

Lower Oxford Township
Board of Supervisors Meeting Minutes
June 10, 2009

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, June 10, 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, Roadmaster Steve Price, 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

None.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

Mr. Scott Sarver – Mrs. Kinney told the Board that Mr. Sarver was seeking approval for a Home Occupation Permit but would not be at the meeting until around 7:30. Mr. Hershey said we could address Mr. Sarver under New Business.

APPROVAL OF THE MINUTES

Mr. Kepler moved to approve the minutes for the Ordinance Hearing and the regular meeting of May 13th. 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 May; totaling \$87,519.09 for the General Fund, \$47,445.53 for State Fund, and \$38,124.49 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 \$454.75 from the escrow subaccount to the Master Escrow account to refund Douglas Burnette. Mr. Cheek seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Kepler moved to adopt Resolution 2009-22 to approve the 2009 Budget deviations totaling \$625.63. Mr. Cheek seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Letter from the L&I Secretary regarding changes to the federal Trade Act.
- ✓ PA State Police incident report for May.
- ✓ Letter from DeBrunner & Associates regarding the pursuit of grants.
- ✓ A new publication from DVRPC called *Planning & Zoning for Green Buildings*.
- ✓ The 2008 Annual Report of the Chester Water Authority.
- ✓ A *Guide to Safety Around Power Lines* from PECO.
- ✓ Letter from the Chester County Water Resources Authority regarding and update on the potential County-Wide PA Act 167 Plan.
- ✓ The Spring edition of *Conservation & You*.
- ✓ Invitation to Community Information Meetings about the Draft Update to Landscapes Review.
- ✓ A letter from Interstate Waste Services saying that should the Township ever want to change to a contracted waste hauling service, they are available.
- ✓ SECCRA newsletter for Spring.

- ✓ Notice from the Chester County Finance Department regarding the establishment of Tax Collection Committee meetings. The first meeting will be held November 12, 2009.
- ✓ PENNDOT'S *Moving Forward* newsletter for Summer 2009.
- ✓ Letter from the Oxford Area Senior Center asking for continued support in the form of a donation.
- ✓ Memo from the Chester County Conservation District regarding the approved fee schedule effective June 1, 2009.
- ✓ Union Fire Co. No. 1 incident report for May.

BUILDING INSPECTOR

Mr. John Coldiron reported that he had four regular building inspections, and five electrical for the month of May. Mr. Coldiron announced that he had been informed that he would no longer be working for the Township after today. He took the opportunity to thank the Board. He felt that Scott would do a good job for the Township and was glad they are going with a local guy. He said as a taxpayer in the Oxford area he was thankful for the Board working hard to preserve farmland and bring commercial growth to bring relief from the taxes. Mr. Coldiron said that he and his son would like to stay on the list of the Township's possible Building Inspectors. Mr. Cheek moved to approve the Building Inspector's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler said that Mr. Coldiron would finish up the inspections he had on the books.

Mr. Kepler moved to remove Municipal Solutions from the Building Inspector list. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to appoint Scott Moran as the Township's new Building Inspector. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler explained that the UCC Appeals Board for the Township and the surrounding four Townships and the Oxford Borough had all of the same members. Scott Moran is one of the members. Mr. Kepler said that he would discuss this issue with the other members at the upcoming Comp Plan Meeting to come up with a replacement for Mr. Moran as well as two other members who no longer live in the area: Lee Towner and John Vanderhoef.

CODE ENFORCEMENT OFFICER

Mrs. Kinney read the Building Permits & Zoning Violations Reports for May. She issued five building permits, 2 Certificate's of Occupancy. Mrs. Kinney said that she sent out three letters to people that had been dumping their trash in the Township dumpster.

Subdivisions & Land Development Plans –

Mrs. Kinney said that Oxford Commons was seeking approval of the elevation for the Wal-Mart. Mr. Bill Dion was in the audience and explained that nine years ago the Conditional Use had been approved and part of that was the elevation. Mr. Dion introduced Mr. Rob Hemple from Scott & Goble Architects who had prepared to elevation plans that were shown to the Supervisors. Mr. Dion also presented the Board with samples of the materials that would be used in building the Wal-Mart. There was an earth tone color scheme. Mr. Cheek asked for a time frame as to when they would begin building. Mr. Dion explained that they were still aiming for their July target with plans to move dirt in August. He said that it takes approximately six months to prepare the pad site and then ten months for Wal-Mart to build the store. After some discussion, Mr. Kepler moved to approve the elevation of the Wal-Mart for the Oxford Commons project. Mr. Cheek seconded the motion. MOTION CARRIED.

