

# Lower Oxford Township

## Board of Supervisors Meeting Minutes

### September 8, 2010

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, September 8, 2010.

**The following were in Attendance:** Chairman Kenneth L. Hershey, Supervisor W. Ralph Cheek, Codes Enforcement Officer Deborah Kinney, Building Inspector Scott Moran, Secretary/Treasurer Sara Laganelli, and twelve guests. Vice Chairman W. Ronald Kepler and Roadmaster Steve Price 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 to the flag and asked for a moment of silence.

#### PUBLIC COMMENT CONCERNING ITEMS ON THE AGENDA

Mrs. JoJo Campbell has a public comment.

#### RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

None.

#### APPROVAL OF THE MINUTES

Mr. Cheek moved to approve the minutes for the regular meeting on August 11<sup>th</sup>. Mr. Hershey seconded the motion. MOTION CARRIED.

#### TREASURER'S REPORTS

**Presentation of Bills** – Mr. Cheek moved to approve and pay the bills: totaling \$38,764.03 for General Fund, \$88,935.92 for State Fund; and \$5,569.28 for Open Space Revenue Fund. Mr. Hershey seconded the motion. MOTION CARRIED.

**Budget Deviations** – None.

**Fiduciary Refunds** – Mr. Cheek moved to transfer \$3,482.05 from the five listed escrow sub-accounts to the Master Escrow account to reimburse for engineering & legal fees as well as refund Jerome McArdle. Mr. Hershey seconded the motion. MOTION CARRIED.

#### CORRESPONDENCE

- ✓ Copy of a letter to Dr. Hawkins from Brandywine Conservancy regarding charges for services.
- ✓ E-mail from Susan Hicks regarding her son Corey Brown, a United States Marine from Lower Oxford Township. Corey is one of the members of the military honored on our plaque for Iraq War Veterans. Mrs. Hicks wanted us to know that Corey returned to the U.S.A. in August, from his latest combat tour, which was part of the USMC push in Marjah, Helmand Province, Afghanistan. He is currently stationed in Camp Lejeune. While in Afghanistan, Corey re-enlisted and expects to be based in Quantico, VA later this year. There he will train junior Marine Officers in combat skills.
- ✓ Letter from S.A.V.E. announcing a public workshop on September 23rd from 6-8:30 p.m. at the Octorara Primary Learning Center regarding the findings of John Gaadt's review of ordinances from the seven municipalities impacted by the Sparrows Point pipeline.

- ✓ Letter from the Chester Tax Collection Committee regarding the collection of Local Service Tax.
- ✓ Notice of Hydrant Flushing during the month of September from Chester Water Authority.
- ✓ Information from PennDOT regarding the Highway Transfer Turnback Program.
- ✓ 2009 PIRMA Annual Membership Report.
- ✓ Meeting Minutes from the July 8th meeting of the OARA.
- ✓ Chester Water Authority Fall 2010 newsletter.
- ✓ Union Fire Co. No. 1 incident listing for July 2010.
- ✓ Postcard from the Oxford Area Historical Association regarding the "Sears Kit Houses" presentation on September 16th at 7:00 p.m. at the Ware Chapel.

**Comments:** Mr. Hershey moved to accept the correspondence. Mr. Cheek seconded the motion. MOTION CARRIED.

### **BUILDING INSPECTOR**

Mr. Scott Moran reported that he had twenty-four (24) regular inspections for the month of August. Mr. Cheek moved to approve the Building Inspector's Report. Mr. Hershey seconded the motion. MOTION CARRIED.

### **CODES ENFORCEMENT OFFICER**

Mrs. Kinney read the Building Permits & Zoning Violations Reports for August. She issued two building permits and one certificate of occupancy. The violation at 409 Township Road had been satisfied. The only outstanding violation is 365 Elkdale Road.

### **Subdivisions & Land Development Plans –**

Mr. Cheek moved to adopt Resolution 2010-29 for a ninety (90) day extension for the Ballymeade Subdivision Final Plans. Mr. Hershey seconded the motion. MOTION CARRIED.

**Elinsky** - Mr. Cheek moved to approve a Non-Building Waiver for the Stephen Elinsky Subdivision. Mr. Hershey seconded the motion. MOTION CARRIED.

Mrs. Kinney said that all comments had been received for the Elinsky Subdivision and the Planning Commission had approved it. Mr. Elinsky explained the subdivision to the Supervisors and showed them a highlighted plan of the new boundaries. Mr. Cheek moved to approve the final plan for the Stephen Elinsky Subdivision. Mr. Hershey seconded the motion. MOTION CARRIED.

