

WEST NOTTINGHAM TOWNSHIP
Board of Supervisor's Meeting Minutes
Tuesday, May 9, 2017

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, Candace Miller, William Winand (joined the meeting during the discussion about the proposal from Shultz Technology), Charice Russell, Don Armstrong, Dottie Byrne, Dennis Byrne, Chad Repoza, Monica Repoza, and David Ross.

Mrs. Bell recessed the public meeting at 7:01 p.m. for the public hearing. The regular meeting was reconvened at 7:23 p.m.

AGENDA COMMENTS

Mr. Ross requested to talk about the Oxford Region Stormwater Collaboration Meeting. He added that he would also have some remarks during the public comment portion of the meeting regarding redistricting.

COMMITTEE REPORTS

Committee reports are available upon request.

APPROVAL OF MEETING MINUTES

Minutes from the April 25, 2017 Supervisors Meeting: Mrs. Bell moved to approve the minutes from the April 25, 2017 supervisors meeting. Mrs. Miller seconded the motion. Motion carried.

EXECUTIVE SESSIONS

Executive sessions were held on Friday, April 28 and Friday, May 5 to discuss a personnel matter.

BID OPENING

The township advertised on April 13 and 27 for bids to be submitted for a paving project. Bids were accepted until 10:00 a.m. on Tuesday, May 9. Mrs. Miller opened the bids for review. Only one bid was received for equipment rental. Two bids were received for materials, but only one bidder submitted a bid for both materials.

Mrs. Bell moved to award the equipment rental bid to Long's Asphalt in the amount of \$22,540. Mrs. Miller seconded the motion. Motion carried.

Mrs. Bell moved to award the materials bid for the 19mm SUPERPAVE binder to Allan Myers in the amount of \$76,251.75, and the materials bid for 25mm SUPERPAVE binder to Pennsy Supply in the amount of \$23,808. Mrs. Miller seconded the motion. Motion carried.

OLD BUSINESS

Floodplain Ordinance: There was a brief discussion on the proposed floodplain ordinance. The ordinance was reviewed by the Solicitor and the Planning Commission. The suggested changes need to

be re-submitted for review before moving forward with a public hearing. Mrs. Miller moved to accept the changes made by the solicitor and Mrs. Miller, and to forward Ron Ragan with the request that the modified ordinance be forwarded to Leslie for a final review. Mrs. Bell seconded the motion. DISCUSSION: Mrs. Bell noted that there is a deadline to have the ordinance adopted and it is important to keep things moving to meet that deadline. Mrs. Bell called for a vote. Motion carried.

OARA Pitch Hit and Run: Mrs. Miller read an email from Marcy Peyre-Ferry regarding a successful Pitch, Hit and Run event held on April 29, 2017.

OASA Study Committee: Mrs. Bell discussed a recent meeting of the OASA Study Committee. She reviewed a letter from Spence Andress, a consultant who has been hired to help facilitate the sale of the OASA. There are five parties interested in possibly submitting a proposal to purchase the OASA. Mr. Andress needs to put together a RFP, which will require additional funds. It is anticipated an additional \$22,800 plus reimbursement for out-of-pocket expenses. Each municipality has been asked to put in an additional \$7,000 to go toward this effort, with the hope that the funds would be reimbursed to the township once the OASA is sold. Hopefully, it is not money lost, but money wisely spent to keep the train moving. If approved, each municipality will have two months to submit payment. Once this next step is done, and an entity is chosen, there may be another request for a significant amount of money to do the assessment of the OASA assets. There was some discussion that maybe the cost for the assessment could be part of the bid package proposal where the entity interested needs to eat those costs. If it is something that comes back to the municipalities, then it will be divided among the five members of the Study Committee. It could be \$200-300,000; we are hoping it doesn't come back to us. Based on our history with the OASA, we are taking this very seriously. We want everything in writing and want to make sure everyone is on the same page. Mrs. Bell said she is not in favor of taking up the slack for any member of the Study Committee that does not want to put in the \$7,000. Mrs. Bell moved to approve the \$7,000 request to be paid within two months to be used toward the next step in moving forward with the sale of the OASA. Mrs. Miller seconded the motion. DISCUSSION: Mrs. Miller said that in the meetings she attended, there was a lot of discussion about the municipalities getting reimbursed for the expenses related to the RFP leading to the sale of the OASA. She added that \$22,000 is cheaper than \$160,000 per year to cover the debt service. Mrs. Bell added that if we are in this agreement, then we are all in and we are all equal partners. This is a separate matter than the debt service. Mrs. Bell called for a vote. Motion carried.

Oxford Region Stormwater Collaboration Meeting: Mr. Ross reported on the Stormwater Collaboration Meeting held on Monday, May 8 at Lower Oxford Township with Seung Ah of the Brandywine Conservancy and the municipalities in the Oxford area. It was an opportunity to have all the municipal engineers in a room at one time to try to respond to the requirement from PA-DEP that the municipalities file for MS4 permits every 5 years to control Stormwater. DEP is having difficulty managing the MS4 program because they are understaffed. Three Townships have received letters suggesting they are going to receive waivers: Elk, Lower Oxford, and West Nottingham. It appears that these municipalities will likely be exempt from pollution reduction plans. But it is not clear if they are going to want us to do the six MCMs (public outreach campaign) or not. It is possible that we will need to begin to implement some of the measures. At the meeting, Seung Ah indicated that the Brandywine Conservancy is going to work out an arrangement with each of the engineers to reimburse each of them up to \$5,000 for any costs that are related to collaborative responses. Mrs. Bell wanted to know if this was for past work or just work going forward. Mr. Ross said he believed it was for any past work. The mapping effort would not be included. He talked briefly about what Upper Oxford Township was going to do with regard to taking back subdivision retention basins and making improvements. Oxford Borough and East Nottingham Township are facing significant problems. The Supervisors thanked Mr. Ross for attending the meeting.

