

**WEST NOTTINGHAM TOWNSHIP**  
**Board of Supervisors Meeting Minutes**  
**Tuesday, May 12, 2020**

*NOTE: Due to the COVID-19 pandemic, and the order of Governor Wolf to avoid large gatherings, arrangements were made to hold the meeting online. Information to join the online meeting was posted on the outdoor bulletin board at the municipal building and via fliers on the office door; the invitation was also available on the website and Facebook page.*

Chair Tiffany Bell called the meeting to order at 7:06 p.m. A moment of silence was observed.

**The following were in attendance:** Tiffany Bell, William Winand (joined at 7:10 p.m.), Candace Miller, Ed Jefferis, Charice Russell, Robert Russell, David Ross (joined at 7:07 p.m.), and Don Armstrong (joined at 7:09 p.m.).

**AGENDA COMMENTS**

Mrs. Miller said the May 4 meeting minutes were not ready, so they will come before the Supervisors at the June meeting.

**COMMITTEE REPORTS**

Committee reports are available upon request.

**APPROVAL OF MEETING MINUTES**

**Minutes from the April 14, 2020 Supervisors Meeting:** Mrs. Bell moved to approve the minutes from the April 14, 2020 supervisors meeting. Mrs. Miller seconded the motion. Motion carried. (Mrs. Bell and Mrs. Miller only)

**EXECUTIVE SESSIONS**

Two executive sessions were held to hear proposals to assist Econ Partners on the transportation grant. The first was held on April 24 with Traffic Planning and Design, and the second was held on April 30 with McMahon Associates.

**OLD BUSINESS**

**Waivers requested for the Dolinger Subdivision:** The following waivers were requested for the Dolinger Subdivision:

- 402.9A Contours of existing elevations at intervals of two (2) feet. In areas of steep slopes (greater than fifteen (15%) percent), five (5) foot contour intervals may be used; location of benchmark and datum used. United States Geodetic Surveys are not acceptable.
- 402.9B Soil types, based on U.S.D.A. Chester and Delaware Counties Soils Survey.
- 402.9C Streams, creeks, wetlands, swales, ponds, lakes, reservoirs, and other natural or man-made watercourses or bodies of water.
- 402.9D The one hundred (100) year floodplain as defined by the flood hazard district in the West Nottingham Township Zoning Chapter.

**WEST NOTTINGHAM TOWNSHIP**  
**Board of Supervisors Meeting Minutes**  
**Tuesday, May 12, 2020**

- 402.9E Wetlands, as inventoried by the U.S. Fish and Wildlife Service for the National Wetlands Inventory and delineated by a qualified wetland scientist; in cases where wetlands are being impacted, the wetland delineation must be verified by the Pennsylvania Department of Environmental Resources or the Army Corps of Engineers.
- 402.9F High groundwater areas (less than three (3) feet from the surface), as identified by the location of soils with seasonal or perennial high-water table, as mapped in the Soils Survey of Chester and Delaware Counties.

Mrs. Miller moved to approve the following waivers for the Dolinger Subdivision as recommended by the Planning Commission: Section 402.9A, B, C, D, E, and F. Mrs. Bell seconded the motion. Motion carried. (Mrs. Bell and Mrs. Miller)

**Driveway Agreement for the Dolinger Subdivision:** Mrs. Bell moved to acknowledge that the driveway agreement has been reviewed by the Solicitor and deemed acceptable and to require the agreement to be recorded with the plans once they are approved. Mrs. Miller seconded the motion. Motion carried. (Mrs. Bell and Mrs. Miller)

**Final Plan Approval:** Mrs. Bell moved to approve the final plan for the Dolinger Subdivision pending payment of all outstanding engineering and legal bills. Mrs. Miller seconded the motion. Motion carried.

**Rescheduling Dumpster Day:** Mrs. Miller moved to reschedule Dumpster Day for June 5 and 6 provided the dumpsters are available. Mrs. Bell seconded the motion. DISCUSSION: Mrs. Miller asked the Supervisors to consider waiving the fee for appliances and electronics, given that some people are out of work. Mrs. Bell said she didn't have a problem being generous to our residents. Mrs. Miller amended her motion to waive the appliance and electronic fee for residents. Mrs. Bell seconded the amendment to the motion. Motion carried.

