

WEST NOTTINGHAM TOWNSHIP
Board of Supervisor's Meeting Minutes
October 16, 2007

Chairman Gerald Cox called the meeting to order at 7:30 p.m. The pledge of allegiance was followed by a moment of silence. Mr. Cox noted that Mr. Todd would not be attending the meeting due to a previously scheduled event.

The following were in attendance: Gerald Cox, David Ross, Candace Miller, John S. Carnes, Jr., Pat Vail, Nancy Cox, Robert Bradley, Harry Irrgang Jr., Mary Lou Irrgang, Waris A. Samuel, Dionne Samuel, Harry J. Irrgang Sr., and Marcella Peyre-Ferry.

PUBLIC HEARING

The meeting was recessed at 7:32 p.m. to conduct a public hearing regarding the adoption of Ordinance No. 2-2007 which establishes the adoption of the Oxford Regional Government Cooperative Planning Agreement. During the hearing the Board voted to adopt Ordinance 2-2007. The regular meeting was reconvened at 7:37 p.m.

COMMITTEE REPORTS – Committee reports are available from the Secretary.

ANNOUNCEMENTS

The first Village Vision Meeting will be held on October 22, 2007 at 7:00 p.m. at the Herr Foods Visitor Center. This meeting will focus on education, the current condition of the Village and how the meeting fits with the ongoing efforts of the Township. A follow-up meeting will be held on November 13, 2007.

APPROVAL OF MEETING MINUTES

Board of Supervisors' Meeting, September 18, 2007 and Special Meeting, October 8, 2007 – Mr. Ross moved to approve the minutes from the September 18, 2007 regular meeting and the October 8, 2007 special meeting. Mr. Cox seconded the motion. Motion carried unanimously.

EXECUTIVE SESSIONS/INFORMATIONAL MEETINGS

The Board held an Executive Session on October 1, 2007 to discuss West Woods Subdivision and Nottingham Business Center/CVS-Retail.

A Special Meeting was held on October 8, 2007 to discuss and take action regarding West Woods Subdivision.

The Board held its monthly workshop on October 15, 2007 to set agenda for Supervisors' meeting.

AGENDA COMMENTS

Zoning Hearing Board – Mr. Ross requested to add the McMullen application for the Zoning Hearing Board to the agenda so that the Board can comment on the location of the front yard setback.

OLD BUSINESS

West Woods Subdivision – Mr. Cox updated residents of West Woods Subdivision on the Township's efforts to get Mr. William Smith to comply with the Township's ordinances and the subdivision

improvements agreement. Mr. Carnes explained that the three civil complaints had been filed at the district court house and the money escrowed by Mr. Smith to complete the subdivision improvements had been received from First Keystone Bank. The dedication of the road will be complicated, especially since property in West Woods Subdivision currently owned by Mr. Smith is up for Sheriff's sale. Mr. Ross added that the Board would open bids on October 29th to potentially award a contract for the paving of the road. The Township would not be able to perform winter maintenance on the road until it is dedicated and until ownership of the property is clear, the residents will have to assume responsibility. Mr. Cox suggested that the residents create a temporary homeowner's association to contract plowing for the winter. Mr. Ross moved to authorize advertising a special meeting on October 29, 2007 at 1:30 p.m. to open the bids for the paving of Francis Way, develop the budget, and conduct any other business that may come before the Board. Mr. Cox seconded the motion. Motion carried unanimously.

Chester County Planning Commission Intergovernmental Cooperative Planning Agreement (ICPA) – Mr. Ross moved to enter into the ICPA and to appoint Steve Reeves as the representative from the Planning Commission, Gerald Cox as representative from the Board of Supervisors, and David Ross as alternate to the multi-municipal planning committee. Mr. Cox seconded the motion. Motion carried unanimously.

Herr Foods, Inc. Land Development – Mr. Ross moved to recognize that the conditions set forth in Resolution 6-2007 have been met by the applicant and that the Board approve of the final land development plan submitted by Herr Foods, Inc. effective October 16, 2007. Mr. Cox seconded the motion. Motion carried unanimously.

