

Lower Oxford Township
Board of Supervisors Meeting Minutes
September 9, 2009

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, September 9, 2009.

The following were in Attendance: Chairman Kenneth L. Hershey, Vice Chairman W. Ronald Kepler, Zoning Officer Deborah Kinney, Building Inspector Scott Moran, 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. Michael Wolf of Boenning & Scattergood, Inc. – Mr. Wolf presented the Board with information about the 2009 General Obligation Note from the Delaware Valley Financing Authority for \$1,500,000 for the Open Space Purchase Fund. Mr. Wolf handed out a graph to the Board of Supervisors and the audience showing the different rates and how they have compared historically. Settlement is scheduled for October 26, 2009.

ADOPTION OF ORDINANCE

Mr. Kepler moved to adopt Ordinance 2009-3 for incurrence of non-electoral debt in the amount of \$1,500,000 to be used to purchase agricultural, farmland, and open space easements to preserve open space and the payment of the costs of issuance of the 2009 Note. Mr. Hershey seconded the motion. MOTION CARRIED.

APPROVAL OF THE MINUTES

Mr. Kepler moved to approve the minutes for the regular meeting of August 12th. Mr. Hershey seconded the motion. MOTION CARRIED.

TREASURER'S REPORTS

Presentation of Bills – Mrs. Deborah Kinney presented the bills that had been paid and needed to be paid for the month of August; totaling \$36,436.66 for the General Fund, and \$4,650.11 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 \$343.03 from the three listed escrow subaccounts to the Master Escrow account to reimburse General Fund for legal and engineering fees incurred and to reimburse David Blank. Mr. Hershey seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Kepler moved to adopt Resolution 2009-36 to approve the 2009 Budget deviations totaling \$560.00. Mr. Hershey seconded the motion. MOTION CARRIED.

State Fund – Mr. Kepler moved to adopt Resolution 2009-38 to purchase a new CD from Fulton Bank for State Fund in the amount of \$100,000.00. Mr. Hershey seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Email message from McCormick Taylor informing the Township that there would be a Pre-construction Meeting on Sept. 3rd for the Fairview Bridge project.
- ✓ Letter from Crossan-Raimato, Inc. stating that they have moved their West Grove office to their own building in New London.
- ✓ Letter from PSATS regarding proposed legislation regarding Township Pension Plans and information on a Webinar.
- ✓ Email message from County Assessment office stating they have had 3,870 annual assessment appeals which they are working feverishly to have done by October 31st. In order to do so they have temporarily suspended hearings of the interim appeals.
- ✓ Invitation from Union Fire Co. to the Building Dedication of their new Nottingham Station on September 26th at 2:00 p.m.
- ✓ Letter from Chester Water Authority regarding hydrant flushing during the month of September.
- ✓ Letter and flyers for the Chester County School of Government.
- ✓ PENNDOT's *Moving Forward* newsletter for Fall 2009.
- ✓ Letter from SECCRA regarding the new "Single Stream Recycling" signs that were placed on the dumpsters.
- ✓ News Release from PECO stating that they officially filed their Smart Meter Plan.
- ✓ Flyers for the 2009 Senior Expo sponsored by Dominic Pileggi on Friday, September 11th in Kennett Square.
- ✓ PSAT News Bulletin for July-August.
- ✓ PA State Police incident report for August.
- ✓ Union Fire Company No. 1 incident listing for August.

BUILDING INSPECTOR

Mr. Kepler moved to appoint Accurate Building Inspections, Inc. as the Township's Building Inspecting Agency of which Scott Moran as the proprietor & inspector. Mr. Hershey seconded the motion.

MOTION CARRIED.

Mr. Scott Moran reported that for the month of August he had two plan reviews, five regular inspections, two sewer inspections, and one consultation. 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 August. She issued four building permits. Mrs. Kinney said that she had one new violation.

Subdivisions & Land Development Plans –

David Stoltzfoos - Mr. Kepler moved to approve the waiver for preliminary/final for the David Stoltzfoos 2-lot subdivision. Mr. Hershey seconded the motion. MOTION CARRIED. Mr. Kepler moved to approve the final plan of the David Stoltzfoos 2-lot subdivision. Mr. Hershey seconded the motion. MOTION CARRIED.

