

Lower Oxford Township
Board of Supervisors Meeting Minutes
August 12, 2009

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, August 12, 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, Roadmaster Steve Price, Secretary/Treasurer Sara Laganelli, and seven 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. Dennis Miller – Mr. Kepler explained that he invited Mr. Miller to the meeting to discuss his property on Third Avenue in Lincoln Village. The property has a house and small apartment on it. When the sewer lines were put in, the Township was unaware of the small apartment. Mr. Miller applied for a sewer permit for one (1) EDU, but installed a sewer line for both the house and the apartment. After much discussion, it was agreed that Mr. Miller would pay for two (2) EDU's.

APPROVAL OF THE MINUTES

Mr. Cheek moved to approve the minutes for the regular meeting of July 8th. 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 July; totaling \$70,802.30 for the General Fund, \$56,316.75 for State Fund, and \$4,764.09 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 \$1,810.35 from the six listed escrow subaccounts to the Master Escrow account to reimburse General Fund for legal and engineering fees incurred. Mr. Cheek seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Cheek moved to adopt Resolution 2009-31 to approve the 2009 Budget deviations totaling \$20,000.00. Mr. Kepler seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Union Fire Co. No. 1 Municipal Fund Financial Statements fro the years ending December 2007 & 2008.
- ✓ PA State Police Incident Report for July.
- ✓ Memo from PSATS regarding the Commonwealth's 2009-2010 Budget Federal General Revenue Sharing.
- ✓ Union Fire Company incident listings for June & July.
- ✓ Chester Water Authority's Customer Newsletter for Summer 2009.
- ✓ Terrence Farrell's E-Newsletter.

- ✓ PIRMA newsletter.
- ✓ Letter from Attorney General Tom Corbett regarding the Home Improvement Consumer Protection Act that became effective July 1st.
- ✓ Thank you letter from the Oxford Area Senior Center for our donation.
- ✓ The Liquid Fuels Tax Fund examination report for 2007 with no findings.
- ✓ DVRPC News special issue 2009.
- ✓ Chester County Department of Aging July newsletter.

BUILDING INSPECTOR

Mr. Scott Moran reported that for the month of July he had one plan review, three regular inspections, two sewer inspections, and two consultations. 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 July. She issued four building permits. Mrs. Kinney said that she had three new weed violations. She followed up that for McDowell's outstanding violation progress was slow; they only moved one vehicle. The Supervisors agreed that Mrs. Kinney should send this violation to the Solicitor for further action. Mrs. Kinney said she would do that tomorrow.

Subdivisions & Land Development Plans –

Mr. Kepler moved to deem the Moiscell Robinson Subdivision plans null and void if no extension letter was received today. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2009-29 for a thirty (30) day extension to the Ballymeade final approval. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2009-30 for a one (1) year extension to the Shoppes at Lower Oxford final approval. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2009-32 for a 180-day extension to the Jones & Losito Final approval. 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 July 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 he was not at the last Supervisor's meeting because the OASA had a special meeting to discuss which direction they were going to go now. He said that Ed Lennex gave a PowerPoint presentation with three options. The Board voted to go with the third option which was to stay with lagoon treatment; spray 100%; no stream discharge; and a new mechanical treatment plant. There was much discussion. 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 July. Mr. Kepler moved to approve the Roadmaster's Report. Mr. Cheek seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Hershey said that he was not at the last meeting and asked Mrs. Marcella Perry-Feyre to do the report. She said that the bid was awarded to Ply-Mar Construction. Etha McDowell had looked at the by-laws and realized that the \$1 per capita was for the first five years and the OARA could ask for more per capita. Mrs. Perry-Feyre said that it was discussed they should ask for \$5 per capita. After some discussion, Mr. Cheek moved to approve the report. Mr. Kepler seconded the motion. MOTION CARRIED.

OLD BUSINESS

Open Space Preservation – Mr. Kepler moved to send a letter to Diana Hoopes at the County authorizing her to move forward with preserving Nicholas Roosevelt’s 35 acres. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler also announced that on August 25th there would be an additional 120 acres preserved through the State program for his home farm.

Comprehensive Plan – Mr. Joel Brown reported that there would not be an August meeting. He said that they would be discussing Land Use in September and October which is very important and urged everyone to attend those meetings. Mr. Cheek moved to approve the report. Mr. Kepler seconded the motion. MOTION CARRIED.

Lincoln Village Sewer – Mr. Hershey noted that a total of seven (7) permits had been issued and three (3) had hooked-up so far.

Mr. Cheek moved to authorize the Solicitor to advertise for the Mandatory Hook-up Ordinance for Lincoln Village. Mr. Kepler seconded the motion. MOTION CARRIED.

Water Agreement – Mr. Kepler said that we have a water agreement with Chester Water Authority and are waiting for them to sign it. It will require a payment of \$500,000 thirty (30) days after it is signed.

Historic Commission Ordinance – Mr. Kepler moved to authorize the Solicitor to advertise the Historic Commission Ordinance. Mr. Cheek seconded the motion. MOTION CARRIED.

NEW BUSINESS

UCC Appeals Board – Mr. Cheek moved to remove Lee Towner and John Vanderhoef from the UCC Appeals Board, while making Dan Dolinger a regular Board member and adding Bruce Vanderhoef and Jeffrey Young as alternates. Mr. Kepler seconded the motion. MOTION CARRIED.

Bond for Open Space – Mr. Kepler moved to authorize all consultants and attorneys to take whatever action is required to put an ordinance in motion for an Open Space Bond. Mr. Cheek seconded the motion. MOTION CARRIED.

Winter Traffic Services Agreement – Mr. Kepler moved to adopt Resolution 2009-33 for a winter traffic services agreement with PENNDOT. Mr. Cheek seconded the motion. MOTION CARRIED.

Oxford Regional Emergency Management – Mr. Kepler reported that this group is meeting every other month and wants Lower Oxford to join for an annual fee of \$200.00. Mr. Hershey requested more information as to what the \$200 fee is for.

OTHER BUSINESS

House Bill 1500 – Mr. Kepler reported that the proposed House Bill 1500 would require municipalities without a local police force to pay an annual per capita fee to the State Police. Mr. Kepler moved to

authorize the Secretary to send a letter to Rep. Tom Houghton urging him to oppose House Bill 1500. Mr. Cheek seconded the motion. MOTION CARRIED.

PUBLIC COMMENTS

None.

Mr. Kepler thanked everyone for coming and moved to adjourn the meeting at 8:45 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