

Lower Oxford Township

Board of Supervisors Meeting Minutes

July 8, 2009

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

The following were in Attendance: Chairman Kenneth L. Hershey, Vice Chairman W. Ronald Kepler, Zoning Officer Deborah Kinney, Roadmaster Steve Price, Secretary/Treasurer Sara Laganelli, and six guests. Supervisor W. Ralph Cheek and Building Inspector Scott Moran were 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 and asked for a Moment of Silence. Mr. Hershey asked that everyone keep the McAllister family in their prayers as Mrs. Doris McAllister passed away at the age of 89.

PUBLIC COMMENT CONCERNING ITEMS ON THE AGENDA

None.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

None.

APPROVAL OF THE MINUTES

Mr. Kepler moved to approve the minutes for the regular meeting of June 10th. 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 June; totaling \$74,940.66 for the General Fund, \$14,523.00 for State Fund, and \$381,358.96 for the Open Space Revenue Fund. Mr. Kepler moved to approve and pay the bills. Mr. Hershey seconded the motion. MOTION CARRIED.

Fiduciary Transfers – Mr. Kepler moved to transfer \$1,725.72 from the five listed escrow subaccounts to the Master Escrow account to reimburse General Fund for Legal & Engineering fees. Mr. Hershey seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Kepler moved to adopt Resolution 2009-26 to approve the 2009 Budget deviations totaling \$20,000.00. Mr. Hershey seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Letter from the County Dept. of Emergency Services regarding the FCC mandate to narrowband certain frequencies in both the VHF & UHF spectrum.
- ✓ June Incident listing from the PA State Police.
- ✓ News Release from PECO stating that they filed a plan to help customers save money, reduce energy use, and help the environment.
- ✓ PSATS News Bulletin for May-June.
- ✓ Memo from PSATS regarding the Youth Award Contest.
- ✓ Letter from Elk Township Supervisors stating they would like to continue their participation in the joint UCC Appeals Board.
- ✓ The first edition of the PENNDOT *Smart Transportation Quarterly*.

- ✓ Letter from Adult Care of Chester County, Inc. requesting a grant in the amount of \$2,000.00 from the Township.
- ✓ A donation request from the Chester County 2020.
- ✓ Letter from the Chester County Health Department stressing the importance of soils suitability testing whenever any subdivision of land occurs involving an existing structure utilizing an on-lot sewage disposal system.
- ✓ A flyer from PECO about Natural Gas safety.
- ✓ The Department of Emergency Services Fleet Vehicle Booklet.
- ✓ The Main Line Health report to the Community.

Mr. Kepler moved to table the request from Adult Care of Chester County. Mr. Hershey seconded the motion. MOTION CARRIED.

BUILDING INSPECTOR

The Secretary read the Building Inspector's June report in Mr. Scott Moran's absence. Mr. Kepler moved to approve the Building Inspector's report. Mr. Hershey seconded the motion. MOTION CARRIED.

CODE ENFORCEMENT OFFICER

Mrs. Kinney read the Building Permits & Zoning Violations Reports for June. She issued four building permits and 3 Certificate's of Occupancy. Mrs. Kinney said that she still had an outstanding weed violation for the cemetery on Bethel Road, but had been in contact with Mr. Jay Eaton who was willing to take care of it as long as the property owner approved. Mr. Hershey questioned Mr. Doug McDowell's violations. Mrs. Kinney said that Mr. Mc Dowell was still in violation. Mr. Hershey said it is time to take him to court. Mr. Hershey also questioned Mr. Mazepink's violations. Mrs. Kinney said that she had not heard from Mr. Mazepink but she did send a Cease & Desist certified letter which Mr. Mazepink did sign for.

Subdivisions & Land Development Plans –

Mr. Kepler moved to deem the Linda Creighton subdivision plans null and void if an extension is not received by August 11, 2009. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2009-27 for Daniel Lapp's SFPM. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2009-25 for a thirty (30) day extension to the Ballymeade final approval. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2009-24 for a six (6) month extension to the Hearthstone final approval. Mr. Hershey seconded the motion. MOTION CARRIED.

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

ENGINEER

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

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman was attending the OASA special meeting. No report.

ROADMASTER

Mr. Steve Price read the Roadmaster's Report for June. Mr. Hershey thanked the Roadmaster for continuing to do a great job. Mr. Kepler moved to approve the Roadmaster's Report. Mr. Hershey seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Hershey reported that the bids were advertised for Phase I of the project to do the western section with two entrances, a baseball field, an open field and some trail. The low bid was from Ply-Mar Construction. Mr. Kepler moved to approve the report. Mr. Hershey seconded the motion. MOTION CARRIED.

OLD BUSINESS

Open Space Preservation – Mr. Hershey announced that Mr. Stephen Stoltzfoos had settlement on July 7th and the Township's share of cost for the Ag Easement was \$377,495.26, which preserved another 84 acres. Also, Mrs. Lizzie Beiler has accepted her offer from the County that will preserve another 33 acres this year. Mr. Hershey said that since the Township partnered with the County in the Ag Preservation program, the amount of farms preserved has probably tripled.

Mr. Kepler moved notify the County that the Township will certify to have matching funds in the amount of \$500,000.00 available for the 2009 County Challenge Grant Program. Mr. Hershey seconded the motion. MOTION CARRIED.

Comprehensive Plan – Mr. Kepler reported that they voted on fifty issues at the last meeting. Some of the items discussed were EMS, Fire Company & Ambulance, Health & Human Services, Volunteers, Safety for Pedestrians, Coordination with the School District, Libraries, Alternatives for Police, Senior Citizens, Fresh Produce, Water, Sewer, Public Transportation, Stormwater Management, and On-lot sewage maintenance. The next meeting will have discussion about Alternative Energy. Mr. Hershey moved to approve the report. Mr. Kepler seconded the motion. MOTION CARRIED.

Lincoln Village Sewer – Mr. Hershey announced that it finally happened! He said it is the greatest thing that the Township has accomplished. So far two permits have been issued.

Water Agreement – Mr. Kepler explained that last month, the Supervisors authorized an agreement with Chester Water and that he had abstained from voting. Now there may need to be a date change in the agreement, no content will change and the Solicitor advised that he could vote on it in the absence of Mr. Cheek.

Mr. Kepler moved to authorize the modification of the previously approved contract with Chester Water for water service to change the manner and date of forwarding Lower Oxford's contribution to the project to the date and manner of payment approved by the Board of Chester Water if approved by the township solicitor. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Hershey said that Mrs. Sebastian is working on the Windmill, Lighting, Historic Commission, and Verizon Franchise ordinances.

NEW BUSINESS

Zoning Hearing Board Alternate – Mr. Kepler moved to appoint Mr. Tony Der Kinderen as the new Zoning Hearing Board Alternate. Mr. Hershey seconded the motion. MOTION CARRIED. The Supervisors thanked Mr. Der Kinderen for his willingness to serve the community.

OTHER BUSINESS

UCC Appeals Board – Mr. Kepler explained that West Fallowfield Township would like to use the same UCC Appeals Board members that we have. Mr. Kepler moved to allow West Fallowfield Township to use the same UCC Appeals Board members and fee schedule. Mr. Hershey seconded the motion. MOTION CARRIED.

Act 32 – Mr. Kepler moved to adopt Resolution 2009-28 to appoint Mr. Charles Lewis, Jr., as the Township’s Delegate, and W. Ronald Kepler as the Alternate Delegate on the TCC. Mr. Hershey seconded the motion. MOTION CARRIED.

PUBLIC COMMENTS

None.

Mr. Kepler moved to adjourn the meeting at 7:40 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