

WEST NOTTINGHAM TOWNSHIP
Board of Supervisor's Meeting Minutes
May 19, 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., Cynthia King, John Reynolds, Chief Don McIvor, Nancy Cox, Kris Altizer, Mark Altizer, and Marcella Peyre-Ferry.

COMMITTEE REPORTS – Committee reports available from the Secretary.

APPROVAL OF MEETING MINUTES

Board of Supervisors Meeting Minutes of April 14, 2009 – Mr. Todd moved to approve the minutes from the Board of Supervisors meeting of April 14, 2009. Mr. Ross seconded the motion. Motion carried unanimously.

Special Meeting Minutes of April 17, 2009 – Mr. Todd moved to approve the minutes from the special meeting held on April 17, 2009. Mr. Ross seconded the motion. Motion carried unanimously.

EXECUTIVE SESSIONS/INFORMATIONAL MEETINGS

An informational meeting was held on April 25 with the OASA to get an update on the status of the Act 537 plan. An informational meeting was held on April 28 with the Chester County Planning Commission regarding the steps required to finalize the zoning ordinance revision.

AGENDA COMMENTS

Mr. Altizer thanked the Board of Supervisors and the Township Police for addressing the issues brought up at the April meeting. There was discussion as to why the Township doesn't have a full-time Police Department. Mr. Ross said that a full-time department would require significant revenue.

OLD BUSINESS

Aflac – Mr. Ross moved to allow the Secretary to set up an enrollment meeting with representatives from Aflac, noting that employees would have to attend the meeting on their own time. Mr. Todd seconded the motion. Motion carried unanimously.

Lees Bridge over Black Run – Mr. Ross discussed the latest communication from PennDOT regarding the bridge on Lees Bridge Road over Black Run. Specifically, Penn DOT wants to put the existing plaque on the outside wing wall. The Historical Commission wants to put it on the inside wing wall. The Historical Commission submitted a letter to the Board of Supervisors protesting the bridge design. They would like to see the bridge remain a one lane bridge with Penn DOT using the existing stone and caps in their construction. Mr. Cox suggested scheduling a meeting with Penn DOT to discuss the bridge plans and the concerns of the Historical Commission. Mr. Ross will set up the meeting.

Taser Policy – Mr. Todd moved to adopt Resolution 4-2009, approving the police policy and procedure governing the use of tasers by the township police. Mr. Ross seconded the motion. DISCUSSION: Mr. Cox asked Chief McIvor to have the police officers initial or sign a statement that they have read and understand the taser policy. Mr. Cox called for a vote. Motion carried unanimously.

NEW BUSINESS

Employee Pension Plan – Mr. Todd moved to approve the appointments of Jack Walter and William Groves as Trustees of the Pennsylvania Municipalities Pension Trust. Mr. Ross seconded the motion. Motion carried unanimously.

Act 32 County-wide Tax Collection – Mr. Ross discussed Act 32 which mandates that earned income tax be collected by a single tax collector for each county. The law goes into affect in January 2012. It does not specify how the tax collection process is going to be set up, but it will be funded by local governments. The Board needs to appoint a voting delegate and two alternates to the Tax Collection Commission (TCC) by September 2009. Mr. Ross asked Mr. Carnes to look into what the Board needs to do and what the concerns might be.

OxREM By-Laws – Mr. Reynolds explained the purpose of the Oxford Regional Emergency Management group to the Board and answered questions regarding the by-laws. He asked the Board to approve the by-laws, authorize him to sign them at the next OxREM meeting, and to approve the annual funding. Mr. Ross moved to approve the by-laws, authorize John Reynolds to vote and sign the by-laws at the May 28 OxREM meeting, and to approve the annual funding request of \$200 to support the regional Emergency Management group. Mr. Todd seconded the motion. Motion carried unanimously. The Board directed the Secretary/ Treasurer to deduct the 2009 fee from the Supervisors' expense budget line item.