Ballymeade - Mr. Kepler moved to adopt Resolution 2009-34 for an extension to the Ballymeade final plan approval. Mr. Hershey seconded the motion. MOTION CARRIED. Mr. Hershey moved to adopt Resolution 2009-35 for Ballymeade's Component 4A of the SFPM. Mr. Kepler 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 August 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 gave his report. Mr. Kepler thanked Bob Yeatman & Bob Cantarera for their service to the OASA. Mr. Kepler moved to approve Mr. Yeatman's report. Mr. Hershey seconded the motion. MOTION CARRIED.

ROADMASTER

Mrs. Deborah Kinney read the Roadmaster's Report for August. Mr. Hershey thanked the roadmen for their great job mowing the road banks. Mr. Kepler moved to approve the Roadmaster's Report. Mr. Hershey seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Hershey gave the Rec. Authority Report. Mr. Kepler moved to approve the report. Mr. Hershey seconded the motion. MOTION CARRIED.

OLD BUSINESS

Open Space Preservation – Mr. Kepler moved to sign the Agreement of Sale for Daniel & Lizzie Beiler's 33 acres for Ag Preservation. Mr. Hershey seconded the motion. MOTION CARRIED.

Comprehensive Plan – Mr. Kepler noted that there was not a meeting in August.

Lincoln Village Sewer – Mr. Hershey noted that a total of eight (8) permits had been issued and four (4) had hooked-up so far.

NEW BUSINESS

Historic Commission Ordinance – Mr. Jay Eaton said that he would provide a list of names for the Commission to the Secretary.

Mr. Kepler moved to adopt Ordinance 2009-2 establishing the Lower Oxford Township Historic Commission. Mr. Hershey seconded the motion. MOTION CARRIED.

Fire Hydrant Installation – Mr. Kepler moved to sign four (4) fire hydrant installation application contracts with Chester Water and pay the fee of \$10,800.00. Mr. Hershey seconded the motion. MOTION CARRIED.

Budget Workshop – Mr. Kepler moved to set the date for the Budget Workshop for October 21st at 7:00 p.m. Mr. Hershey seconded the motion. MOTION CARRIED.

Trash Day – Mr. Kepler moved to set Fall Clean-up for Friday September 25th from 7 am until 3 pm and Saturday September 26th from 7 am until Noon. Mr. Hershey seconded the motion. MOTION CARRIED.

OTHER BUSINESS

Liens – Mr. Kepler moved to send Terence Jennings of 140 Toby Way, and Thomas Biedekapp for 700 Bethel Road to the Solicitor for collection of debt owed to the Township. Mr. Hershey seconded the motion. MOTION CARRIED.

PUBLIC COMMENTS

Mr. Ed Bailey - Asked if this loan included the water line and who is this benefitting? Asked if the taxpayers be taxed for this? Stated that he didn't know he was being taxed the .5 E-I-T. Stated that he is

glad that this is what the money is for because the Township needs more business and industry because our taxes are too high.

Ms. Dana Bailey - Asked if your definition of industry is housing developments. Stated that she is concerned with the growing population and road improvements.

Mrs. Jane Downs - Asked how this is paying the water line and who is paying for this and do we have a timeline? Said she is concerned that her tax money is being used for commercial development. Stated that she is concerned the way the public notice was published in the paper. Asked if “repeals” can happen with regards to the loan.

Ms. Chris Kettleby - Asked if there is language to undo the prior ordinance regarding the loan. Asked if the Township could help her with a problem of run-off of water from the golf course. Storm drains did not hold back water and it came into her pool. She asked if the Township could change the contour or come up with a solution for the storm drain to keep the water from flowing onto private properties. She stated that the resident next to her had water that ran into their basement windows. Mr. Kepler told her that he would have the Township Engineer look at the problem and do what he could to correct it.

Mr. Kepler moved to adjourn the meeting at 8:20 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,

Deborah J. Kinney
Codes Enforcement Officer