NEW BUSINESS

Pearson-Stoltzfus 2-lot Subdivision and Add-on Plan Professional Services Escrow Fee Agreement: Mrs. Miller moved to enter into the professional services escrow fee agreement with Samuel Stoltzfus for the Pearson-Stoltzfus 2-lot Subdivision and Add-on Plan. Mrs. Bell seconded the motion. Motion carried.

Schultz CCTV Proposal: There was discussion regarding the proposal for security cameras. Mr. Repoza talked about a wireless security system he recently installed at his home. He said there are a lot of commercial products out there and it could be significantly less than a wired system; however, the online storage for video may be an additional cost. Mrs. Bell said that she likes to see more than 1 quote. She also said it would be important to have good resolution during the day and night. Mr. Repoza shared a recorded video from one of his cameras. ARLO by Netgear is the system he purchased; indoor-outdoor and the batteries last about 6-months. Mrs. Bell said that technology changes so quickly that technology that came out a few years ago are not obsolete. Mrs. Miller said she would look into that system and gather information for a future meeting.

Capital Expenditures Policy: Mrs. Miller briefly discussed the policy recommended by auditor. She said she had some questions for the auditing firm. The policy seems to be for depreciating capital purchases. The township is on a cash basis and we don't depreciate our equipment. She asked the discussion to be tabled until she could get her questions answered. Mrs. Miller noted that when the auditors can't find something wrong with an audit, they find recommendations to make. She said she wants to better understand why this recommendation has been made.

Clean-up Day Drawing for Youth Volunteers: The Supervisors drew names for the 5 gift cards for the youth volunteers: Tristen Herman, Tyler Itoney, Justin Williams, Nathan Doyle, and Merle Rayburn. Congratulations to our winners. Three gift cards to Wal-Mart and two for the Nottingham Inn.

FINANCIAL REPORTS

Bank Statements: Mr. Winand moved to accept the bank statements for the period ending April 30, 2017 and give them to the Secretary/Treasurer for reconciliation. Mrs. Bell seconded the motion. Motion carried unanimously.

General Fund Bills List: Mr. Winand moved to approve the General Fund bills list for the period April 26 to May 9, 2017, subject to audit. Mrs. Bell seconded the motion. Motion carried unanimously.

PUBLIC COMMENT

Mr. Ross presented information on gerrymandering and the national discussion. Every 10-years, each state is required to reconfigure its legislative districts to include the congressional districts and the state and senate districts. Pennsylvania regularly comes up as one of the most gerrymandered states, with Chester County cited as one of the classic examples of gerrymandering. The Pennsylvania Constitution states that the house and senate districts shall be composed of compact and contiguous territory as nearly equal in population as practicable. He provided current districting maps of the Congressional districts. Pat Meehan's district goes through five counties; Lloyd Smucker's district covers Lancaster County, but a small portion is in Chester County. There is not much incentive for him to pay attention to Chester County. Andy Dinniman's district is also spread out. He talked about how districts can be configured to favor one party over the other and shared the map for Representative Lawrence's district. Mr. Ross is asking the Supervisors to consider adopting a resolution asking the powers that be to fix this. Currently,

the Majority and Minority leaders of the House and Senate and an appointee from the Supreme Court make up the 5-member board which establishes the districts. The Democrats have control over the State Supreme Court. If we leave things up to the professional politicians, we will have more of the same. The basic proposal of the resolution is a constitutional amendment that puts both redistricting up to a citizen commission who would not be politicians. Mr. Ross is asking the Supervisors to consider supporting the resolution asking the individuals on page two to do everything they can to make this happen. The bills authorizing this would have to be passed twice in two contiguous years and put on the ballot as a referendum. Andy Dinniman has signed onto SB22 and Eric Rowe is a co-sponsor to HB722. Mr. Ross is asking the Supervisors to encourage John Lawrence to be supportive of the bill. He asked the Supervisors to consider this at the June 13 meeting so he can be there. Mr. Ross said the organization "Fair Districts" is pushing this. Mrs. Bell wanted to know how other states are doing this. He said many states do this type of gerrymandering. Wisconsin just had its redistricting struck down by a federal district court as being unfair. The Supreme Court recently found that it didn't see a way to define what gerrymandering really was. Justice Kennedy wanted an objective measure that shows when a district is so out of whack. MIT researchers came up with a compactness measure or efficiency measure that the court in Wisconsin bought. Mrs. Bell asked it would be better to go county by county instead of carving up areas. Mr. Ross said the population wouldn't be equal. He is in favor of fair districting and having a more fair a democratic process rather than having lines drawn to favor one party over the other.

ADJOURNMENT

Mrs. Bell moved to adjourn the meeting at 8:30 p.m. Mrs. Miller seconded the motion. Motion carried unanimously.

Respectfully Submitted,

Candace Miller
Secretary/Treasurer