

WEST NOTTINGHAM TOWNSHIP
Board of Supervisor's Meeting Minutes
January 18, 2011

Chairman Eric Todd called the meeting to order at 7:30 p.m. The pledge of allegiance was followed by a moment of silence.

The following were in attendance: Eric Todd, Gerald Cox, Tiffany Bell, Candace Miller, Eugene Twardowski, Cynthia King, Don McIvor, Larry Bonham, Nancy Cox, David Ross, Frank Lobb, Bill Donnelly, Elsie Donnelly, Ron Kepler, Ken Hershey, and Terri D'Ignazio.

COMMITTEE REPORTS

Mr. Todd announced that the committee reports are available from the Secretary.

APPROVAL OF MEETING MINUTES

Board of Supervisors Meeting Minutes of December 21, 2010 – Mr. Cox moved to approve the minutes from the Board of Supervisors meeting of December 21, 2010. Mrs. Bell seconded the motion. Motion carried unanimously.

Ordinance 01-2010 Public Hearing held on December 21, 2010 – Mrs. Bell moved to approve the minutes from the Public Hearing held on December 21, 2010 to receive comment on proposed Ordinance 01-2010. Mr. Cox seconded the motion. Motion carried unanimously.

Board of Supervisors Organization Meeting Minutes of January 3, 2011 – Mr. Cox moved to approve the minutes from the organization meeting held on January 3, 2011. Mrs. Bell seconded the motion. Motion carried unanimously.

Workshop Minutes of January 11, 2011 – Mrs. Bell moved to approve the minutes from the workshop held on January 11, 2011. Mr. Cox seconded the motion. Motion carried unanimously.

Ordinance 01-2011 Public Hearing held on January 11, 2011 – Mr. Cox moved to approve the minutes from the Public Hearing held on January 11, 2011 to receive comment on proposed Ordinance 01-2011. Mrs. Bell seconded the motion. Motion carried unanimously.

EXECUTIVE SESSIONS/INFORMATIONAL MEETINGS

An executive session was held on December 21, 2010 after the regular monthly meeting to discuss personnel issues.

The Supervisors met with the Township Engineer on December 30, 2010 at 8:30 a.m. to discuss the Act 537 plan and the Oxford Area Sewer Authority.

A workshop was held on January 11, 2011 at 7:00 p.m. to set the agenda for the regular meeting.

AGENDA COMMENTS

Mr. Hershey requested to discuss the Recreation Authority.

Mr. Ross requested to comment on the USDA loan guarantee and the resolution the Sewer Authority wants the township to adopt.

OLD BUSINESS

There was no old business.

NEW BUSINESS

USDA Loan Guarantee Resolution – Mr. Twardowski presented a draft resolution to the Board which addressed the request of the Oxford Area Sewer Authority (OASA) that the participating municipalities guarantee the funding from the USDA and commit to moving forward with the plan for the expansion. The resolution is needed before Fulton Bank will provide the bridge loan. Mr. Ross asked if the resolution complied with the Local Public Debt Act (LPDA) and whether a public hearing should be held before the Board committed to the OASA’s request. Mr. Twardowski explained that under the LPDA, there is a threshold as to what a municipality can borrow without going through the hearing process. The amount that West Nottingham is being asked to guarantee is less than that maximum amount. He further explained that the resolution states that the Board of Supervisors “*shall execute the necessary documents and take necessary official actions as required to implement such guarantee.*” There was discussion regarding the EDUs and who would install the sewer lines. Mrs. Bell wanted to know if the OASA would have to reserve 812 EDUs for the township. Mr. Twardowski said that based on the cooperative agreement signed in July 1991 the answer is yes. Mr. Cox asked if the OASA could terminate West Nottingham Township. Mr. Twardowski said that the Sewer Board would have to pass a resolution and submit it to the Secretary of Pennsylvania and then it would go to litigation. Mr. Lobb said that OASA’s policy has always been “first come, first served” and they cannot hold EDUs when they could sell them. Mr. Kepler stated that Lower Oxford Township is not interested in seeing West Nottingham Township getting out of the OASA. However, if the Board does not guarantee the loan, he is prepared to join with the other municipalities to pick up West Nottingham’s 12% so plans can move forward. Mrs. Bell moved to table the consideration of the resolution until the February 8th workshop and to have the Solicitor contact the OASA solicitor for additional information and clarification in writing. Mr. Cox seconded the motion. Mrs. Bell and Mr. Cox voted for the motion. Mr. Todd abstained. Motion carried.

Schagrin Gas Zoning Board Hearing – The Codes Enforcement Officer requested an “as built” plan from Schagrin Gas Company to make sure that the set backs were met when the tank was placed on the property. Mrs. King said that where the tank is currently sitting, the setbacks overlap resulting in 3 front yards. Schagrin Gas Company submitted a zoning variance application to deal with the issue. Mr. Twardowski recommended that the Township is a party of interest and the Board can write a letter or attend the hearing. There was discussion about the Schagrin Gas conditional use hearing and the conditions that were agreed to by the applicant. Mr. Twardowski said that the two hearings were separate and should be dealt with separately. He said he would talk to Mrs. King about the conditions and the zoning application. Mr. Todd moved to table a decision to testify or write a letter to the Zoning Hearing Board until the February 8th workshop. Mr. Cox seconded the motion. Motion carried unanimously.

Fuels and Stone Bids – Mr. Todd moved to authorize the Secretary to advertise the bid packages for fuels and stone to be accepted until 9:00 a.m. on February 8th and opened the same

evening at the workshop; the bids shall be considered at the regular monthly meeting on February 15. Mr. Cox seconded the motion. Motion carried unanimously.

Real Estate Tax Bills – Mr. Cox moved to authorize the Secretary to order the real estate tax bills from the County. Mrs. Bell seconded the motion. Motion carried unanimously.

FINANCIAL REPORTS

Mr. Todd moved to accept the Treasurer’s Report for the period ending December 31, 2010 subject to audit. Mrs. Bell seconded the motion. Motion carried unanimously.

Mr. Todd moved to accept the Bills List for the period December 22, 2010 to January 18, 2011, subject to audit. Mrs. Bell seconded the motion. Motion carried unanimously.

Mr. Todd moved to accept the Reconciliation Report for the period ending December 31, 2010, subject to audit. Mr. Cox seconded the motion. Motion carried unanimously.

PUBLIC COMMENT

Mrs. Cox wanted to know what was being stored at Oxford Mini Storage. Mr. Todd said that the township was storing records in a climate controlled unit.

Mr. Ross wanted to know about a check to H2O Ministries. Mrs. Miller explained that it was a donation made in lieu of flowers in memory of Patricia Vail, the supervisor who passed away in November.

Mr. Ross expressed his appreciation for the Road Crew and the great job they do on the roads during the winter months. The township roads have been in great shape compared to other municipalities and state maintained roads.

Mr. Hershey said he was prepared to answer questions about the Recreation Authority. Mr. Todd said that the Township wanted to join, but the Board was not told about the \$15,000 seed money when Mr. Henry came to address the Board in the Fall. He said that it might be possible to make the payments in installments. Mr. Hershey said that a payment plan could probably be worked out and he would get back to the Board.

ADJOURNMENT

Mr. Cox moved to adjourn the meeting at 8:48 p.m. Mrs. Bell seconded the motion. Motion carried unanimously.

Respectfully Submitted,

Candace Miller
Secretary/Treasurer