

WEST NOTTINGHAM TOWNSHIP
Board of Supervisor's Meeting Minutes
June 16, 2009

Chairman Gerald Cox called the meeting to order at 7:34 p.m. The pledge of allegiance was followed by a moment of silence.

The following were in attendance: Gerald Cox, David Ross, Eric Todd, Candace Miller, John S. Carnes, Jr., Mr. Joseph Riper, Cynthia King, Chief Don McIvor, Susan King, Jeffrey King, Michael S. King, Patricia Vail, Chuck Buskell, Andrew Marker, Patrick Hughes, Stanley Zdrojewski, and Marcella Peyre-Ferry.

COMMITTEE REPORTS – Committee reports available from the Secretary.

APPROVAL OF MEETING MINUTES

Board of Supervisors Meeting Minutes of May 19, 2009 – Mr. Ross moved to approve the minutes from the Board of Supervisors meeting of May 19, 2009. Mr. Todd seconded the motion. Motion carried unanimously.

EXECUTIVE SESSIONS/INFORMATIONAL MEETINGS

The Board met on Tuesday, June 9 to set the agenda for the regular meeting.

An informational meeting was held on Thursday, June 11 with representatives from PennDOT, members of the Historical Commission, and the Road Master to discuss the bridge over Black Run.

An informational meeting was held on Tuesday, June 2 with the Township Engineer to discuss the Nottingham Business Center/CVS plan.

The Zoning Ordinance Task Force held a meeting after the Planning Commission meeting on Tuesday, June 2 to discuss definitions of the zoning ordinance revision. Information derived from that meeting was sent to Kevin Myers of the Chester County Planning Commission. Mr. Carnes said that meeting was held prior to the adjournment of the Planning Commission meeting so the Sunshine Law was not violated.

AGENDA COMMENTS

Mr. Buskell and Mr. Marker expressed their concern about vehicles speeding on Graves Road. They requested to have speed limits posted on the road and asked that the Police patrol that area regularly.

Mrs. (Susan) King also requested speed enforcement for Park Road.

Mr. M.S. King submitted a letter to the Board requesting that they submit a letter to the Chester County Assessment Office regarding the abandoned mobile home on tax parcel 68-6-212. Mr. King alleged that the mobile home is in violation of the Township's Code of Ordinances, specifically Chapter 14, Part 6, Section 611.1.D, no truck bodies, abandoned mobile homes, travel trailers or similar structures shall be used for accessory buildings or to house any accessory uses. Mr. Ross moved to ask the Township Solicitor to act as the Codes Enforcement officer for this matter due to a conflict of interest. Mr. Cox seconded the motion. Motion carried unanimously.

OLD BUSINESS

NBC/CVS Retail – Mr. Carnes summarized the legal settlement with Mr. James Mark, applicant of the Nottingham Business Center (NBC)/CVS retail land development. The applicant is seeking approval of the final plans, required documentation, and other administrative changes. Mr. Carnes recommended that the Board adopt Resolution 5-2009 which will formally approve the land development plan and finalize the administrative changes. Mr. Joe Riper explained that the applicant was requesting that the Board sign the plans and hold them until all the documents have been signed. The Board discussed the PennDOT highway occupancy permit and the proposed traffic light. Mr. Carnes advised the Board that they could sign the plans and approve the resolution with the condition that the Township Engineer approves the conformity of the plans. Mr. Ross moved to adopt Resolution 5-2009 pending the approval of conformity from the Township Engineer of the final land development plan. Mr. Todd seconded the motion. Motion carried unanimously.

McMichael Fireworks Store – The Planning Commission submitted a letter to the Board of Supervisors requesting that they ask the Township Solicitor about the time constraints for the McMichael Fireworks Store. Mr. Carnes advised the Board to send a letter to the applicant requesting that he inform the Board of his intent. Mr. Carnes told the Board that the plans are protected for 5 years from the date of approval and a provision in the Municipal Planning Code (MPC) suggests posting security within 90 days. The Board directed the Secretary to send a letter to Mr. McMichael requesting that he inform the Board of his intent with regard to the property and financial security for the improvements.

McMichael 6-lot Subdivision – Mr. Todd moved to accept a letter of extension for the McMichael 6-lot subdivision through September 16, 2009. Mr. Cox seconded the motion. Motion carried unanimously.

Wicklow Subdivision – Mr. Todd moved to accept the letter of extension for the Wicklow Subdivision through December 31, 2009. Mr. Ross seconded the motion. Motion carried unanimously.

Hughes Subdivision – Mr. Cox moved to accept a letter of extension for the Hughes subdivision through February 28, 2010. Mr. Todd seconded the motion. Motion carried unanimously. There was discussion regarding access to the property and Mr. Hughes presented a possible solution to the access requirement.

SPCA Billing – Mr. Carnes reported that the Township had no obligation to pay the boarding bill submitted by the SPCA. The Board indicated that they would not be opposed to making a donation in the future.

NEW BUSINESS

Payroll Discrepancy – On April 30, 2009, an employee was over paid by \$689.49. The overpayment was not caught until the May bank statements were reconciled. As a result, the employee will reimburse the Township in two payments via an automatic deduction from his next two paychecks. The first payment was made on June 12 in the amount of \$344.75; the second payment will be made on June 25 in the amount of \$344.74.

Newsletter – Mr. Todd moved to approve the summer newsletter and authorize the secretary to have it printed, folded and mailed to residents with a target date of June 25, 2009. Mr. Cox seconded the motion. Motion carried unanimously.

Historic Commission Request – Members of the Historic Commission requested that the Township pay for them to attend a dinner sponsored by the Chester County Historic Preservation Board. Mr. Ross moved to approve the Historic Commission’s request and to ask the Secretary/Treasurer to cut a check at the rate of \$25 per person to attend the dinner. Mr. Cox seconded the motion. Motion carried unanimously. Mr. Cox said that Dottie Freese would contact all of the active members to see who wanted to attend and would let the Secretary/Treasurer know before the June 18 deadline.

Alternative Energy Grants – The Secretary hoped to have the solar feasibility analysis for the next meeting.

FINANCIAL REPORTS

Mr. Ross moved to accept the Treasurer’s Report for the period ending May 29, 2009 subject to audit. Mr. Todd seconded the motion. Motion carried unanimously.

Mr. Ross moved to accept the Bills List for the period May 20 to June 16, 2009, subject to audit. Mr. Todd seconded the motion. Motion carried unanimously.

Mr. Ross moved to accept the Reconciliation Report for the period ending May 22, 2009, subject to audit. Mr. Todd seconded the motion. Motion carried unanimously.

PUBLIC COMMENT

Bridge over Black Run – The Bridge will be replaced by PennDOT beginning in 2010 with a completion date of 2011. The bridge is being replaced because it is rapidly disintegrating.

Sacks – Mr. Carnes reported that the Sacks matter was going before the judge on June 23.

Gatlos – Mr. Carnes is scheduled to depose Mr. Gatlos on June 20.

ADJOURNMENT

Mr. Ross moved to adjourn the meeting at 9:00 p.m. Mr. Todd seconded the motion. Motion carried unanimously.

Respectfully Submitted,

Candace Miller
Secretary/Treasurer