

**WEST NOTTINGHAM TOWNSHIP
Board of Supervisor's Meeting Minutes
December 21, 2010**

Chairman Eric Todd called the meeting to order at 7:30 p.m. The pledge of allegiance was followed by a moment of silence in memory of Vice Chair Patricia Vail who passed away on November 23, 2010. Mr. Todd welcomed Tiffany Bell who was appointed at the Workshop to replace Mrs. Vail.

The following were in attendance: Eric Todd, Gerald Cox, Tiffany Bell, Candace Miller, Eugene Twardowski, Chief Don McIvor, Carolyn Sacks, Donald Davies, David Ross, Frank Lobb, and Marcella Peyre-Ferry.

The regular meeting was recessed at 7:31 p.m. for a public hearing to receive comments on a proposed 4-way stop ordinance. The regular meeting was reconvened at 7:37 p.m.

COMMITTEE REPORTS

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

APPROVAL OF MEETING MINUTES

Board of Supervisors Meeting Minutes of November 16, 2010 – Mr. Cox moved to approve the minutes from the Board of Supervisors meeting of November 16, 2010. Mr. Todd seconded the motion. Mrs. Bell abstained because she was not a supervisor at the November meeting. Motion carried.

Workshop Minutes of December 14, 2010 – Mr. Cox moved to approve the minutes from the workshop held on December 14, 2010. Mrs. Bell seconded the motion. Motion carried unanimously.

EXECUTIVE SESSIONS/INFORMATIONAL MEETINGS

A meeting to discuss the budget was held on November 17, 2010.

A workshop was held on December 14, 2010 at 7:00 p.m. to set the agenda for the regular meeting and to appoint a new Supervisor to replace Mrs. Vail.

AGENDA COMMENTS

Mr. Davies read a letter to the Board regarding recent events involving the outstanding performance of Officer Cullen Todd. A copy of the letter will be placed in Officer Todd's personnel file.

Mr. Ross requested to comment on the Act 537 Plan.

OLD BUSINESS

Ordinance 1-2010 Establishing a 4-way Stop – Mr. Cox moved to adopt Ordinance Amendment 1-2010 establishing a 4-way stop at the intersection of Fremont Road and Lees Bridge Road. Mrs. Bell seconded the motion. Motion carried unanimously.

2011 Budget – Mrs. Bell moved to adopt the 2011 budget. Mr. Todd seconded the motion. Mr. Todd and Mrs. Bell voted in favor of the motion. Mr. Cox voted against it. Motion carried.

Wicklow Subdivision: Mr. Cox moved to accept the letter extending the review period for the Wicklow Subdivision to December 31, 2011. Mrs. Bell seconded the motion. Motion carried unanimously.

Resolution 16-2010 Establishing a new Employee Policy Manual – Mr. Todd moved to adopt Resolution 16-2010 which rescinds the employee policy manual established in November 1998 and replaces it with a new policy dated December 21, 2010, effective January 1, 2011. Mr. Cox seconded the motion. Motion carried unanimously.

Recreation Authority – Mrs. Bell moved set aside \$6000 to pay for legal expenses associated with the joining of the Recreation Authority and the per capita fee for 2010. Mr. Todd seconded the motion. Motion carried unanimously. Mr. Cox asked the Secretary to obtain an estimate for the legal fees. Ms. Peyre-Ferry told the Board that the “Seed Money” (\$15,000) could be paid in installments. The Board discussed this matter further as there was no mention of “Seed Money” during the presentation made by Mr. Henry. Ms. Peyre-Ferry said that the money would be used to pay for operating expenses. Mr. Todd moved to put joining the Recreation Authority on hold. Mrs. Bell seconded the motion. Motion carried unanimously.

Street Lighting – Mr. Cox moved to transfer \$13,000 from the General Fund account to a savings account to pay for the remaining cost of the street lighting. Mrs. Bell seconded the motion. Motion carried unanimously.

OASA Representative – Mr. Todd opened the floor for discussion regarding the Act 537 Plan and the resolution adopted by the Board in November approving the plan. A discussion took place with Mr. Lobb, Mr. Ross, Mr. Twardowski, and the Board members. Mr. Twardowski told the Board that in a letter from the OASA Solicitor, he has been assured that approving the plan does not approve the financing for the improvements. Mr. Todd moved to sign and release the resolution adopted at the November meeting. Mr. Cox seconded the motion. Mrs. Bell abstained as she was not a member of the Board when the resolution was adopted. Motion carried. Mr. Todd moved to authorize Mr. Twardowski to respond to the letter from DEP. Mrs. Bell seconded the motion. Motion carried unanimously. No appointment was made to fill the vacancy on the OASA Board. The Board will continue to seek a qualified candidate until the position is filled.