Mrs. Kinney explained that Mr. Scott Sarver was present in the audience and was seeking a Home Occupation permit to do computer repairs from his home on Limestone Road in front of the Oxford Farm Market. Mr. Sarver said he had reviewed the rules and regulations for a Home Occupation and

agreed to them. Mr. Kepler moved to approve the Home Occupation permit for Mr. Scott Sarver. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to adopt Resolution 2009-21 for a thirty-day extension to the Ballymeade final approval. Mr. Kepler seconded the motion. MOTION CARRIED.

Mrs. Kinney told the Board that Atlantic Tractor had applied for a Conditional Use Hearing that had been tentatively scheduled for July 6th.

Mrs. Kinney explained that she received the results of the ISO audit. Before the Township was given 6 out of 10. She explained that the lower the number the better. Now the Township is a 4. She said that eventually this should affect our insurance rates which could be lowered.

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 May 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 still working on grant funding for building the lagoon. They are also working with the Engineer on the 537 Plan to redo some of the old information. He explained that they really need to Comp Plan figures to get it all done. 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 May. Mr. Cheek moved to approve the Roadmaster's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Hershey said that they had received ten bids which would be opened at the meeting tomorrow night. Mr. Kepler moved to accept the resignation of Mr. Lee Towner from the OARA. The Secretary is to send a letter of Thanks to Mr. Towner. Mr. Cheek seconded the motion. MOTION CARRIED.

OLD BUSINESS

Open Space Preservation – Mr. Kepler said that there have been a couple of applicants working on applications for next year. The deadline is July 1st.

Comprehensive Plan – Mr. Kepler reported that at the last meeting they discussed transportation, trails, roundabouts, buggy lanes, turning roads back to dirt, and traffic calming measures.

Lincoln Village Sewer – Mr. Kepler moved to approve the final draft of the Lincoln Sewer agreement. Mr. Cheek seconded the motion. MOTION CARRIED. Mr. Kepler said that there would be a ceremonial signing of the agreement at the Lincoln University President's Office on Thursday, June 18th at 10:00 a.m.

Water Agreement – Mr. Cheek explained that the Township is going to put up \$500,000 for the water line but that they will be able to get that money back through the adoption of an ordinance that sets the

tapping fees. Mr. Kepler explained that not counting Wal-Mart, there are 829 approved users along Route 10 & Conner Road. Mr. Bill Dion explained the need for the Booster Station and said that the total cost of the water project is about \$2 million. There was much discussion.

Mr. Cheek moved to approve, sign, and accept the Water Agreement with Chester Water Authority. Mr. Hershey seconded the motion. MOTION CARRIED. Mr. Kepler abstained from voting.

Proposed Ordinances – Mr. Kepler said that he discussed the issue of some proposed ordinances that had not been acted on with the Planning Commission at their last meeting. Mr. Kepler said he would talk to the Solicitor and have her work on them to get the Ordinances advertised PDQ.

NEW BUSINESS

Act 32 – Ron explained that a new Pennsylvania Law was going to consolidate the collection of earned income taxes. He said that Berkheimer collects most of the earned income taxes in Chester County but they charge each school district a different rate. He said that they were going to discuss this at the next Comp Plan meeting. Everyone needs to send a Delegate to the first meeting in November.

Fee Schedule – Mr. Kepler moved to adopt Resolution 2009-23 for an updated Fee Schedule. Mr. Cheek seconded the motion. MOTION CARRIED.

OTHER BUSINESS

Lincoln Community Center – Mr. Kepler said that he received a request from Mr. Don MacMillan to renovate the basement of the Lincoln Building. Mr. MacMillan got estimates that were \$13,000 and \$17,000. Mr. Kepler explained that the renovations were not feasible because it is virtually impossible to meet code for handicap accessibility.

PUBLIC COMMENTS

Teri Dignazio – Asked for an explanation of what Bill Dion said about the sewer. Had concerns about the policing of Oxford Commons. Was confused about the water line. Asked for a time frame for people to hook-up and pay back the \$500,000. Asked about the mandatory hook-up of Residential vs. Commercial.

Mr. Kepler moved to adjourn the meeting at 8:55 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