**Traffic Planning & Design (TPD) Proposal:** Mrs. Bell asked if the Supervisors had a chance to review the estimate. Mrs. Miller said it was a bit higher than what was originally discussed. Mrs. Bell said she talked with Randy on Friday to stress that it was more than signaling. Based on the discussion, Randy submitted a proposal for \$6,950. After Mrs. Bell talked to him, he said he would do a time and material billing and give us a reduced rate. He said there could be more coordination with the grant writer than expected. He said there were ways the township could help to reduce the cost. For example, by providing the Wicklow traffic impact study, zoning maps, and projections for other properties (traffic counts and studies). Mrs. Miller said she would contact East Nottingham Township and Spence Address to see what information they have related to the traffic impact study for Wicklow or other developments close to the township. She also said that she had an opportunity to talk to the East Nottingham Township Solicitor, Winnie Sebastian, this week and she mentioned the work we were doing with Pauline Garcia-Allen on the ARLE and MTF grants. Mrs. Miller said she talked about the traffic impacts to East and West Nottingham Townships if Oxford Borough was successful in diverting truck traffic from the Borough. Ms. Sebastian said she would talk to Mr. Hurley about it. Mrs. Miller said she thought this "foot in the door" was a good opportunity to start a dialogue with East Nottingham Township and maybe collaborate on a few things. Mr. Ross said he submitted a public comment to the East Nottingham Township Supervisors Meeting, a request that they submit regional transportation issues to the May ORPC meeting. Mrs. Bell moved to approve the estimate from TPD, not to exceed \$6,950 for the grant applications. Mrs. Miller seconded the motion. Motion carried.

**2020 Road Work & Bids:** Governor Wolf's stay at home order has been lifted for certain construction projects beginning May 8. The Road Master asked if we could advertise the road bids that were originally approved for advertising in March. Mrs. Miller moved to advertise the paving project and to open bids at the Supervisors meeting on June 9. Mr. Winand seconded the motion. Motion carried. Mrs. Miller moved to advertise the bids for Seal Coat In-place and Skin Patching, and to open the bids at the Supervisors meeting on June 9. Mrs. Bell seconded the motion. Motion carried.

**WEST NOTTINGHAM TOWNSHIP**  
**Board of Supervisors Meeting Minutes**  
**Tuesday, May 12, 2020**

**NEW BUSINESS**

**Resolution 7-2020, Approval of Emergency Operation Plan:** Mrs. Miller moved to adopt resolution 7-2020, approving the emergency operation plan for West Nottingham Township, along with the functional checklist and notification and resource manual, and to authorize Tiffany Bell to sign the promulgation statement. Mr. Winand seconded the motion. Motion carried.

**Proposed Sign Ordinance Changes:** There was discussion of the proposed sign ordinance changes from the Planning Commission. Mrs. Russell said there were two proposed changes, “Q” in definitions, the following change was recommended:

Q. OFF-PREMISE *DIRECTIONAL* SIGN. A sign ~~not located on the same lot or a lot not under the same ownership of the property for which it is advertising~~ designed and erected solely for the purpose of directing traffic or pedestrians to a use that is not located on the same lot or a lot contiguous to the property on which the sign is located.

In Section 1302, the following was recommended:

N. Off-premise *directional* signs are prohibited, except as placed by the Township.

Mr. Ross said the intention with an off-premise sign was to direct someone. The change is to make it clear that only off-premise directional signs would be placed the township. Mrs. Miller said that a few years ago, a local church put up signs to direct people to their church. The Township notified the church that a permit was required to put up a directional sign. A few months later, the township received a letter stating that the Supreme Court had decided that a municipality could not require a religious organization to obtain a permit for a directional sign and if we moved forward with the requirement, they were going to take the township to court. She said she thought it should be sent to the Township Solicitor to have her look into it and make sure we are not violating the Supreme Court ruling. Mr. Ross suggested changing the application to indicate that the township would place it for free for religious organizations. Mrs. Bell said there are a lot of variables and we need to get the Solicitor to weigh in on what we can do. Mrs. Miller moved to forward the changes to the Township Solicitor and ask her to look into the Supreme Court decision and how it may affect our ordinance and these changes. Mr. Winand seconded the motion. Motion carried.

**Barbacane Thornton & Company (BTC) Proposal:** Mrs. Miller explained that the increase in the fee to do the annual audit this year was 4.6%. Years ago, Pam Baker told Mrs. Miller that the standard increase is 3%. Mrs. Miller questioned the increase and Tim Sawyer of BTC provided a 3-year extension proposal with the following rate increase: 2.4% for the 2020 audit, 3.1% for the 2021 audit, and 3.0% for the 2022 audit. Mrs. Bell said she wouldn’t be opposed to a 3-year proposal, but she would like to see 3.0% instead of 3.1% in 2021. Mrs. Miller said she would reach out to BTC and see what they thought.

**Professional Services Escrow, James & Elizabeth Mark:** Mrs. Miller moved to enter into the professional services escrow agreement with James and Elizabeth Mark and accept the escrow payment of \$1,500.00 for the Nottingham Business Center reverse subdivision. Mr. Winand seconded the motion. Mrs. Miller and Mr. Winand seconded the motion. Mrs. Bell recused herself from the vote because her husband does business with Mr. Mark. Motion carried.

**Traffic Signal Maintenance Contract Renewal:** Signal Service has provided a proposal for a 2-year contract at \$550 per year for the maintenance of the two signals. The cost has remained the same for several years. Mrs. Bell moved to enter into the 2-year agreement with Signal Service for the maintenance of the traffic signals. Mr. Winand seconded the motion. Motion carried.