NEW BUSINESS

DocStar Maintenance Agreement – Mr. Todd moved to approve the annual maintenance agreement from ImageNet for the DocStar system in the amount of \$1209.87. Mr. Cox seconded the motion. Motion carried unanimously.

UFC No. 1 Fire Protection Contract – Mrs. Bell moved to approve the annual fire protection contract with the Union Fire Company No. 1 in the amount of \$29,530.81 for 2011. Mr. Todd seconded the motion. Motion carried unanimously.

Chester County SPCA Annual contract – Mrs. Bell moved to enter into the Boarding Only contract with the Chester County SPCA at a cost of \$500 plus \$65 per each unclaimed stray. Mr. Todd seconded the motion. Motion carried unanimously.

PSATS Pennsylvania Municipalities Pension Trust Disclosure Form – Mr. Todd moved to adopt the PSATS Pennsylvania Municipalities Pension Trust Disclosure and to place it in Pension file and on the website. Mrs. Bell seconded the motion. Motion carried unanimously.

Resolution 17-2010 – Mr. Todd moved to adopt Resolution 17-2010 fixing the tax rate for 2011 at .97 mills. Mrs. Bell seconded the motion. Motion carried unanimously. Mr. Cox said that the Union Fire Company increased their millage rate by .04 mills which accounts for the increase in the 2011 tax rate. The Board is not raising taxes to cover township operating expenses.

Resolution 18-2010 – Mr. Cox moved to adopt Resolution 18-2010 fixing the collection dates for real estate and per capita taxes collected in the township. Mrs. Bell seconded the motion. Motion carried unanimously. Mrs. Miller noted that the tax bills will be mailed earlier (April 15 vice May 1) and will be due earlier (December 15 vice December 31). This change was necessary to meet the requirements imposed by Chester County for submitting tax lien data.

Police Vehicle – Mr. Todd moved to authorize the purchase of a new police vehicle and to transfer the grant money received for the vehicle to a savings account until such time that the Board is ready to pay for the vehicle; and to transfer \$8000 from the General Fund checking to a savings account to cover the cost of the J-Tech quote to outfit the vehicle with the necessary equipment. Mrs. Bell seconded the motion. DISCUSSION: Mr. Cox said that he needs time to review the J-Tech quote and that the Township is not a piggybank for the Police. Mr. Todd noted that J-Tech was a COSTARS provider. Mr. Todd called for a vote. Mr. Todd and Mrs. Bell voted in favor of the motion. Mr. Cox voted against the motion. Motion carried.

Zoning Update Public Information Meeting – Mrs. Bell moved to authorize the Secretary to advertise a public information meeting regarding the Zoning Ordinance Update on Monday, January 24, 2011 at 7:00 p.m. at the Herr Foods' Visitor Center. Mr. Todd seconded the motion. Motion carried unanimously.

Electric Service – The Board reviewed proposals for electric service from Exelon and Nextera. Mr. Todd moved to accept the proposal from Exelon for electric service to the municipal building, police building, street lights and traffic signal for a period of 2-years. Mr. Cox seconded the motion. Motion carried unanimously.

FINANCIAL REPORTS

Mr. Todd moved to accept the Treasurer's Report for the period ending November 30, 2010 subject to audit. Mr. Cox seconded the motion. Motion carried unanimously.

Mrs. Bell moved to accept the Bills List for the period November 17 to December 21, 2010, subject to audit. Mr. Cox seconded the motion. Motion carried unanimously.

Mr. Cox moved to accept the Reconciliation Report for the period ending November 30, 2010, subject to audit. Mr. Todd seconded the motion. Motion carried unanimously.

PUBLIC COMMENT

There was some discussion regarding the SPCA contract.

Mr. Todd announced that an executive session would be held after the regular meeting to discuss personnel matters.

ADJOURNMENT

Mr. Cox moved to adjourn the meeting at 9:10 p.m. Mrs. Bell seconded the motion. Motion carried unanimously.

Respectfully Submitted,

Candace Miller
Secretary/Treasurer