

Lower Oxford Township
Board of Supervisors Meeting Minutes
May 13, 2009

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, May 13, 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 John Coldiron, Secretary/Treasurer Sara Laganelli, and eight 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 announced that there was a public hearing prior to this meeting so we already did the Pledge of Allegiance and Moment of Silence.

PUBLIC COMMENT CONCERNING ITEMS ON THE AGENDA

None.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

None.

ADOPTION OF ORDINANCE

Mr. Cheek moved to adopt Ordinance I-2009 amending the Lower Oxford Township Zoning Ordinance of 1970. Mr. Kepler seconded the motion. MOTION CARRIED.

APPROVAL OF THE MINUTES

Mr. Kepler moved to approve the minutes for the regular meeting of April 8th. 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 April; totaling \$67,743.97 for the General Fund, \$66,694.00 for State Fund, and \$5,248.73 for the Open Space Revenue Fund. Mr. Cheek moved to approve and pay the bills. Mr. Kepler seconded the motion. MOTION CARRIED.

Fiduciary Transfers – Mr. Kepler moved to transfer \$6,097.48 from the nine listed escrow subaccounts to the Master Escrow account to reimburse for legal and engineering fees and refund David Sapp. Mr. Cheek seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Kepler moved to adopt Resolution 2009-18 to approve the 2009 State Budget deviations totaling \$72,000.00. Mr. Cheek seconded the motion. MOTION CARRIED.

Request – The Secretary requested to attend a PSATS seminar on the new Earned Income Tax Act 32 on May 28th in West Chester for a fee of \$20.00. Mr. Cheek moved to authorize the request. Mr. Kepler seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Letter from the Southern Chester County Emergency Medical Services announcing that the Avondale Fire Co. will join their Board of Directors. Also, they are looking to increase their community visibility and would like to attend open houses, fairs, community days, etc.
- ✓ Letter from Representative Tom Houghton with some information on noise ordinances.
- ✓ OASA meeting minutes from March 18, 2009.
- ✓ The Delaware Valley Regional Planning Commission's summary of results for the Sustainability Survey.
- ✓ Request for a donation to the Oxford Area High School graduation party.
- ✓ Notice from the Attorney General's office that effective July 1, 2009, any home improvement contractor that performs home improvements for the total cash value of \$5,000.00 or more per year are required to register with the Office of the Attorney General.
- ✓ Fact sheet on Fair Housing from the Fair Housing Council of Suburban Philadelphia.
- ✓ Chester County Dept. of Aging Newsletter for April 2009.
- ✓ Invitation from PECO to attend a seminar to help with the transition to a competitive market on May 21st in Malvern.
- ✓ Report from Insurance Services Office, Inc. (ISO), with the completed analysis of building codes adopted by the Township and the efforts put forth to properly enforce the codes. The resulting Building Code Effectiveness Grading Classification is 4.
- ✓ Invitation from the Union Fire Co. to attend the Ambulance Division meeting on May 20th.
- ✓ Union Fire Co. No. 1 incident listings for March & April.
- ✓ Incident listing for April from the PA State Police.

Comments: Mr. Kepler and Mr. Hershey said they would attend the Fire Co. meeting. Mr. Cheek asked about the new home improvement fee for the Attorney General. Mr. Kepler moved to approve the Correspondence report. Mr. Cheek seconded the motion. MOTION CARRIED.

BUILDING INSPECTOR

Mr. John Coldiron reported that he had eleven building inspections, one new residential plan review, and one accessory building plan review for the month of April. 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 April. She issued five building permits, 3 Certificate's of Occupancy and had five new violations. Mrs. Kinney said that she sent out seventeen friendly reminders to the chronic weed violators. Mr. Kepler questioned if Mr. McDowell had moved the vehicles. Mr. Hershey asked about Mr. Mazepink's composting. Mrs. Kinney said that she was waiting on an official letter from Soil Conservation stating that it is a composting operation. The Supervisors instructed Mrs. Kinney to send a Cease & Desist letter to Mr. Mazepink.

Subdivisions & Land Development Plans –

Mrs. Kinney said that the Moiscell Robinson 2 lot subdivision submitted a standard O&M Agreement for the Planning Module. Mr. Cheek moved to approve the O&M Agreement. Mr. Kepler seconded the motion. MOTION CARRIED. Mr. Kepler moved to adopt Resolution 2009-20 for the Moiscell Robinson Sewage Facilities Planning Module. Mr. Cheek seconded the motion. MOTION CARRIED. Mr. Kepler move that the Moiscell Robinson 2 lot subdivision be Null & Void if an extension was not received by May 19, 2009. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2009-16 for a thirty-day extension to the Ballymeade final approval. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to adopt Resolution 2009-17 for a six-month extension to the Oxford Commons final approval. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2009-19 for the addendum to the Fee Schedule. 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 April 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 are working on grant funding for building the lagoon. The only other thing he had for discussion was the Lincoln Sewer but it was on the agenda later. Mr. Kepler moved to approve Mr. Yeatman's report. Mr. Cheek seconded the motion. MOTION CARRIED.

ROADMASTER

Mrs. Sara Laganelli read the Roadmaster's Report for April. Mr. Cheek moved to approve the Roadmaster's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Hershey said that tomorrow night was the next meeting. He has asked East Nottingham and the Oxford Borough to work with Lower Oxford to get things moving. It had been suggested that they keep track of the expenses and deduct the cost from the 2010 OARA fee. Mr. Kepler said that he would attend the meeting.

OLD BUSINESS

Open Space Preservation – Lizzie Beiler's appraisal came in for the 33 acres at \$8,820.00 per acre.

Comprehensive Plan – Mr. Joel Brown reported that at the last meeting they review the draft from the County for the Recreational part. The next meeting is May 27th and they will review the draft for the Transportation part. The latest timeline shows they will be going into 2010. Mr. Hershey moved to approve Mr. Brown's report. Mr. Cheek seconded the motion. MOTION CARRIED.

Lincoln Village Sewer – Mr. Kepler announced that they have an agreement! Ed Lennex sent it to the OASA's attorney. The Township Solicitor will read over it. Mr. Kepler moved to approve the agreement contingent upon any lawyer findings. Mr. Cheek seconded the motion. MOTION CARRIED. There was some discussion among the Supervisors, and members of the audience.

Delinquent Fire Hydrant Taxes - Mr. Kepler moved to send the 2008 Delinquent Fire Hydrant Taxes owed, totaling \$115.32 for seven taxpayers, to the Solicitor for collection. Mr. Cheek seconded the motion. MOTION CARRIED.

Windmill Ordinance – The Planning Commission had someone from Atlantic Tractor attend their last meeting because they would like to sell windmills. The Township Engineer will review the proposed Windmill Ordinance.

NEW BUSINESS

Pension Plan – Mr. Kepler moved to approve the appointments of Jack Walter and William Groves as Trustees of the Employee Pension Fund for the term of Jan. 1, 2010 thru Dec. 31, 2015. Mr. Cheek seconded the motion. MOTION CARRIED.

OTHER BUSINESS

None.

PUBLIC COMMENTS

Teri Dignazio – Asked who was working on the windmill ordinance and had some questions. She noted that the guy from Atlantic Tractor seemed to think the windmill ordinance was prohibitive.

Mr. Kepler moved to adjourn the meeting at 8:50 p.m. Mr. Hershey 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