Lower Oxford Township
Board of Supervisors Meeting Minutes
July 9, 2008

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, July 9, 2008.

The following were in Attendance: Chairman Kenneth L. Hershey, Vice Chairman W. Ronald Kepler, Zoning Officer Deborah Kinney, Roadmaster Steve Price, Building Inspector John Coldiron, Secretary/Treasurer Sara Laganelli, and nine guests.

CALL TO ORDER
Chairman Kenneth L. Hershey called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE
Mr. Kenneth L. Hershey led the Pledge of Allegiance to the flag and 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 the regular meeting on June 11, 2008, noting that there was no special meeting held. Mr. Cheek 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 $245,044.33 for the General Fund, $2,950.64 for the Open Space Revenue Fund, and $299,005.27 for the Open Space Purchase Fund. Mr. Cheek moved to approve and pay the bills. Mr. Kepler seconded the motion. MOTION CARRIED.

Fiduciary Transfers – Mr. Cheek moved to approve the transfer of $23,420.06 to the Master Escrow account from the thirty listed subaccounts to reimburse General Fund for legal and engineering expenses as well as refund the twelve listed subaccounts. Mr. Kepler seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Kepler moved to adopt Resolution 2008-14 for budget deviations totaling $1,300.00. Mr. Cheek seconded the motion. MOTION CARRIED.

CORRESPONDENCE
- ✓ Chester Water Authority's summer newsletter.
- ✓ Union Fire Co. incident listings for May and June.
- ✓ State Police incident listing for June.
- ✓ Board meeting minutes from SECCRA for their March & May meetings.
- ✓ Chester County Solid Waste Authority Annual Report for 2007
- ✓ Memo from Ryan Costello, Chester County Recorder of Deeds, regarding the amendment to the Uniform Parcel Identifier Ordinance which takes effect August 18th.

- ✓ Letter from DEP approving our Act 101 Recycling grant for 2006. We were awarded $3,637.00 for 278.5 tons of recycled materials.
- ✓ Memo from PSATS regarding the PSATS Youth Awards Program with contest guidelines, entry form and judging criteria.
- ✓ Letter from Natural Lands Trust about their new initiative – *the Center for Conservation Landowners,* and brochures about stewardship planning and other consulting services they offer.
- ✓ Minutes from the Union Fire Co. Ambulance Division meeting on April 30th.
- ✓ Letter from the Chester County Health Department informing us that they have agreed to assist researchers from the University of PA (New Bolton) with their survey on Lyme disease.
- ✓ Applications and Guidelines for the Chester County 2008 Challenge Grant Program for Farmland Preservation.

Comments: Mr. Kepler asked if we had received minutes from the OARA meetings and asked Marcella Peyre-Ferry to please request them again.

BUILDING INSPECTOR

Mr. John Coldiron reported that he had twenty-four building inspections, four plan reviews, and four electrical inspections for the month of June. Mr. Kepler moved to approve the Building Inspector's Report. Mr. Cheek seconded the motion. MOTION CARRIED. Mr. Kepler asked Mr. Coldiron about the thistles in Wyncote. Mr. Coldiron said he was promised they would be mowed.

CODE ENFORCEMENT OFFICER

Mrs. Kinney read the Building Permits & Zoning Violations Reports for June. She issued six building permits, one certificate of occupancy and had two new zoning violations.

Subdivisions & Land Development Plans – The Board reviewed the William Hostetter 2-lot add-on for the Grain Bins. Mr. Kepler moved to approve the add-on subdivision plan for William Hostetter. Mr. Cheek seconded the motion. MOTION CARRIED.
Mr. Kepler moved to deem the Hearthstone plan null and void if an extension is not received by August 6, 2008. Mr. Cheek seconded the motion. MOTION CARRIED.
Mr. Kepler moved to approve the code enforcement officer's reports. Mr. Cheek seconded the motion. MOTION CARRIED.

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman reported that the OASA needs the packets of information back for the Act 537 plan by the end of August. Mr. Cheek moved to approve Mr. Yeatman's report. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler said that the Holding Tank and Pump-out Ordinances are ready to be advertised. Mr. Cheek moved that the Solicitor advertise the two ordinances for adoption at the next Board of Supervisors meeting. Mr. Kepler seconded the motion. MOTION CARRIED.

