

**WEST NOTTINGHAM TOWNSHIP**  
**Board of Supervisor's Meeting Minutes**  
**August 18, 2009**

Chairman Gerald Cox called the meeting to order at 7:32 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., Patricia Vail, Norman Brown, Doug Brown, Cynthia King, and Marcella Peyre-Ferry.

**COMMITTEE REPORTS** – Committee reports available from the Secretary.

**APPROVAL OF MEETING MINUTES**

**Board of Supervisors Meeting Minutes of July 21, 2009** – Mr. Ross moved to approve the minutes from the Board of Supervisors meeting of July 21, 2009. Mr. Todd seconded the motion. Motion carried unanimously.

**Workshop Minutes of August 11, 2009** – Mr. Ross moved to approve the minutes from the Workshop held on August 11, 2009. Mr. Todd seconded the motion. Motion carried unanimously.

**EXECUTIVE SESSIONS/INFORMATIONAL MEETINGS**

The Board met on Tuesday, August 11, 2009 to set the agenda for the regular meeting.

**ANNOUNCEMENTS**

Mr. Ross announced that the Board entered into a settlement with James Conkey of 209 Veteran's Drive at the August workshop. The Board does not make a habit of conducting business at the Workshop. However, on occasion, time sensitive business is brought before the Board at the Workshop requiring immediate action.

**AGENDA COMMENTS**

Mr. N. Brown asked the Board about the Township purchasing a portable speed indicator sign. Mr. Todd said that he was going to look into borrowing Oxford's portable sign; a new sign would cost about \$1500. Mr. Cox said that the Board would consider including the purchase for a sign in next year's budget. Mr. Brown said that he'd like to see the marked car out patrolling more often and stopping the speeders on Christine Road. Mr. Ross said that the Police have been out patrolling and writing tickets; the fines for local ordinances are up from this time last year.

Mr. D. Brown, Legislative Director for Representative Houghton, introduced himself to the Board. He told the Board that if there is anything Representative Houghton could do for the Township, to please give him a call. The Board and Mr. Brown discussed the how the budget crisis and state of the economy might affect grant money that the Township relies on each year, such as the recycling grant or the funding for Act 537 reimbursement.

**OLD BUSINESS**

**Vision Partnership Grant Extension** – Mr. Ross moved to accept the extension granted by Chester County, extending the deadline for the Zoning Ordinance revision to March 31, 2010. Mr. Todd seconded the motion. Motion carried unanimously.

**Zoning Ordinance Review Task Force meetings** – Mr. Ross authorized the Secretary to advertise the meeting schedule for the Zoning Ordinance Review Task Force through the end of the year. Mr. Todd seconded the motion. Motion carried unanimously.

**Act 537 Letter** – Mr. Todd moved to recommend sending a letter to the OASA requesting a response to the letter from DEP dated July 23, 2009. Mr. Ross seconded the motion. DISCUSSION: Mr. Ross said that the Board received a letter from Kelly Sweeney of PADEP raising concerns about steps that the OASA were going to take. The Supervisors want to send a letter to the OASA asking that they move forward with the revision. Mr. Cox called for a vote. Motion carried unanimously.

**Freedom Fest Permit Fee** – Mr. Todd moved to waive the permit fee for Freedom Fest. Mr. Ross seconded the motion. Motion carried unanimously.

**Gatlos Arbitration** – Mr. Carnes reported that the arbitration panel awarded the Township \$11,053.98. He added that Cynthia King, Codes Enforcement Officer, did a wonderful job. He recommended that Township not appeal the ruling.

**Westwoods** – Mr. Carnes discussed the escrow for the Westwoods subdivision. He recommended that the Board wait to see what happens with the August 20<sup>th</sup> sale.

## **NEW BUSINESS**

**Traffic Engineering Services** – Mr. Ross moved to accept the proposal submitted by Heinrich & Klein Associates, Inc. to provide traffic engineering services relative to the analysis, design and preparation of a traffic signal permit plan for the intersection of Christine Road and Baltimore Pike. Mr. Todd seconded the motion. Motion carried unanimously. Mr. Cox said he was concerned about the maintenance of the markings on Route 272. The state will paint the straight lines in the center of the road, but the Township is responsible for the lines and arrows at the traffic signal. Mr. Cox wanted to be sure that the Township wasn't going to be responsible for the hash marks going into the CVS right turn lane. Mr. Carnes said that he has been in touch with Joe Riper, who is following up with CVS.

**Fall Dumpster Day** – Mr. Todd moved to set October 3, 2009 as Fall Dumpster Day and to accept the fee schedule for CFC and non-CFC items, \$5 and \$10 respectively. Mr. Ross seconded the motion. Motion carried unanimously.

**Fall Newsletter** – Mr. Todd moved to authorize the secretary to create, print and mail the fall newsletter with a target date of September 24, 2009. Mr. Ross seconded the motion. Motion carried unanimously.

**Transfer of funds to PLGIT/Plus** – Mr. Todd moved to transfer \$40,000.00 from the General Fund checking account to the PLGIT/Plus account. Mr. Cox seconded the motion. Motion carried unanimously.

**Transfer of funds to Equipment Fund** – Mr. Cox moved to transfer \$14,936.57 from Liquid Fuels checking account to the Equipment Fund checking account. Mr. Todd seconded the motion. Motion carried unanimously. Mr. Ross noted that the Board wanted to make sure that there was enough money in the Liquid Fuels account to cover the paving projects. In May, \$7500 was transferred to the Equipment Fund; the amount authorized at this meeting would bring the total amount transferred to 20%, the maximum allowed by law. The funds will be used in the future to purchase equipment.

Nilan Holding Tank Escrow – Mr. Todd moved to authorize the Treasurer to move the Nilan holding tank escrow (\$7500) to First National Bank of Chester County. Mr. Ross seconded the motion. Motion carried unanimously.

### **FINANCIAL REPORTS**

Mr. Ross moved to accept the Treasurer’s Report for the period ending July 31, 2009 subject to audit. Mr. Todd seconded the motion. Motion carried unanimously.

Mr. Ross moved to accept the Bills List for the period July 22 to August 18, 2009, subject to audit. Mr. Todd seconded the motion. Motion carried unanimously.

Mr. Ross moved to accept the Reconciliation Report for the period ending July 24, 2009, subject to audit. Mr. Todd seconded the motion. Motion carried unanimously.

### **PUBLIC COMMENT**

Mr. Cox thanked Nancy Cox for providing notary services to the Township, free of charge.

Mr. Cox responded to a statement made by Mr. Todd at the Workshop regarding the CVS store in Nottingham. Mr. Cox stated that his concerns “were with the previous decisions made by the pervious Board of Supervisors. It did not conform with the West Nottingham Township ordinances.” The Township entered litigation with James Mark after the land development plan was denied. A settlement was agreed to by all parties earlier this year. Mr. Todd stated that the Township could have saved \$8200 in legal fees if the Board had negotiated with the applicant instead of denying the plan.

Mr. Todd said that he didn’t think Mr. Cox should have purchased 10-year old tires for the International dump truck. He added that a year ago, the Road Master requested that new tires be purchased for the truck. Mr. Cox said that he called the Truck Tire and Rim Association and the tires are safe. He said that the cost of the used wheels, used tires and fender were only \$450. Mr. Todd stated that he was opposed to putting used, 10-year old tires on the dump truck.

### **ADJOURNMENT**

Mr. Ross moved to adjourn the meeting at 8:25 p.m. Mr. Todd seconded the motion. Motion carried unanimously.

Respectfully Submitted,

Candace Miller  
Secretary/Treasurer