

**LOWER OXFORD TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
JULY 11, 2007**

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, July 11, 2007.

The following were in Attendance: Vice Chairman Kenneth L. Hershey, Supervisor W. Ronald Kepler, Zoning Officer Debbie Kinney, Secretary/Treasurer Sara Lagarelli, and fourteen guests.

CALL TO ORDER

Vice Chairman Kenneth Hershey called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Vice Chairman Kenneth Hershey 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. Kepler moved to approve the minutes for our regular meeting on June 13th. Mr. Hershey 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 June; totaling \$59,177.60 for the General Fund and \$1,966.22 for the Open Space Revenue Fund. Mr. Kepler questioned the Engineering bill for \$11,657.37. The Secretary told him that about \$9,000 of that was for the Lincoln Village Sewer. Mr. Kepler then moved to approve and pay the bills. Mr. Hershey seconded the motion. MOTION CARRIED.

Budget Transfers Mr. Kepler moved to adopt Resolution 2007-22 for Budget Deviations to increase the Engineering for Lincoln Village Sewer account (408.316) by \$25,000.00 and the Public Officials Insurance account (486.168) by \$600.00; which would then decrease the Highways Maintenance/Repairs account (438.25) by \$25,600.00. Mr. Hershey seconded the motion. MOTION CARRIED.

Fiduciary Transfers Mr. Kepler moved to authorize the transfer of \$1,200.00 to the Master Escrow account from the two listed sub-accounts to reimburse General Fund for Legal and Engineering fees. Mr. Hershey seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Meeting minutes from the SECCRA Board of Director's meetings for January through May 2007.

- ✓ Letter from Gannett Fleming regarding detours on Forge and Street Roads due to the Transmission Main No. 2 replacement for Chester Water Authority.
- ✓ Notice of Change in Management from Chester Water Authority. Bob Naef will be retiring on August 1st. Russ Williams will be taking his place. (Secretary sent a letter of congratulations to Mr. Naef.)
- ✓ The 2008 PSATS Convention had a change in dates; it will be May 11-14th.
- ✓ Invitation from the Chester County Conservation District to attend a tour of their Mushroom Composting Odor Grant sites.
- ✓ Thank you letter from the Union Fire Co. Ambulance Division for the \$5,000 contribution to be used for the purchase of a Stryker Power Pro stretcher.
- ✓ Union Fire Co. incident listings for May & June.
- ✓ PA State Police report for June.
- ✓ 2006 Earned Income Tax Audit reports for Berkheimer from Michael Nardone, CPA.

Comments on Correspondence: Mr. Kepler noted that the detours on Forge & Street Roads would direct traffic to go Spruce Grove Road and around on the Lancaster County side. We have not been notified when these detours will take place. Forge Road is expected to be closed for about one week and Street Road is expected to be closed for two days.

BUILDING INSPECTOR

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

CODE ENFORCEMENT OFFICER

Mrs. Kinney reported that she issued seven Building Permits, one Certificate of Occupancy, and 5 violations in June.

Subdivisions & Land Development Plans

The Denise Deaver Subdivision had been modified to allow for the appropriate sight distance on each driveway; without having any shared driveways. Mr. Kepler moved to approve the Denise Deaver 3-lot Subdivision. Mr. Hershey seconded the motion. MOTION CARRIED.

Mrs. Kinney presented the Sapp Subdivision and noted that the Township had required them to note on the plans that this property was preserved and that the placement of one house per 45 acre lot would need to be approved by the Brandywine Conservancy. Mr. Kepler moved to approve the 2-lot Sapp Subdivision. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2007-21 for a 180 day extension to the Hearthstone Final Plan. Mr. Hershey seconded the motion. MOTION CARRIED.

Mrs. Kinney presented the Preliminary/Final Land Development Plan for the Lincoln University International Cultural Center. She noted that the Township Engineer had reviewed the plan and approved it. Mr. Kepler moved to approve the /Final Land Development Plan for the Lincoln University International Cultural Center. Mr. Hershey seconded the motion. MOTION CARRIED.

Mrs. Kinney said that there was one revision that needed to be made to the Fee Schedule; which was for Subdivision Driveway Permits. The fee will increase from \$25 to \$50. Mr. Kepler moved to adopt Resolution 2007-20 to revise the Fee Schedule to reflect the new permit cost for Subdivision Driveways. Mr. Hershey seconded the motion. MOTION CARRIED.

Mrs. Kinney noted that the Township received a letter from Dambro's attorney regarding the Dambro/Wyncote subdivision. Mr. Kepler explained that the 72-lot subdivision has been in the works for fifteen years and that a large number of the lots will not perk due to high nitrates. The Dambro's are requesting that the Township allow them to hook-up to the public sewer when it becomes available. Mr. Kepler explained that the subdivision is not in the Township's sewer service area and that the Township does not wish to make any changes. According to the Act 537 Plan, R1 Zoned property is allowed to have a one acre on-lot septic system. The Township Solicitor did reply to Dambro's Attorney stating that she is looking into the matter.

