

**LOWER OXFORD TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
DECEMBER 12 2007**

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, December 12, 2007.

The following were in Attendance: Chairman Arthur A. Astle, Vice Chairman Kenneth L. Hershey, Supervisor W. Ronald Kepler, Zoning Officer Debbie Kinney, Building Inspector John Coldiron, Secretary/Treasurer Sara Laganelli, and twenty guests.

CALL TO ORDER

Chairman Arthur Astle called the regular meeting to order at 7:30 p.m. after the informational meeting for residents of the Village of Lincoln.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Chairman 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

None.

APPROVAL OF THE MINUTES

Mr. Hershey moved to approve the minutes for the regular meeting on November 14th. 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; totaling \$45,907.22 for the General Fund, and \$4,400.46 for the Open Space Revenue Fund. Mr. Kepler moved to approve and pay the bills. Mr. Hershey seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Hershey moved to adopt Resolution 2007-31 for the 2007 Budget Deviations for General Fund in the amount of \$10,700.00. Mr. Kepler seconded the motion. MOTION CARRIED.

Fiduciary Transfers – Mr. Hershey moved to authorize the transfer of \$1,161.63 to the Master Escrow account from the four listed sub-accounts to reimburse General Fund for Legal and Engineering fees. Mr. Kepler seconded the motion. MOTION CARRIED.

2008 Budgets – Mr. Kepler moved to adopt the 2008 General, State, Open Space Revenue, Open Space Purchase, and Sewer Extension Fund Budgets. Mr. Hershey seconded the motion. MOTION CARRIED. Note: The Real Estate Millage rate will remain 0.18 and the Per Capita is \$5.00. (Amended 2/11/09)

CORRESPONDENCE

- ✓ Letter of confirmation from the Chester Water Authority stating that a test of the Emergency Action Plan for the Pine Grove Dam will be conducted on Tuesday, Dec. 18th at 9a.m.
- ✓ Memo from Nancy Fromnick of the Chester County Solid Waste Authority stating that there are oil recycling containers available for free to any municipality willing to go pick it up from them.

- ✓ Letter from the Chester County Historic Preservation Network requesting membership dues in the amount of \$85.00 for 2008.
- ✓ Letter from SECCRA regarding Planet Aid, a non-profit organization, which claims to provide financial support to developing countries. SECCRA recently provided Planet Aid with a list of addresses for each recycling drop-off center. After doing so, the managers of SECCRA looked into the credibility of Planet Aid and found that only 23% of the funds collected actually go to the programs they support.
- ✓ Union Fire Co. No. 1 incident listing for September and October.
- ✓ Flyers from the Certified Master Composter program.
- ✓ November incident listing from the PA State Police.

Comments on Correspondence: Mr. Kepler moved to pay the \$85.00 membership fee to the Chester County Historic Preservation Network for 2008.

Mr. Astle commented on the emergency testing for the Pine Grove Dam. He wondered if someone should inform J.D. Eckman since they were working on the Pine Grove Bridge.

BUILDING INSPECTOR

Mr. John Coldiron read his report for November. Mr. Hershey moved to approve the Building Inspector's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

CODE ENFORCEMENT OFFICER

Mrs. Kinney reported that she issued five Building Permits in November. There were no new violations, but Mrs. Kinney noted that she had two outstanding on Cullen Road violating the clear sight triangle.

Subdivisions & Land Development Plans –

Mrs. Kinney presented the David King two lot subdivision to the Board. She explained that no Engineer review was needed and that the Planning Commission voted to move it on to the Supervisors for approval. Seeing that the plan was clearly straight forward, Mr. Kepler moved to approve David King's two lot subdivision from his farm. Mr. Hershey seconded the motion. MOTION CARRIED.

Mrs. Kinney asked the Board if they had a chance to review the Windmill Ordinance that the Planning Commission had passed on to them at the last meeting. Mr. Hershey noted that he had read over the proposed ordinance and had a question about the thirty foot high structures being over the Township's height limit. Mr. Joel Brown was in the audience and explained that the Planning Commission thought a windmill would be exempt from the thirty foot height limit because it was not a building. He compared it to a silo. After some discussion, Mr. Hershey moved to send the proposed Windmill Ordinance to the Solicitor for her review. Mr. Kepler seconded the motion. MOTION CARRIED.

