

Lower Oxford Township
Board of Supervisors Meeting Minutes
August 13, 2008

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, August 13, 2008.

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

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

Bob Hotchkiss, SCCEMS – Chief Executive Officer Bob Hotchkiss and Board member Jim McLeod announced that the Southern Chester County EMS and Medic 94 were celebrating their 25th Anniversary this year. They thanked Lower Oxford Township for all of the support and funding for the past 25 years; stating that the Township had been there for them from day one. Mr. McLeod presented the Board with a plaque. The Board accepted the plaque with gratitude.

APPROVAL OF THE MINUTES

Mr. Kepler moved to approve the minutes for the regular meeting on July 9, 2008. 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 July; totaling \$334,311.09 for the General Fund and \$4,322.55 for the Open Space Revenue Fund. Mr. Kepler moved to approve and pay the bills. Mr. Cheek seconded the motion. MOTION CARRIED.

Fiduciary Transfers – Mr. Kepler moved to approve the transfer of \$894.75 to the Master Escrow account from the five listed subaccounts to reimburse General Fund for legal and engineering expenses. Mr. Cheek seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Cheek moved to adopt Resolution 2008-17 for budget deviations totaling \$1,000.00. Mr. Kepler seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ 2007 Annual Report from PIRMA and letter regarding the election of new board members.
- ✓ Summer newsletter from H.A. Thomson.
- ✓ Letter from PSATS regarding the specifics of how the executive director's salary is calculated.
- ✓ Letter from Gannett Fleming regarding a preconstruction meeting on August 12th for the Transmission Main No. 2 replacement at Chester Water Authority.

- ✓ Incident listing from the PA State Police for July.
- ✓ Copies of the 2007 Annual Report for the Chester Water Authority.
- ✓ Survey from the American Lung Association of PA with a survey on radon practices in municipalities.
- ✓ Invitation from Joe Pitts for a public meeting on August 12 to discuss concerns about the proposed Sparrows Point pipeline project.
- ✓ Summer issue of the PSATS legal defense partnership.
- ✓ Union Fire Co. No. 1 Municipal Fund Financial Statements for years ending December 2006 and 2007.
- ✓ Letter from the OASA with a status update for the Act 537 Plan.
- ✓ Letter from the Chester County Dept. of Aging asking for our help in their development of an emergency plan to assist seniors during severe weather events.
- ✓ OASA meeting minutes from June.
- ✓ Letter from George Brutscher in response to our letter regarding the Lincoln Village minimum lot size.
- ✓ PSATS News Bulletin for June.
- ✓ 2007 Earned Income Tax Audits from H.A. Berkheimer.

BUILDING INSPECTOR

Mr. John Coldiron reported that he had thirty building inspections, five plan reviews, and six electrical inspections for the month of July. Mr. Kepler moved to approve the Building Inspector's Report. Mr. Cheek seconded the motion. MOTION CARRIED.

CODE ENFORCEMENT OFFICER

Mrs. Kinney read the Building Permits & Zoning Violations Reports for July. She issued eight building permits, five certificate of occupancy and had four new zoning violations.

Subdivisions & Land Development Plans – Mr. Kepler moved to adopt Resolution 2008-15 for a six month extension for the Hearthstone final plan. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to adopt Resolution 2008-16 for a ninety day extension for the Shoppes at Lower Oxford final plan. Mr. Kepler seconded the motion. MOTION CARRIED.

Mrs. Kinney explained that Wilmer Hostetter had submitted a revised subdivision plan for his homestead due to the Act 319. Mr. Kepler moved to approve the revised two lot subdivision plan for Wilmer Hostetter. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve David King's add-on subdivision plan with a non-building waiver. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to have the Secretary write a letter to DEP as requested by Jim Fritsch for the Shaw Subdivision known as "The Ridings," stating that the Township does not have any objections to the subdivision which is mostly in Upper Oxford Township.