Verizon Franchise Negotiations – Mr. Ross and Mr. Carnes met with representatives from Verizon to discuss the development of franchise agreement. Mr. Ross presented the Board with a summary of the differences between the draft submitted by Verizon and the agreement currently in place with Armstrong. Mr. Ross stated that the contract submitted by Verizon is very different from the one submitted by Armstrong. Mr. Todd suggested that we again offer Verizon the option of signing the Armstrong agreement with suitable substitutions. Mr. Ross and Mr. Carnes will continue to work on this effort.

Francis Way/William Smith – Mr. Cox asked Mrs. King to check the vacant house on Francis Way, currently owned by William Smith, for vegetation violations. He asked her to send an enforcement notice regarding the overgrown lot.

Sacks – Mr. Carnes drafted a contempt of court petition regarding the Sacks matter. Mrs. King is prepared to sign an affidavit attesting to the condition of the property. Mr. Ross moved to authorize Mr. Carnes to move forward with the petition of contempt in the Sacks matter. Mr. Todd seconded the motion. Motion carried unanimously.

Gatlos – Mr. Carnes noted that the Gatlos matter is scheduled for arbitration in August. He would like to depose Mr. Gatlos prior to the August hearing. The Board accepted the Solicitor's advice and authorized Mr. Carnes to proceed.

SPCA Bill for Boarding – The Township received a bill from the SPCA for boarding. Currently, the Township does not have a contract with the SPCA. The Board was under the impression that if there is no contract, the Township is not obligated to pay for boarding. Mr. Carnes will look into this situation further. The Secretary will give him a copy of the bill and boarding receipts.

Recycling Ordinance – The Recycling Ordinance adopted by the Board last year requires that business, mobile home parks, and institutional properties submit a quarterly recycling report to the township. It was suggested that the recycling report form allow a space to identify the private hauler who is removing the recyclable matter. Mr. Ross will work with the Recycling Coordinator and Mrs. Miller on this matter.

Transfer of funds to PLGIT/Plus – Mr. Ross moved to transfer \$40,000 from the General Fund checking account to the PLGIT/Plus account. Mr. Todd seconded the motion. Motion carried unanimously.

Freedom Fest – Mr. Ross moved to sign the Freedom Fest permit submitted by the County with the conditions that the Township Solicitor approves the certificate of insurance and that the site inspections and special conditions set forth by the Emergency Management Coordinator, John Reynolds, be met to his satisfaction. Mr. Todd seconded the motion. Motion carried unanimously.

Food for Freedom Fest – Mr. Todd moved to approve the purchase of food for Freedom Fest, up to \$500, with the understanding that all receipts will be submitted to Herr Foods, Inc. for reimbursement. Mr. Cox seconded the motion. Motion carried unanimously.

Nottingham Business Center/CVS-Retail Land Development Plan – Mr. Carnes will contact Mr. Riper to find out where things stand with the NBC/CVS plan. Mr. Ross noted that a letter from Penn DOT indicated that the Township may have to submit the application for the light. Mr. Carnes will get clarification of the HOP from Mr. Riper.

FINANCIAL REPORTS

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

Mr. Ross moved to accept the Bills List for the period April 22 to May 19, 2009, subject to audit. Mr. Todd seconded the motion. Motion carried unanimously.

Mr. Ross moved to accept the Reconciliation Report for the period ending April 29, 2009, subject to audit. Mr. Todd seconded the motion. Motion carried unanimously.

PUBLIC COMMENT

Clean-up Day – Mrs. Cox announced that the only outstanding bill from Clean-up Day was the bicycle. A receipt will be submitted as soon as the bike is purchased.

Upcoming Presentations – Mr. Ross announced that the Supervisors plan to attend a presentation by Union Fire Company on May 20 and the Dedication of Nottingham County Park as a National Natural Landmark on June 3.

ADJOURNMENT

Mr. Ross moved to adjourn the meeting at 9:15 p.m. Mr. Todd seconded the motion. Motion carried unanimously.

Respectfully Submitted,

Candace Miller
Secretary/Treasurer