

Lower Oxford Township
Board of Supervisors Meeting Minutes
December 9, 2009

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, December 9, 2009.

The following were in Attendance: Chairman Kenneth L. Hershey, Vice Chairman W. Ronald Kepler, Supervisor W. Ralph Cheek, Zoning Officer Deborah Kinney, Building Inspector Scott Moran, Secretary/Treasurer Sara Laganelli, and thirteen 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 and asked for a Moment of Silence.

PUBLIC COMMENT CONCERNING ITEMS ON THE AGENDA

Mrs. Teri Dignazio – Had a question about the budget.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

Mr. Mike Schneider – Mr. Schneider lives at 108 Evans Court and had a question about when the road would be dedicated. He was concerned about who would be doing the snowplowing this winter. He said that he has left messages for Mr. Frost, who owns the road, but did not get a response.

Mr. Ed Lennex – Mr. Lennex was present at the meeting to represent the Oxford Area Sewer Authority and ask that a resolution be passed amending the articles of incorporation to extend the existence of the OASA for an additional fifty (50) years. The OASA is seeking a loan from the USDA for a forty (40) year term. Therefore, they need each municipality to adopt the resolution extending the time of incorporation because there are only 32 years remaining. Mr. Hershey noted that this would come under New Business later in the meeting.

Mr. John Reynolds – Mr. Reynolds is the Chairman of the OXREM group and asked the Board for their participation in the group. He said that the intent of the group is to support local Emergency Management. They plan on being based out of the new Oxford Police Station. The fees being charged are to start a small fund for the purchase of equipment that all municipalities can use as a “local suppository.” Mr. Cheek reported that he looked further into this and spoke to many people about it and learned a lot and came to the conclusion that Lower Oxford has a precise emergency plan. After some discussion Mr. Cheek moved that Lower Oxford Township not join the OXREM group at this time but may discuss it again in a year or so. Mr. Kepler seconded the motion to get it on the floor. The Supervisors discussed emergencies a little further. All in favor. MOTION CARRIED.

APPROVAL OF THE MINUTES

Mr. Cheek moved to approve the minutes for the regular meeting of November 11th. 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 November; totaling \$834,908.60 for the General Fund (noting that \$800,000 was for new CD’s) and \$4,251.75 for the Open Space Revenue Fund. Mr. Kepler moved to approve and pay the bills. Mr. Cheek seconded the motion. MOTION CARRIED.

Fiduciary Transfers – None.

Budget Deviations – Mr. Cheek moved to adopt Resolution 2009-47 for General Fund Budget Deviations totaling \$2,741.70. Mr. Kepler seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Southeastern Chester County Refuse Authority Annual Financial report for years ended December 2008 & 2007
- ✓ PSATS News Bulletin for November.
- ✓ Memo from PSATS regarding the 21st Annual President's Leadership Award program.
- ✓ Notice from SECCRA that the tipping rates are increasing from \$59.50 to \$62.00 effective January 1st.
- ✓ A letter from the Chester Water Authority regarding a test of their action plan for the Pine Grove Dam on December 8th.
- ✓ An email from Drew Cope regarding the electronic ballot scanners that were used to count the ballots on Election Day.
- ✓ Meeting minutes from the OARA's September meeting.
- ✓ November PA State Police incident listing.
- ✓ Union Fire Co. incident report for October.

BUILDING INSPECTOR

Mr. Scott Moran reported that for the month of November he had one plan review, one regular inspection, and two sewer inspections. Mr. Cheek 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. She issued five building permits. Mrs. Kinney noted that the Solicitor is getting a hearing date for Mr. McDowell.

Subdivisions & Land Development Plans –

Mr. Cheek moved to adopt Resolution 2009-46 for a thirty (30) day extension to the Ballymeade final approval. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve the Moiscell Robinson 2-lot subdivision contingent upon the Solicitor approving and executing the driveway maintenance agreement. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve the L & C Farms LDP contingent upon a driveway maintenance agreement when the lots are sold. Mr. Cheek seconded the motion. MOTION CARRIED.

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

ENGINEER

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

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman reported that at the workgroup meeting on November 19th, everyone was given an update on the timeline and what information was needed to keep moving forward, including TAR and questions from DEP on the last submission which need answers to be part of the new submission. The next workgroup meeting is December 17th.

