

**LOWER OXFORD TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
DECEMBER 13 2006**

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, December 13, 2006.

The following were in Attendance: Chairman Arthur A. Astle, Vice Chairman Kenneth L. Hershey, Supervisor W. Ronald Kepler, Zoning Officer Debbie Kinney, Roadmaster Steve Price, Secretary/Treasurer Sara Laganelli, and fifteen guests. Building Inspector John Jackson was absent.

CALL TO ORDER

Chairman Arthur Astle called the meeting to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Chairman Arthur Astle led the Pledge of Allegiance to the flag and then asked for a moment of silence.

PUBLIC COMMENT CONCERNING ITEMS ON THE AGENDA

None.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

Vickie Brown – expressed concerns about the amount charged for copies from the Township. She also had a few questions about the proposed 2007 Budgets.

Chris Kettlety – read a statement she had prepared regarding the Ordinance Task Force. (She submitted a copy of the statement to the Supervisors.)

Mike Scott – questioned the Historical Committee and public sewer for Lincoln Village.

APPROVAL OF THE MINUTES

Mr. Hershey moved to approve the minutes for our regular meeting on November 8th. Mr. Kepler seconded the motion. MOTION CARRIED.

TREASURER'S REPORTS

Presentation of Bills – The Secretary presented the bills that had been paid and needed to be paid for the month of November; total of \$60,790.10 for General Fund and \$625.60 for Open Space Fund. Mr. Hershey moved to approve and pay the bills. Mr. Kepler seconded the motion. MOTION CARRIED.

Budget Transfers – Mr. Kepler moved to adopt Resolution 2006-38 to transfer \$700 to account 400.42 (BOS – Dues & Memberships); \$35 to account 403.42 (Tax Collector – Dues & Memberships); \$100 to account 405.42 (Office – Dues & Memberships); \$10 to account 411.354 (Workers Comp Reimbursement Union Fire Co.); and \$5,000 to account 486.159 (Major Medical Insurance) from account 438.25 (Highways Maintenance & Repairs) for a Total of \$ 5,845.00. Mr. Hershey seconded the motion. MOTION CARRIED.

Fiduciary Refunds – Mr. Kepler moved to refund \$200.37 to David L. Fisher to close his escrow subaccount as recommended by the Township Engineer. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to reduce the Letter of Credit for Wyncote Holdings by a total of \$191,210.02 as recommended by the Township Engineer. Mr. Hershey seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Information/Registration forms for 2007 PSATS Convention in Hershey; April 22-25th.
- ✓ Letter from Neighborhood Health Agencies, Inc. requesting a donation in 2007.
- ✓ SECCRA's 2007 Rate sheet – tipping fees increasing from \$55 per ton to \$58.00. Also, minutes from September's Board Meeting.
- ✓ Statement on Auditing Standards and Report from Berkheimer dated Sept 30, 2006.
- ✓ PSATS November News Bulletin
- ✓ Letter from Fulton Bank regarding Health Savings Accounts.
- ✓ Statement of valuations from Chester County Assessment Office. Real Estate valuation for Lower Oxford for the year ending October 31, 2006 is \$173,034,540.00
- ✓ 2004/2005 Status Report on Local Government Pension Plans from PA Public Employee Retirement Commission.
- ✓ Incident listing for November from Union Fire Company.

Comments on Correspondence – Mr. Kepler asked who planned to attend the PSATS Convention in April. Mr. Astle, Mr. Hershey, Mrs. Kinney, Mrs. Laganelli, and Mr. Kepler all plan to attend at least one day.

BUILDING INSPECTOR

Mr. Kepler read the Building Inspector's November Report. Mr. Hershey moved to approve the Building Inspector's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

CODE ENFORCEMENT OFFICER

Mrs. Kinney read the Building Permits & Zoning Violations Reports for November.

Subdivisions & Land Development Plans – Mr. Kepler moved to adopt Resolution 2006-37 for a 90 day extension for Ballymeade subdivision. Mr. Hershey seconded the motion. MOTION CARRIED.

Karen & Tony Mangus presented the Board with a Sketch plan of their proposed winery. They plan to build a facility to make wine, have a tasting room, and space for small events. The Board was pleased with the plan and wished them much success. They will proceed with the Land Development process.

Mr. Biedekapp and his lawyer, Mark Gregg, were present to request the 2-lot subdivision on Bethel Road be approved. The plan was passed onto the Board by the Planning Commission without a recommendation to approve the plan. The two main issues holding the plan up are the driveway and the right of way. After much discussion, the Board agreed to contact the Township Solicitor for advice and Mr. Biedekapp agreed to give the Board a 30 day extension. Mr. Kepler moved to deem the plan null and void if a 30 day extension letter was not received by December 30, 2006. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve the OASA 3-Lot Subdivision non-building waiver for plan labeled I, II, and III. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve the OASA 2-Lot Subdivision non-building waiver for plan labeled IV. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve the OASA 2-Lot Subdivision non-building waiver for plan labeled V. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve reduction in parking for the International Cultural Center only after a meeting has been scheduled with Lincoln University and a satisfactory solution has been agreed upon between the Township and the University to address future parking needs. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve the Zoning Officer's reports. Mr. Hershey seconded the motion. MOTION CARRIED.

