

WEST NOTTINGHAM TOWNSHIP
Board of Supervisor's Meeting Minutes
March 16, 2010

Chairman Eric Todd 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: Eric Todd, Patricia Vail, Gerald Cox, Candace Miller, Cynthia King, John Hays, Dorothy Hays, Norman Brown, and members of the Amish community.

COMMITTEE REPORTS – Committee reports available from the Secretary.

APPROVAL OF MEETING MINUTES

Board of Supervisors Meeting Minutes of February 16, 2010 – Mrs. Vail moved to approve the minutes from the Board of Supervisors meeting of February 16, 2010. Mr. Cox seconded the motion. Motion carried unanimously.

Workshop Minutes of March 9, 2010 – Mr. Cox moved to approve the minutes from the Workshop held on March 9, 2010. Mrs. Vail seconded the motion. Motion carried unanimously.

EXECUTIVE SESSIONS

An executive session was held on February 18, 2010 meeting to handle a personnel matter.

Mr. Cox, Mr. Todd and the Road Master went to Lancaster on March 9, 2010 to look at a backhoe.

The Board met on March 9, 2010 to set the agenda for the Supervisors meeting.

ANNOUNCEMENTS

At the Workshop, the Board adopted Resolution 5-2010, the Chester County Hazard Mitigation Plan. Mr. Todd noted that the Board would have taken care of this at the regular meeting; however, the County needed the Township's response by March 15 so it was taken care of at the workshop.

Mr. Cox reminded the attendees that there will not be a workshop in April. The regular meeting will take place on Tuesday, April 13 beginning at 7:30 p.m.

AGENDA COMMENTS

There were no comments from the public.

OLD BUSINESS

Sacks Matter – The Board discussed the extension request from Mr. and Mrs. Sacks. Mrs. Vail and Mr. Cox expressed their disapproval of another extension. Both felt that there has been

enough time for the property to have been cleaned up. Mrs. King, the Codes Enforcement Officer, stated that there were some little things that needed to be removed as well as the construction trailer. She recommended that the Board notify Mr. and Mrs. Sacks of a final extension. Mr. Todd recommended granting an extension until April 12, 2010. That would give Mrs. King an opportunity to inspect the property prior to the regular meeting on April 13. Mrs. Vail moved to grant a final extension until April 12, 2010 for the clean-up effort. Mr. Todd seconded the motion. Mr. Todd and Mrs. Vail voted in favor of the motion. Mr. Cox voted against it. Motion carried with a majority vote.

NEW BUSINESS

Resolution 6-2010 – Mr. Cox moved to adopt Resolution 6-2010 joining the Lackawanna County Automotive & Equipment contract administered by Lackawanna County. Mrs. Vail seconded the motion. Motion carried unanimously.

Amish School House – Mrs. Miller announced that Mrs. King had received a zoning variance application from members of the Amish community requesting that they be allowed a secondary use of a residential property for an Amish school house. It was noted that there are not Amish schools in the township. The variance request will be submitted to the Zoning Board Solicitor once all of the documentation has been received. Mr. Todd moved to send a letter to the Zoning Hearing Board supporting the request for the variance. Mrs. Vail seconded the motion. Motion carried unanimously.

Rain date for Clean-up Day – Mrs. Vail proposed a rain date for clean-up day. Mr. Todd moved to set a rain date of April 17, 2010 for clean-up day. Mrs. Vail seconded the motion. Motion carried unanimously.

Transfer of funds – Mr. Todd noted that \$15,000 was transferred from the PLGIT savings account to the General Fund checking account to pay the March bills list and meet payroll expenses. Mrs. Vail moved to authorize the Secretary/Treasurer to transfer up to \$40,000 to cover bills and expenses that may arise before the April 13th meeting. Mr. Todd seconded the motion. Motion carried unanimously.

Backhoe – Mr. Cox explained that the road crew needed a new backhoe. Mr. Cox, Mr. Todd and the road master looked at a New Holland backhoe listed at about \$71,000. A representative from Lancaster Truck and Equipment came out to look at the old backhoe and wrote an offer for \$10,000 leaving the purchase price a little more than \$61,000. The Board discussed putting \$20,000 down and financing the remaining \$41,000. Mr. Todd moved to authorize the Secretary/Treasurer to look into the best lease or loan to purchase the backhoe and to complete the application for the lease or loan with the best interest rate and terms; and to purchase the New Holland backhoe, trading in the 555C in the amount of \$10,000, and putting a down payment of \$20,000 toward the purchase. Mr. Cox seconded the motion. Motion carried unanimously.