Mr. Hershey asked if the application for a loan had been made. Mr. Lennex replied yes it is being reviewed by different departments in the USDA.

Mr. Kepler asked a hypothetical question about the \$27 million loan: if the economy doesn't improve and gets worse so there are no new users within the next two or three years, can the OASA pay for it? Mr. Lennex explained that it is going to cost \$100,000 more per year in debt service than they are paying now. He said there are developments on the books that are approved. The rates are going to increase next year which haven't been increased in five years and that is strictly for operating costs. They have given out 22 EDU's for residential use and all but six have connected. Mr. Kepler asked if they would be able to afford the debt payment for say, five years. Mr. Lennex answered yes.

Mr. Cheek questioned all the debt and whether or not users are going to be able to pay for it or if it would come back to the municipalities. Mr. Lennex explained that the OASA is solely pledging their revenue and new connections.

After some discussion, Mr. Kepler moved to approve Mr. Yeatman's report. Mr. Cheek seconded the motion. MOTION CARRIED.

ROADMASTER

The Secretary read the Roadmaster's Report for November. Mr. Kepler moved to approve the Roadmaster's Report. Mr. Hershey seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Hershey asked Mrs. Marcella Peyre-Ferry to report. She said that the photo op/progress party had been postponed due to the snow. She explained that there is a problem getting the grant money to pay the contractor. Apparently the money is tied up in red tape, so the OARA is looking into a bridge loan. Mr. Kepler moved to approve the report. Mr. Cheek seconded the motion. MOTION CARRIED.

OLD BUSINESS

Open Space Preservation – Mr. Cheek moved to sign an agreement of sale for Aaron & Miriam Beiler's 19.543 acres at \$8,280 per acre (the cost to be shared with the County). Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Cheek moved to send a letter to Diana Hoopes stating we are willing to participate in the preservation of the Wilson Family part I; 175.4 acres. Mr. Kepler seconded the motion. MOTION CARRIED.

Comprehensive Plan – Mr. Joel Brown reported that at the last meeting they discussed land use and housing which will be continued at the next meeting on January 27th. Mr. Cheek moved to accept the report. Mr. Kepler seconded the motion. MOTION CARRIED.

Lincoln Village Sewer – Mr. Hershey noted that a total of ten (10) permits had been issued and six (6) had hooked-up so far.

NEW BUSINESS

Budgets – Mrs. Teri Dignazio asked her questions regarding the budgets: what is the engineering on the Sewer Extension Fund? LRIA? Why is the Highway Maintenance/Repairs account used as a reserve or unappropriated amount? Will salaries be increasing? Recommended that no salary increases be given; sighting real world examples.

Mr. Cheek moved to adopt the proposed 2010 General Fund, State Fund, Open Space Revenue Fund, Open Space Purchase Fund, and Sewer Fund budgets. The real estate tax millage rate will remain the same

.25 mills. Mr. Kepler seconded the motion. MOTION CARRIED. Mr. Kepler wanted to make it clear that just because an amount is budgeted doesn't mean we have to or are going to spend that amount.

OASA Resolution Request – Mr. Kepler moved to adopt Resolution 2009-48 amending the articles of incorporation for a fifty year extension if approved by the Secretary of the Commonwealth. Mr. Cheek seconded the motion. MOTION CARRIED.

2010 SPCA Contract – The Secretary explained that the contract would cost \$3,507.50 which is an increase of \$910.00 from this past year. For the first three quarters they have had a total of 8 animals from Lower Oxford this year. The other option is to pay \$100.00 for the Stray Boarding Limited Contract and a fee of \$55 per stray taken to the SPCA. Mr. Kepler moved to pay the \$100.00 for the limited contract and send a letter to the Township Veterinarians letting them know. Mr. Cheek seconded the motion. MOTION CARRIED.

PSATS Convention – Mr. Hershey noted that the PSATS Convention would be held April 18-21 in Hershey. He said he did not wish to attend and asked if anyone else would be. No one wishes to attend at this time, but the deadline is not until January 22, 2010 to register.

OTHER BUSINESS

None.

PUBLIC COMMENTS

Mrs. Teri Dignazio – Questioned whether or not it was a shared driveway on the L&C Farms LDP and if that set precedence.

Mr. Kepler moved to adjourn the meeting at 8:40 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