

Lower Oxford Township
Board of Supervisors Meeting Minutes
April 8, 2009

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, April 8, 2009.

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

CALL TO ORDER

Chairman Kenneth L. Hershey called the meeting to order at 7:02 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

Mrs. Jane Cannoy announced that the Auditors had concluded the 2008 Audit and filed the report online. She thanked the Treasurer for her cooperation. The Board of Supervisors thanked Mrs. Cannoy and the other auditors for doing a good job.

APPROVAL OF THE MINUTES

Mr. Cheek moved to approve the minutes for the regular meeting of March 11th. 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 March; totaling \$48,124.94 for the General Fund, and \$4,373.24 for the Open Space Revenue Fund. Mr. Cheek moved to approve and pay the bills. Mr. Kepler seconded the motion. MOTION CARRIED.

Fiduciary Refunds – Mr. Kepler moved to transfer \$710.47 from the four listed escrow subaccounts to the Master Escrow account to reimburse for legal and engineering fees. Mr. Cheek seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Kepler moved to adopt Resolution 2009-15 to approve the 2009 Budget deviations totaling \$190.00. Mr. Cheek seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ PA State Police incident listing for March.
- ✓ OASA meeting minutes for January & February.
- ✓ PSATS March news bulletin.
- ✓ Chester Water Authority water quality report for 2008.
- ✓ PIRMA loss control alert regarding public pools and spas.
- ✓ Notice that the nonprofit organization *Wheels of Wellness* Medical Transport is dissolving.

- ✓ Invitation to the Oxford Public Library for a Classical Guitar Concert and preview of the Library expansion plan.
- ✓ Letter from the Oxford Area Little League requesting to use the ball field in Benard Park for the 2009 season.
- ✓ Notice of a rate increase from the Chester Water Authority; effective July 1st.
- ✓ Notice from the Housing Partnership of Chester County that they will be holding a 2 day event titled *H.A.R.P. Homeowners Assistance Rescue Project* on May 1 & 2.
- ✓ Memo from PSATS with the proposed Resolutions and Bylaw changes for this year's convention.
- ✓ Notice of Trial Summary Case from Judge Farmer for the two individuals involved in the criminal mischief and tampering with property on Jan. 1st outside of the Lincoln Community Center.
- ✓ The Chester-Delaware County News letter from the Farm Service Agency.
- ✓ Letter from the Chester County Planning Commission regarding the 2009 County Transportation Improvements Inventory.

Comments: Mr. Hershey moved to authorize the Oxford Little League to use the Benard Park ball field for the 2009 Season. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to accept the correspondence report. Mr. Kepler seconded the motion. MOTION CARRIED.

BUILDING INSPECTOR

Mr. John Coldiron reported that he had three inspections, and three electrical inspections for the month of March. 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 March. She issued nine building permits and one new violation.

Subdivisions & Land Development Plans – Mrs. Kinney asked the Board for a non-building waiver for the David Blank 2 lot subdivision with a 3 lot add-on. Mr. Kepler moved to approve the non-building waiver for David Blank's subdivision. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to approve the David Blank 2 lot subdivision with a 3 lot add-on. Mr. Cheek seconded the motion. MOTION CARRIED.

Mrs. Kinney explained that the Planning Commission had a recommendation for the Lincoln University Academic/Health & Wellness Center; which was to grant a waiver for the water level in the pond as long as the University put a fence around the pond. Mr. Kepler moved that a waiver be granted for Section 5I1D with a condition that the University builds a fence around the pond. Mr. Cheek seconded the motion. MOTION CARRIED. Mr. Kepler moved to approve the Lincoln University Academic/Health & Wellness Center Land Development Plan. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2009-I4 to give the Ballymeade Final Plan approval a thirty (30) day extension. Mr. Cheek seconded the motion. MOTION CARRIED.

Mrs. Kinney said that the Moiscell Robinson 2 lot subdivision was still at the Planning Commission level but that they were seeking some waivers. Mr. Kepler moved to grant a waiver for the Moiscell Robinson subdivision for the Preliminary Plan so that the Preliminary & Final Plan would be all inclusive; as well as

a waiver for the Erosion/Sedimentation because less than one acre is being disturbed. Mr. Cheek seconded the motion. MOTION CARRIED.

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

ENGINEER

The Supervisors read over the Township Engineer's March 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 they met with Senator Pileggi's office regarding grants. He said that there had been over 800 applications submitted and they didn't know what the qualifications would be and weren't to look for the money anytime soon. It will be July before we know if we get any grant money. Mr. Yeatman said that Ed Lennex finished the Chapter 94 report and submitted it to DEP. Mr. Yeatman had reported about a FOP Development proposal last month and noted that they were still waiting on some unanswered questions regarding that proposal. Mr. Kepler moved to approve Mr. Yeatman's report. Mr. Cheek seconded the motion. MOTION CARRIED.

ROADMASTER

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

REGIONAL RECREATIONAL AUTHORITY

Mr. Lee Towner was absent. Mrs. Marcia Peyre-Ferry said that their meeting is tomorrow night at the library. They plan to view the new website. Mr. Hershey reported that he contacted East Nottingham Township regarding the idea of the Townships doing some of the work to help get the project going in the right direction.

OLD BUSINESS

Open Space Preservation – Mr. Kepler moved to authorize the Secretary to send a letter to Diana Hoopes agreeing to proceed with the easement purchase for Aaron Beiler's 22 acres. Mr. Cheek seconded the motion. MOTION CARRIED.

Comprehensive Plan – Mr. Joel Brown reported that the last meeting had some discussion about community services such as Police, Water, and Sewer. They will begin to discuss land use at the next meeting.

Lincoln Village Sewer – Mr. Kepler reported that Lincoln's Attorney gave the Township a 37 page agreement and the Township Engineer and Solicitor reviewed it and reduced it to 14 pages. Mr. Kepler said PENNSTATE is doing the same thing we are trying to do with Lincoln University and the Township Solicitor has acquired a copy of the agreement they use. Mr. Kepler is going to take the Township's version of the agreement to Dr. Nelson once he has it back from the Solicitor. Mr. Kepler asked Mr. Darien White what questions he had about this subject. There was much discussion.

Opening of the Bids (8:00 p.m.) - The Board of Supervisors opened the bids that had been submitted for Road Materials. Mr. Kepler read the bid amounts for Blacktop, Seal Coat in Place, Stone, Diesel/Heating Fuel, and Paving Equipment. There were no bids submitted for Road Oils.

Mr. Kepler moved to award the Paving Equipment bid to Long's Asphalt, Inc. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to award the Diesel Fuel & Heating Oil bid to Alger Oil. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to award the Stone bid to Independence Construction. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to award the bid to Asphalt Industries for Seal-Coat-in-Place. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to award the bid to McMinn's for Blacktop. Mr. Cheek seconded the motion. MOTION CARRIED.

Sign Ordinance – Mr. Kepler moved to authorize the Solicitor to advertise for an ordinance hearing on May 13th at 6:30 p.m. (before our next meeting.) Mr. Cheek seconded the motion. MOTION CARRIED.

NEW BUSINESS

Trash Problem in Lincoln – Mr. Kepler read aloud a letter he received from Mr. Greg Stenz of 120 Irwin Drive, regarding an apparent littering problem in Lincoln especially along Ashmun Avenue and University Road. After some discussion, Mr. Kepler said that he would work with Mr. Stenz, Lincoln University, and Upper Oxford to address the problem.

OTHER BUSINESS

None.

PUBLIC COMMENTS

Teri Dignazio – Asked what Greg's last name was.

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 B. Laganelli
Secretary/Treasurer