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 June. Mr. Kepler questioned the Ballymeade Subdivision status. Mrs. Kinney reported that the Chester County Health Department is still not approving the on-lot systems. DEP no longer considers them experimental, but no one is in agreement as to who will be responsible for them. Mr. Kepler moved to approve the Engineer's report. Mr. Hershey seconded the motion. MOTION CARRIED.

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman reported that Ed Lennex hand delivered the completed Act 537 Plan to DEP on Thursday, July 5th. DEP has 120 days to review the Plan.

Mr. Kepler noted that he had spoken with the Township Engineer and the Township will need to put an ordinance into place which would require mandatory sewer hook-up for all Commercial Properties along Route 10 as well as any Residential Property that is changed to Commercial in the future. There was some discussion as to whether or not the Township should require mandatory hook-up when the property sold from one resident to another. It was agreed that the hook-up mandate should occur whenever a property has a change in use. The Township will also need to enact a new ordinance to require residents to pump-out their septic systems according to the Act 537 plan provisions.

Mr. Kepler moved to approve Mr. Yeatman's report. Mr. Hershey seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Lee Towner reported that the Authority is slowly working on RFP's to start building on the first parcel. The Oxford Fair is going to be a big event on Labor Day weekend. They are waiting on a permit from PENNDOT to add a new driveway. Mr. Kepler is to meet with Mr. Towner to plow the ground for the rodeo which will be at the Fair. Mr. Kepler noted that he does not pick rocks! Mr. Kepler moved to approve Mr. Towner's report. Mr. Hershey seconded the motion. MOTION CARRIED.

ROADMASTER

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

OLD BUSINESS

Comprehensive Plan Mr. Kepler reported that the Chester County Planning Commission received word back from all six municipalities; five are definitely on board with the Multi-Municipal Comp Plan. Elk Township is on the fence. They requested more information from CCPC. Mark Galant from the CCPC is working on the Cooperative Planning Agreement. He hopes to have that out to the municipalities within the next couple weeks. Everyone will have time to review it before the next joint meeting which is tentatively set for August 22, 2007.

Lighting/Sign Lighting Ordinance The Secretary sent the proposed Ordinances to the Solicitor to advertise; however, the Solicitor said that the ordinance cannot be advertised as is. Mr. Kepler explained that the proposed Lighting Ordinances were written as a stand-alone ordinance and cannot be added to our existing ordinances. The Solicitor will need to re-write them. Mr. Hershey suggested we contact the Solicitor for more information regarding this issue and have her explain what needs to be done.

Pigmy Goats Mr. Nick Yannucci approached the Board and presented them with some information regarding the manure produced by pigmy goats as well as a copy of an ordinance from New Providence Township. Mr. Kepler said that the Township Solicitor and Engineer advised against changing the ordinance. He did not wish to change the ordinance. There was much discussion. The Board suggested that Mr. Yannucci contact his neighbors and lease some of their land so that he will have enough acreage to have his pigmy goats and still comply with the ordinance.

Limestone Road The Secretary reported that she sent out thirty-eight letters to property owners along Route 10 asking if they would be interested in hooking-up to the public sewer lines; and informing them that Commercial property would be required to hook-up. So far four residents replied that yes they would like to hook-up, two said no, and five commercial owners responded.

NEW BUSINESS

None.

OTHER BUSINESS

Mr. Kepler reported that the Griffith 6-lot subdivision is almost complete and they sent a letter requesting a release of the three-party agreement. Mr. Kepler moved to release the three-party agreement contingent upon completion of the house and issuance of a Use & Occupancy Permit. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler said that Mr. Astle suggested the Township gather names of residents that have served or are currently serving in the War in Iraq and Afghanistan. He would like to have a plaque made honoring those soldiers that will be placed in the Township building. Mrs. Kinney will post it on the website.

Mr. Kepler noted that he received a phone call from Ed Jeffers informing him that the Soil Conservation District put new regulations on subdivisions that will require them to have a percentage of impervious surface water infiltrated into infiltration beds. Mr. Jeffers is suggesting using cul-de-sacs with an infiltration bed in the middle. The main issue with such

a plan is maintaining the cul-de-sac. The Board is open to reviewing this option and looking into it further.

PUBLIC COMMENTS

None.

Mr. Kepler moved to adjourn the meeting at 8:44 p.m. Mr. Hershey seconded the motion. MOTION CARRIED. The Supervisors thanked everyone for attending.

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