ROADMASTER

Mr. Steve Price read the Roadmaster's Report for June. Mr. Cheek moved to approve the Roadmaster's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

ENGINEER

The Supervisors read the Township Engineer's report for June. Mr. Cheek moved to approve the Township Engineer's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Lee Towner was absent. Marcella Peyre-Ferry, another member of the OARA, was present in the audience and said she would ask that the Township get the minutes from the meetings again. She reported that they discussed getting driveway permits from PENNDOT. She noted that the Amphitheater that was on the original plans had been moved so it wouldn't be under the power lines. Other than that the plans were moving forward. There was some discussion about an ordinance that would require fees to be collected from developers to go to the Rec. Authority.

OLD BUSINESS

Open Space Preservation – Mr. Cheek moved to have the Secretary write a letter to Diana Hoopes, Chester County Ag Land Preservation Board, stating that the Township had the funds available to pay for their half of preserving the Kepler Farm's 45 acres. Mr. Hershey seconded the motion. MOTION CARRIED. Mr. Kepler abstained.

Mr. Kepler moved to sign the Challenge Grant contract for 2008 pledging a commitment of $500,000.00 for Ag Land Preservation. Mr. Cheek seconded the motion. MOTION CARRIED.

Comprehensive Plan – Mr. Kepler reported that the next meeting would be discussing Ag Preservation. As a side note, Mr. Kepler explained that Lower Oxford Township is nearing 3,000 acres in the R1 zoning that will never be built on because they are preserved by Brandywine Conservancy, preserved in partnership with the County, or owned by entities like the Chester Water Authority and the Girl Scouts.

Mr. Kepler reported that the last Comp Plan meeting was about Open Space. He said that representatives from the County Planning Commission looked at the map of our Township and they could clearly see that the left side of the map is being preserved, the Commercial is along Route 10 and the houses are on the right. Mr. Kepler said that the current Comprehensive Plan from 1969 reflected that and the Township has been following that plan.

Lincoln Village Sewer – Mr. Kepler moved to approve the payment request #3 from Tru-Line Contractors in the amount of $274,702.99 as recommended by the Engineer. Mr. Cheek seconded the motion. MOTION CARRIED.

NEW BUSINESS

Ordinance 3-2008 – Mr. Kepler explained the history of the Speed Limit ordinance for Wyncote Drive. There was an objection from Jane Smeltzer in the audience. After some discussion, Mr. Cheek moved that the ordinance be tabled. Mr. Kepler seconded the motion. MOTION CARRIED.

OTHER BUSINESS

Pension Fund – Mr. Cheek moved to appoint the Secretary as the Chief Administrative Officer for the pension fund. Mr. Kepler seconded the motion. MOTION CARRIED.

Letter from George Brutscher – The Secretary read the letter aloud that was received from Attorney George Brutscher requesting that the Township decrease the minimum lot size requirement in Lincoln Village. After some discussion, Mr. Kepler moved to have the Secretary write Mr. Brutscher a letter telling

him that the Township respects his request but the answer is no. Mr. Cheek seconded the motion. MOTION CARRIED.

Bids for Equipment Rental – Mr. Kepler opened the one and only bid that was received for the paving equipment rental. Mr. Kepler moved to award the bid to Long's Asphalt, Inc., for $14,925.00. Mr. Cheek seconded the motion. MOTION CARRIED.

PUBLIC COMMENTS

Alice Cullen – Asked who owned a vacant house in the village of Lincoln that had a stake in the yard.
Jane Smeltzer – Asked John Coldiron if there was a deadline for the thistles being mowed in Wyncote. Also asked if there was a burn ordinance. Stated that Diane Quinn of Conner Road could not be a the meeting, but wanted to know about burning because there is a property on Baltimore Pike that does a lot of burning with dark black smoke.
JoJo Campbell – Noted that DEP does air quality control and residents can only burn paper and household waste. She stated that there are 2 houses on one driveway on Calvary Road and a mushroom house on Lower Hopewell Road is using the driveway for trucks. She felt this was against the ordinances. Also asked what happens to the open space tax when we run out of land to preserve. Questioned the pumping ordinance in respect to the Act 537, wanting to know how they know where the sewage comes from once it is pumped into a truck.

Mr. Kepler moved to adjourn the meeting at 8:50 p.m. Mr. Cheek 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 Laganelli Digitally signed by Sara Laganelli
DN: cn=Sara Laganelli, o=Lower Oxford Township, ou, email=loweroxfordtwp@zoominternet.net, c=US
Date: 2008.08.26 11:21:42 -04'00'

Sara B. Laganelli
Secretary/Treasurer