said every municipality sends their kids to those schools and the burden is falling on the Borough for fire service. Mrs. Bell said some people said that maybe the Borough should have to pay a premium because they receive service within 2-3 minutes where other municipalities aren't seeing service for 12 or more minutes. Mrs. Bell asked Mrs. Miller to pull some facts for the next meeting. Mrs. Bell also suggested we speak with our legislators about Medicare reimbursement and the growing problem of funding.

**Oxford Area Sewer Authority Updated:** Mrs. Miller provided an update on the OASA meeting. She said that an offer had been received for the Brick Road property; it was for \$300,000 but there were conditions and a 365-day waiting period. The OASA board countered with the acceptance of the suggested purchase price but removed the conditions, shortened the waiting period to 30-days, with closing by the end of June. The office building has not been listed because of the eminent domain issue with Oxford Borough. The other topic of discussion dealt with the response letters from the

municipalities regarding the past due load payments owed to the USDA. Oxford Borough said they were not going to pay anything. East Nottingham and Lower Oxford Townships said they were prepared to make a portion of the payment that is due in June, but nothing of the past due debt. West Nottingham Township was the only municipality willing to pay the portion of the past due debt. All 3 townships said they'd pay if all four municipalities paid. Mrs. Miller said that Mr. Hoover accused the OASA board of not doing what they committed to do with regard to selling the building and that if the OASA board couldn't manage the authority then we should sell it. Mrs. Miller said she pointed out to Mr. Hoover that the OASA board had been communicating with two municipal authorities regarding the sale of the authority and David Busch said we could expect an offer in the fall from one of the authorities. She said Mr. Hoover was very adversarial. Mr. Busch pointed out that the past due debt is all of our problems and we can't move forward with the past due debt hanging out there. He also pointed out that if the authority were to raise rates to cover the Borough's portion of the past due debt, rates would go up 47 percent. Mrs. Miller went on to give an update on the dry line proposed by CWA; the agreement has not been signed by CWA yet. They are waiting for comments from the USDA as to whether or not the USDA supports the line. Mrs. Miller pointed out that the OASA can't sell the authority with the past due debt. She said operating costs are down and a company that does industrial/commercial waste testing has been contacted for a proposal. Another board member did some research on the property that is being farmed. He thinks we can get some rents from the property and buildings on the property. There are some things the OASA needs to pay for like fertilizer and aeration of the land. They are going to talk to the farmer currently cutting the hay and using the buildings to see if he is interested. If not, it will be bid out.

**Traffic Light at Christine Road and Baltimore Pike:** Mrs. Bell said she was contacted by Ed Herr about the traffic signal at Christine Road and Baltimore Pike. He said traffic cutting through the parking lot is still a problem and it will likely get worse in the summer months. She said he would like to see the light changed to a 3-way flashing red light. Mrs. Miller said that Paul Lutz from PennDOT already told us that they won't change the light to a 3-way flashing red. Last year, a consultant came out and tweaked the light timing. During high peak traffic times like morning and afternoon rush, there is a bit of a traffic back up. But the light cycle is less than 60 seconds and seems to operate much better than it did when it was first installed. Mrs. Miller suggested the Nottingham Inn and Sun East consult an engineer who can look at the property and suggest a flow pattern that will prevent traffic cutting through to avoid the light. She suggested the business look at adding curbing and ingress/egress locations to treat it more like a shopping center and control incoming/outgoing traffic.

**Letter of Support for a grant to preserve Glenroy Farm LP:** Mrs. Miller said the Brandywine Conservancy is asking for a letter of support for a DCNR grant to preserve Glenroy Farm LP. Mrs. Miller pointed out that the Supervisors authorized a letter for a Chester County grant in February. Mrs. Miller moved to send a letter of support for the DCNR grant and to authorize Tiffany Bell to sign it. Mr. Winand seconded the motion. Motion carried unanimously.

## **FINANCIAL REPORTS**

**Treasurer's Report:** Mrs. Bell moved to approve the Treasurer's Report for the period ending February 28, 2018. Mr. Winand seconded the motion. Motion carried unanimously.

**Reconciliation Report:** Mr. Winand moved to approve the Reconciliation Report for the General Fund checking account at Meridian Bank for the period ending February 28, 2018, subject to audit. Mrs. Bell seconded the motion. Motion carried unanimously.

**General Fund Bills List:** Mrs. Bell moved to approve the General Fund bills list for the period March 14-27, 2018, subject to audit. Mr. Winand seconded the motion. Mrs. Bell and Mr. Winand voted in favor of the motion. Mrs. Miller recused herself because there was a reimbursement check in the bills list for her. Motion carried.

**ANNOUNCEMENTS**

- Spring Clean-up Day will be held on Saturday, April 7 from 9:00 a.m. until noon.
- Dumpster Day will be held on April 20-21 from 7:00 a.m. to 3:00 p.m.
- Training for the Peach Bottom Exercise will be held on April 5 at 6:30 p.m.
- The Peach Bottom Exercise will be held on April 17. Anyone interested in participating should plan to attend the training on April 5 and be available after 3:00 p.m. on April 17.

**PUBLIC COMMENT**

Mrs. Miller reported that there would be a ground breaking ceremony on April 20 for the Dog Park. The opening ceremony is tentatively scheduled for May 19, the same day as the “Kids to Park” event. She said that some members want to see a per capita increase for the park dues. She said the board members work extremely hard; they have taken days off work to prepare the field or work on special events. They are extremely dedicated and motivated and it would be terrible to lose any of them.

**ADJOURNMENT**

Mrs. Bell moved to adjourn the meeting at 8:18 p.m. Mr. Winand seconded the motion. Motion carried unanimously.

Respectfully Submitted,

Candace Miller  
Secretary/Treasurer