Mrs. Kinney noted that the Planning Commission reviewed the Solicitor's changes to the Lighting Ordinance at their November 19th meeting. She informed the Board that the Planning Commission members had many concerns with the Solicitor's revised ordinance. They were concerned that by deleting Sections 8 & 9, there could be a problem in the future if a property went from residential to commercial. The members also wanted to see Sections 6C, 6D, and 10 added back into the ordinance. The Planning Commission members also felt that Sections AI and A2 needed to be more defined. The Board agreed that the Solicitor should inform them as to why she deleted sections. They asked Mrs. Kinney to please pass the Planning Commission's concerns onto the Solicitor and ask for her explanation.

Mrs. Kinney then relayed the Planning Commission's recommendations regarding the proposed ordinance from the Oxford Area Recreational Authority (OARA). The members were concerned about who would maintain the recreation areas if the property was turned over to the Township. They would like to make it

all 10% starting at eleven lots and use the value of the land at the time the plan is submitted. The Planning Commission felt this ordinance still needed a lot of work and the Board concurred.

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 report for November. Mr. Kepler reported that the Engineer had given him some recommendations: the Township needs to prepare a connection ordinance for Lincoln Village Sewer; prepare a connection ordinance for the Route 10 Commercial; and update the C-I permitted businesses and professional offices. Mr. Kepler moved to have the Engineer start the processes of his suggestions. Mr. Hershey seconded the motion. MOTION CARRIED.

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman reported that the OASA received a violation notice from DEP because they made an emergency stream discharge in which the quality of water exceeded the ammonia and phosphorus levels. Mr. Yeatman explained that the Authority was aware of the violation that occurred three years ago. He said the proposed fine was \$113,000.00 and the Authority's Solicitor is looking at it. Mr. Hershey moved to approve Bob's report. Mr. Kepler seconded the motion. MOTION CARRIED.

ROADMASTER

Mr. Steve Price was absent so Mr. Kepler read his report for November. Mr. Hershey moved to approve the Roadmaster's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Lee Towner reported that the Authority received bids from engineers for Phase I and that it is a long process to figure out which one to go with. The Authority is working on fundraiser ideas and finding more volunteers. They had a transformer put it and it's halfway to the building site. Mr. Towner also noted that the Boy Scouts were building bridges over the creek and some camping sites in the woods.

OLD BUSINESS

Comprehensive Plan – Ron reported that there was a meeting on December 5th at Herr's. Ron Bailey was there asking questions. From now on the appointed members of the municipalities will meet the fourth Wednesday of each month for the next two and a half years. All the participating municipalities passed the ordinances and signed the agreements.

University Road problems – Mr. Kepler contacted John Thompson and asked him to meet with Dr. Nelson and let the Township know what they come up with. John Thompson is in charge of the grounds for Lincoln University. He told Ron that they put up no parking signs, but neglected to enforce them. Mr. Thompson agreed that something needs to be done. This is a work in progress and Mr. Kepler will keep at it.

NEW BUSINESS

Oxford Area Sewer Authority Member – Mr. Hershey moved to reappoint Bob Yeatman to the OASA for a five year term. Mr. Kepler seconded the motion. MOTION CARRIED.

Complaint about Hyponex – Mr. Kepler reported that he received a copy of a letter that was sent to Mr. Ken Cavanaugh at PENNDOT from John Callahan of Lower Oxford Mini Storage. Mr. Kepler read the letter out loud. The Board agreed that the procedure should be that they go to Hyponex with the complaint and take it from there.

OTHER BUSINESS

Art Astle's 14 years as Supervisor – Mr. Kepler read Resolution 2007-32 and presented a plaque to Art Astle in recognition of his 14 dedicated years as Lower Oxford Township Supervisor. Mr. Kepler and Mr. Hershey thanked Art for his time as Supervisor. Mr. Astle said that he didn't expect anything and was thankful for the recognition. He said it was a lot of fun.

Lincoln Sewer Railroad Crossing – Mr. Kepler noted that he received a message from the Township Engineer stating that the Railroad was requesting a \$750.00 fee to bring the Lincoln Sewer pipes under the railroad tracks. Mr. Kepler said that he would call and see if they would waive the fee. Mr. Hershey moved to pay the \$750.00 application fee to the railroad if they would not waive it. Mr. Kepler seconded the motion. MOTION CARRIED.

PUBLIC COMMENTS

None.

Mr. Astle wished everyone a Merry Christmas and safe and happy New Year. He thanked everyone for putting up with him and said it had been an education.

Mr. Hershey moved to adjourn the meeting at 8:18 p.m. Mr. Kepler 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