FINANCIAL REPORTS

Mr. Todd moved to accept the Treasurer's Report for the period ending February 28, 2010 subject to audit. Mrs. Vail seconded the motion. Motion carried unanimously.

Mr. Todd moved to accept the Bills List for the period February 17 to March 16, 2010, subject to audit. Mr. Todd seconded the motion. DISCUSSION: Mr. Cox questioned the Solicitor's bill. He didn't understand why the Solicitor didn't bill the township for attending the January meeting. He also said that there was litigation on harassment charges for an hour-and-a-half and that should have been done internally. There was no memo or letter of their findings for the grievance. Mr. Todd stated that they advised us on how to proceed and that Mr. Cox's involvement would be a conflict of interest. Mr. Cox disagreed and said that it should be public knowledge because the Right-to-Know Law. Mr. Todd wanted to know what was spent on legal fees last year. Mr. Cox said that there's no way to compare it. Mr. Cox voted in favor of all the bills except the bill received from Conrad O'Brien. Mr. Todd and Mrs. Vail voted in favor of approving the bills list. Motion carried.

Mrs. Vail moved to accept the Reconciliation Report for the period ending February 25, 2010, subject to audit. Mr. Todd seconded the motion. Mr. Todd and Mrs. Vail voted in favor of the motion. Mr. Cox voted against it stating that he didn't like it. Motion carried with a majority vote.

PUBLIC COMMENT

Community Hero Award – Mrs. Miller proposed that the Board award a “Community Hero” award to individuals, groups, organizations or a business who give back to the community. The Board would take nominations from the community and select a recipient 2 or 3 times a year. Mrs. Vail said she liked the idea and suggested selecting a recipient with the spring and fall newsletters. Mr. Todd moved to accept nominations for a “Community Hero” award to be given out semi-annually in the spring and fall. Mrs. Vail seconded the motion. Motion carried unanimously. Recipients will be invited to a township meeting where the Board would present the “Community Hero” certificate.

Resolution 7-2010 – Mrs. Miller nominated Herr Foods to be the recipient of the first “Community Hero” award. She stated that they sponsor community events such as Bike Night, Zoo Day, and Freedom Fest and they have improved the community by donating land to the Union Fire Company to build a substation in Nottingham. Mr. Todd moved to adopt Resolution 7-2010 naming Herr Foods, Inc. as the first Community Hero in West Nottingham Township. DISCUSSION: Mr. Cox expressed his displeasure at not having the word “Supervisor” behind his name on the resolution. Mrs. Miller explained that above the list of supervisors on the resolution it states “Board of Supervisors” already identifying the names listed as “Supervisors”. Mr. Cox said he ran for Supervisor, was elected Supervisor and wanted it behind his name. Mr. Todd said that he sees no reason to change it and that he would make a motion that it remains the same. Mr. Cox said it couldn't be done legally; then there would be another litigation. Mr. Todd asked what litigation and Mr. Cox referred to a situation with Mrs. Miller. Mrs. Miller cautioned Mr. Cox that he was violating her right to privacy by bringing up a personnel matter in a public meeting. He disagreed and stated that he had a right to say what he wanted that the first amendment gives him that freedom. Mr. Cox accused Mrs. Miller of not being able to take criticism. Mrs. Miller said that she can take criticism. Mr. Cox said that she couldn't. Mr. Todd brought the meeting back to order and reiterated the motion on the floor. Mr. Cox seconded the motion. Motion carried unanimously.

Nottingham Presbyterian Church – Mrs. King presented a letter to the Board notifying them of an Easter Sunrise service scheduled to take place on Easter Sunday at the Nottingham

Cemetery. Mrs. King noted that there is no permit necessary; the code of ordinances simply states that they need to notify the township in writing 30-days in advance. She said added that the letter also stated that Mrs. Miller is lovely and talented and she thought the Board should know that.

Dorothy Hays – Mrs. Hays thanked the Board for following through with the clean-up of the Sacks property. She stated that she felt there had been sufficient time for the clean-up to be completed. She also said that she understands that acts of God can not be controlled but they have had enough time to get it cleaned up.

Norman Brown – Mr. Brown commended the road crew for the snow removal efforts in the township. He said they did a better job than the state. Mrs. Hays agreed as did the members of the Amish community.

ADJOURNMENT

Mr. Cox moved to adjourn the meeting at 8:38 p.m. Mrs. Vail seconded the motion. Motion carried unanimously.

Respectfully Submitted,

Candace Miller
Secretary/Treasurer