Mrs. Kinney noted that the Hickory Hill subdivision plans by Brandolini; which were mostly in East Nottingham Township, had withdrawn the plans.

Mr. Cheek moved to approve the Code Enforcement Officer's reports. Mr. Kepler seconded the motion. MOTION CARRIED.

ENGINEER

No report.

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman reported that there was nothing new to report. The OASA is waiting on all the municipalities to submit the requested information. Mr. Kepler moved to approve Mr. Yeatman's report. Mr. Cheek seconded the motion. MOTION CARRIED.

Holding Tank Ordinance – There was some discussion regarding page 3 of the holding tank ordinance. The Board agreed to remove line C. under the *Rights and Privileges* section because they felt it was redundant. Mr. Kepler moved to adopt Ordinance 4-2008 with the omission of line C. which said "The Township will complete and retain annual inspection reports for each permitted tank." on page 3, under the section titled "Exclusiveness of rights and privileges." Mr. Cheek seconded the motion. MOTION CARRIED.

Mandatory Pump-out Ordinance – Mr. Kepler explained that the Township will be split into three districts and effective in 2009, the first district will have to pump out their septic systems. The next year the second district will and so on. The residents of Lower Oxford Township will have to pump-out their septic systems every three years. This is something that the County Health Department will keep records of. In order to keep the schedule of every three years, the district lists will be updated for those that pump out of turn. Mr. Kepler moved to adopt Ordinance 5-2008. Mr. Cheek seconded the motion. MOTION CARRIED.

ROADMASTER

The Secretary read the Roadmaster's Report for July. Mr. Kepler moved to approve the Roadmaster's Report. Mr. Cheek 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 reported that the next meeting was August 14th and the Secretary was absent from the last meeting so there were no minutes. The Engineer, YSM, is going to do the driveway permit preparation. They are proceeding to get the plans ready to get out to bid.

OLD BUSINESS

Open Space Preservation – The Secretary reported that the County had received 120 applications this year.

Comprehensive Plan – Mr. Kepler reported that there was some good discussion at the last meeting regarding Ag Preservation. He said that East Nottingham and Lower Oxford Townships had accomplished a lot in the past few years. The committee reviewed different ways and tools for preserving land.

Lincoln Village Sewer – Mr. Kepler moved to approve the payment request #4 from Tru-Line Contractors in the amount of \$70,527.58 as recommended by the Engineer. Mr. Cheek seconded the motion. MOTION CARRIED.

Ordinance 3-2008 – Mr. Kepler noted that he spoke with Jane Smeltzer and she did not contact the Wyncote Homeowner’s Association, but she no longer objected to the speed limit ordinance for Wyncote Drive. Mr. Kepler moved to adopt Ordinance 3-2008 for the posting of a speed limit of 25 mph on Wyncote Drive. Mr. Cheek seconded the motion. MOTION CARRIED.

NEW BUSINESS

Winter Traffic Services Agreement – Mr. Cheek moved to sign the agreement with PENNDOT for the 2008-2009 winter season. Mr. Kepler seconded the motion. MOTION CARRIED.

OTHER BUSINESS

Mr. Kepler reported that he attended the Chester Water Authority’s pre-construction meeting for the transmission main replacement. He got all of the contacts information in case of an emergency. Mr. Kepler also attended a meeting that was hosted by Joe Pitts to discuss the Sparrows Point pipeline. He said the meeting was a good question and answer session for residents.

PUBLIC COMMENTS

Johnny Williams – Stated that the pipe they will use for the gas pipeline will not be something you can drive a post through. It will be buried five feet deep.

Teri Dignazio – Stated that she also attended the meeting with Joe Pitts about the pipeline as well as the one at Nottingham. Requested a copy of the Pump-out ordinance from the Secretary.

JoJo Campbell – Asked what was going on with the per capita. Her check had not been cashed yet.

Mr. Kepler moved to adjourn the meeting at 8:35 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 B. Laganelli
Secretary/Treasurer