ENGINEER

The Board read the Township Engineer's November report. Mr. Fisher sent a letter regarding Atlantic Tractor's request for release of improvement guarantee. He is not recommending release until they remove the temporary riser in the storm water basin and install a permanent outlet plate. Mr. Kepler moved to have the Secretary send a copy of Mr. Fisher's letter to Dealer Properties (Atlantic Tractor) informing them. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve the Township Engineer's November Report. Mr. Hershey seconded the motion. MOTION CARRIED.

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman reported that the OASA is waiting on comments from the participating municipalities. They will then respond to the comments. Mr. Kepler moved to approve Mr. Yeatman's Report. Mr. Hershey seconded the motion. MOTION CARRIED.

ROADMASTER

Mr. Steve Price read the Roadmaster's Report for November. Mr. Hershey then moved to approve the Roadmaster's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Lee Towner presented the Board with the 2006 Yearly Financial Statement; 2007 Budget, and an invoice for 2007 dues from the OARA. Mr. Towner's term on the OARA Board expires December 2006. Mr. Kepler moved to appoint Lee to another five year term as Lower Oxford's member on the OARA. Mr. Hershey seconded the motion. MOTION CARRIED.

OLD BUSINESS

Bernard Park – The Board decided to totally redo the entire steps at the Lincoln Community Center building.

Mr. Hershey moved to purchase and install a flag pole with a light to place at the park in memory of Randy Sebastian. Mr. Kepler seconded the motion. MOTION CARRIED.

It was noted that a couple members of the Park Board notified the Board that not all of the Park Board members had been participating. Mr. Kepler moved to disband the Park Board Committee. Mr. Hershey seconded the motion. MOTION CARRIED.

Road Closing – The Solicitor is still working on the closing of “Old Osborne Lane.” An easement is needed from the Oxford Area Sewer Authority for a twelve inch gray water line which they are trying to locate.

Comprehensive Plan – The Secretary sent out RFP’s on Friday, December 1st. The consultants are to respond by January 29, 2007.

Historic Commission – The Solicitor is working on writing an ordinance.

The Board took a brief recess at 9:11 p.m. so that the Secretary could make a minor correction to the General Fund Budget. They reconvened at 9:21 p.m.

Budgets – Mr. Kepler moved to adopt the 2007 General, State, Open Space, and Sewer Extension Funds Budgets. Mr. Hershey seconded the motion. MOTION CARRIED.

NEW BUSINESS

Open Space – Mr. Kepler announced that the Township has preserved a total of 1,813 acres year to date. Seven farms have applied for a total of 505 acres to possibly be preserved in 2007. Mr. Kepler moved to borrow money from the General Fund 438.25 (Highways) account to cover the expenses incurring in the purchase of the Astle and Huf land development rights. A total of \$806,289.67 is needed for settlement. Note: this is temporary. Mr. Hershey seconded the motion. Mr. Astle abstained from voting. MOTION CARRIED.

Mr. Kepler moved to notify the County of Chester that the Township will commit to \$1 million in the partnership to buy land development rights in 2007. Mr. Hershey seconded the motion. MOTION CARRIED.

Tax Collector Request – The Tax Collector is requesting a lock box be placed at the Township building so residents can drop off payments when she is not in the office. Mr. Kepler moved that the Township install a lock box. Mr. Hershey seconded the motion. MOTION CARRIED.

Chester County SPCA Contract – Mr. Kepler moved to sign the 2007 Animal Protective Services Agreement and pay \$75 per quarter. Keystone Animal Hospital will contribute \$836.00 to upgrade the contract. Mr. Hershey seconded the motion. MOTION CARRIED.

OTHER BUSINESS

Mr. Kepler announced that the ACRE Lawsuit against the Township had been dismissed by the Court.

PUBLIC COMMENTS

Jane Smeltzer – Had questions regarding the RFP’s for the Comprehensive Plan. She was also concerned about the condition of Wyncote Drive.

Jim Pierson – Asked if there were any responses to Ms. Kettley’s statement. He also wanted to know why the Mangus’ were so well received with their plans and sample ordinance.

Mr. Kepler moved to adjourn the meeting at 9:48 p.m. Mr. Hershey seconded the motion. MOTION CARRIED.

Note: Copies of all reports mentioned are available at the Lower Oxford Township Building, 220 Township Road, Oxford, PA.

Respectfully Submitted,

Sara B. Laganelli
Secretary/Treasurer

DRAFT