Village Vision Meeting – Mr. Cox moved to authorize the Secretary to purchase refreshments for the Village Vision Meetings. Mr. Ross seconded the motion. Motion carried unanimously.

Nottingham Business Center/CVS-Retail – Mr. Carnes reported that the Township received a proposal to settle litigation and he hoped to have it resolved by the October 29, 2007 deadline. Mr. Carnes recommended that the Board approve a 60 day extension in the event that the proposal is not resolved by the deadline. Mr. Ross moved to authorize the Solicitor to accept an extension up to 60 days from October 29, 2007 for the return of the record. Mr. Cox seconded the motion. Motion carried unanimously.

NEW BUSINESS

Local Service Tax – Mr. Carnes explained that the Local Service Tax allows municipalities to use the money to offset costs for emergency agencies and road work. The tax, which could go into effect January 1, 2008, is collected from people who work in the township and earn more than \$12,000 per year. The Township could collect up to \$52 per year from eligible individuals. Mr. Ross added that the Board is considering the tax because it relies on collecting taxes from people who live outside of the township, work here and use the township's resources. The Board will also consider eliminating the current street light assessment. Mr. Ross moved to set November 20, 2007 as the date for a public hearing to receive comments regarding Ordinance 3-2007 Local Service Tax, and to authorize the Solicitor to prepare the ordinance and advertise it in accordance with state law. Mr. Cox seconded the motion. Motion carried unanimously.

Union Fire Company No. 1, Conditional Use Hearing – Mr. Cox moved to waive the Conditional Use Hearing fee for Union Fire Company No. 1 regarding the conditional use application to build a sub-station at the corner of Old Forge Road and Route 272. Mr. Ross seconded the motion. Motion carried unanimously.

Planning Commission Resignation and Appointment – Mr. Cox moved to accept the resignation of Adam Sapp from the Planning Commission effective December 1, 2007 and to appoint Jim Lewis to serve out the remainder of Mr. Sapp’s term. Mr. Ross seconded the motion. Motion carried unanimously.

Solanco Regional Comprehensive Plan – Mr. Ross moved to forward the Solanco Regional Comprehensive Plan to the Planning Commission for review and comment. Mr. Cox seconded the motion. Motion carried unanimously.

Subdivision and Land Development Checking Account – Mr. Ross moved to authorize the Secretary to establish a checking account at First National Bank of Chester County and to deposit funds received from First Keystone Bank for improvements to West Woods Subdivision. Mr. Cox seconded the motion. Motion carried unanimously.

Health Insurance and Life Insurance Renewal – Mr. Ross moved to authorize the Secretary to renew the medical, prescription and vision insurance with Keystone Healthcare East and the life insurance with AIG from December 1, 2007 to November 30, 2008. Mr. Cox seconded the motion. Motion carried unanimously.

Zoning Hearing Board – Mr. Ross moved to authorize the Secretary to write a letter to the Zoning Hearing Board Solicitor explaining that the Board has no objection to the petition submitted by Mr. McMullen and that the letter be entered into the record at the Zoning Board Hearing on October 23, 2007. Mr. Cox seconded the motion. Motion carried unanimously.

FINANCIAL REPORTS

Mr. Ross made a motion to accept the Treasurer’s report ending September 30, 2007, subject to audit. Mr. Cox seconded the motion. Motion carried unanimously.

Mr. Cox made a motion to accept the Bills List for September 19 to October 15, 2007, subject to audit. Mr. Ross seconded the motion. Motion carried unanimously.

Mr. Cox made a motion to accept the Reconciliation Report for the period ending September 26, 2007, subject to audit. Mr. Ross seconded the motion. Motion carried unanimously.

PUBLIC COMMENT

Mrs. Cox wanted to know how the Local Services Tax would benefit property owners. Mr. Ross explained that it would help offset costs for the annual contacts with emergency services and would allow the Board to abolish the street light tax, which assesses a tax for the property owner who has a street light near his or her property.

ADJOURNMENT

Mr. Cox moved to adjourn the regular meeting at 8:24 p.m. Mr. Ross seconded the motion. Motion carried unanimously.

Respectfully Submitted,

Candace Miller
Secretary/Treasurer