**WEST NOTTINGHAM TOWNSHIP**  
**Board of Supervisors Meeting Minutes**  
**Tuesday, May 12, 2020**

**MuniciPay:** Mrs. Miller discussed MuniciPay, an organization that provides credit, debit and e-check payment services for municipalities and authorities. She said that the OASA uses MuniciPay and the fee that would normally come out of the payment is actually passed on to the user. The fees are \$3.00 or 2.65%, whichever is greater. The e-check fee is \$1.50 per check. They set up and maintain a payment website. They provide a report each time a payment is made, and the payments are transferred to the municipality every 2-3 business days. The Tax Collector and I thought having an online payment option would be a good idea given the current situation. A motion to enter into an agreement with MuniciPay to provide online payment services. Mrs. Bell moved to enter into the agreement with MuniciPay. Mr. Winand seconded the motion. Motion carried.

**Oxford Area Historical Association (OAHA):** Mrs. Miller shared a funding request from the OAHA. She noted that last year the township gave them \$600 but we waited until the fall so we could see where we were at with the budget. The Supervisors agreed to wait until the fall.

**“Spring” on Stoney Lane:** Mrs. Miller said she received a complaint about a spring on Stoney Lane. The water has been worse since the water line went in. The Road Master noticed the water last fall and contacted CWA, who came out and conducted a dye test to see if they had a leak. There was no leak so they kind of said it wasn’t their problem. Mrs. Miller said she remembered discussing the problems that might pop up due to the installation of the waterline and CWA said they would handle any problems that came up as a result of the waterline installation. The thought was to reach out to CWA and possibly the Township Engineer about how to handle the spring. Mrs. Bell said they were boring forever down there; we also need to make them aware that they would handle problems with the landowners. Mrs. Miller said she would reach out to CWA and Paul Andriole.

**May 26, 2020 Supervisors Meeting:** Mrs. Miller said she would not be able to attend the meeting on May 26. Mrs. Bell said she would talk to Ms. Garcia-Allen about the grant requirements and get back to her.

**ASA Committee Meeting:** Mrs. Bell asked Mrs. Miller to schedule an ASA Committee meeting once she had a date. Mrs. Miller said she would. Mrs. Miller reported that one of the ASA Committee members contacted her about the property. He said there is a school on the property and a phone box. He wanted to know if those areas could be excluded from the ASA since they are not related to agriculture. She said she reached out to Representative Lawrence since he is on the Farm Committee for the legislature to see if the law allows portions of a property to be excluded from the ASA. Mrs. Bell said she would try to get the meeting scheduled during the last week of May. Mrs. Miller said that the person with Chester County Land Preservation was not aware that there was a schoolhouse on the tax parcel, and she informed Mrs. Miller that the County is not interested in that portion of the property.

**Taxable Real Estate in the Township:** Mrs. Bell said that Mrs. Miller had prepared a summary of the taxable real estate in the township. In meetings, Oxford Borough often brings up the untaxable property in the Borough and the disparity in fees for certain public services. Mrs. Miller explained the different classifications and assessment values. The total assessment for the township, including the exempted properties, is 131,847,780; exempt properties total 8,841,80; utilities total 81,050; resulting in a total valuation of 122,925,550. The Borough reduced taxes for their residents in 2018. We’ve heard in the past, that the Borough is unfairly charged for fire, EMS, etc., because they have so much untaxable property, although they have the most calls.

## **FINANCIAL REPORTS**

**Treasurer’s Report:** Mrs. Bell moved to approve the Treasurer’s Report for the period ending March 31, 2020, subject to audit. Mr. Winand seconded the motion. Motion carried.

**Reconciliation Summary:** Mr. Winand moved to approve the Reconciliation Summary for the period ending March 31, 2020, subject to audit. Mrs. Bell seconded the motion. Motion carried.

**WEST NOTTINGHAM TOWNSHIP**  
**Board of Supervisors Meeting Minutes**  
**Tuesday, May 12, 2020**

**Bank Statements:** Mrs. Bell moved to open the bank statements for the period ending April 30, 2020 and give them to the Secretary for reconciliation. Mr. Winand seconded the motion. Motion carried.

**General Fund Bills List:** Mrs. Bell moved to approve the bills list for the period April 15 to May 12, 2020, subject to audit. Mr. Winand second the motion. Motion carried.

**Replenish Special Checking:** Mrs. Miller moved to replenish the Special Checking account in the amount of \$1,000.00. Mr. Winand seconded the motion. Motion carried.

**ANNOUNCEMENTS**

There were no announcements.

**PUBLIC COMMENT**

Mr. Ross noted that Upper Oxford Township voted to extend the deadline for property taxes. He wanted to know if the Board was going to consider the same. Mrs. Miller said she would reach out to Upper Oxford Township. He also asked if the OASA meeting would be held online via Zoom. Mrs. Miller confirmed that the Board was going to try it. The information will be posted on the website.

**ADJOURNMENT**

Mrs. Bell moved to adjourn the meeting at 8:36 p.m. Mr. Winand seconded the motion. Motion carried.

Respectfully Submitted,

Candace Miller  
Secretary/Treasurer