**Wilson** – Mrs. Kinney said that all comments had been received with approval for the Charles Davis Wilson III Subdivision. This subdivision is subdividing 10 acres from a 60 acre parcel. Mr. Cheek moved to approve the final plans for the Charles Davis Wilson III Subdivision. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Hershey moved to approve the Codes Enforcement Officer's reports. Mr. Cheek seconded the motion. MOTION CARRIED.

### **ENGINEER**

No report – Engineer had surgery.

### **REGIONAL ACT 537 PLAN**

Mr. Bob Yeatman gave his report for the month of August. He explained that West Nottingham's Planning Commission met last night. If they had comments, the OASA would answer the comments and have everything compiled by September 16<sup>th</sup>. Each municipality has to go over the final plan and approve it at a public meeting by resolution. They are committed to having this done by September 21<sup>st</sup> with West Nottingham being the last one. The OASA will meet on September 22<sup>nd</sup> and adopt the resolution to approve the Act 537 Plan to then be hand delivered to DEP by September 24<sup>th</sup>. Mr. Yeatman said that there was a meeting with the USDA this morning.

They went over the condition letter for three hours, which mostly concerned the financial reports the OASA would be expected to do for the loan. They are still waiting on final approval from Washington DC on the loan. The \$27 million will be broken down into four (4) separate loans because the maximum loan amount is \$8 million per loan.

After much discussion, Mr. Cheek moved to approve Mr. Yeatman's report. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Cheek moved to approve the letters of response to the public comments for the Act 537 Plan and authorize the Chairman to sign them. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Hershey moved to authorize the Secretary to advertise for a Special Meeting on Monday, September 20, 2010, at 6:30 p.m. at the Township Building for adoption of a resolution to approve the final Act 537 Plan and any other business that may need to be addressed. Mr. Cheek seconded the motion. MOTION CARRIED.

### ROADMASTER

The Secretary read the Roadmaster's Report for August. Mr. Cheek moved to approve the Roadmaster's Report. Mr. Hershey seconded the motion. MOTION CARRIED.

### REGIONAL RECREATIONAL AUTHORITY

Mr. Tony derKinderen gave the report for August. He said the grass is growing on the soccer and little league baseball fields. The Chester County Conservation District did an inspection and they passed. The Builder ordered the pavilion and benches. The OARA is going to put up a fence after the builder turns it over to them in mid-November. The PA DEP sent a notice of four violations which could levy fines because of erosion into the creek. There is a meeting scheduled with DEP on September 15<sup>th</sup>. Mr. Hershey moved to approve OARA report. Mr. Cheek seconded the motion. MOTION CARRIED.

### HISTORICAL COMMISSION

No report.

### OLD BUSINESS

**Open Space Preservation** – n/a

**Comprehensive Plan** – Mr. Joel Brown reported that they began final review of the Natural Resources chapter. They will continue review at the next meeting on September 26<sup>th</sup>.

**Lincoln Village Sewer** – Reminders were mailed on September 2<sup>nd</sup> that the deadline to hook-up is November 11<sup>th</sup>.

### NEW BUSINESS

**CPA for Audit** – Mr. Cheek moved to authorize the Secretary to advertise that for the 2010 Audit, Lower Oxford intends to use a CPA instead of the elected auditors. Mr. Hershey seconded the motion. MOTION CARRIED.

**Fall Clean-Up** – Mr. Hershey moved to advertise that Large Trash Day for Township residents will be Friday, October 1<sup>st</sup>, 7a.m. until 3p.m. and Saturday October 2<sup>nd</sup>, 7a.m. until Noon. Mr. Cheek seconded the motion. MOTION CARRIED.

**Repository Sale Notices** – Mr. Cheek moved to authorize the Secretary to sign the Repository Sale notices for the Dorsey & Hardy properties. Mr. Hershey seconded the motion. MOTION CARRIED.

**Evans Court Dedication** – Mr. Cheek moved to adopt Resolution 2010-27 with contingencies for Evans Court. Mr. Hershey seconded the motion. MOTION CARRIED. Mr. Cheek moved to adopt Resolution 2010-28 to

accept dedication of Evans Court if all contingencies from Resolution 2010-27 are met. Mr. Hershey seconded the motion. MOTION CARRIED.

**OTHER BUSINESS**

None.

**PUBLIC COMMENTS**

**Mrs. JoJo Campbell** – Asked the Board to reconsider the Ross Farm Conditional Use to require drip irrigation instead of spray. Also to consider mandating the use of drip irrigation in Lower Oxford Township instead of spray. She requested that the Board work on ordinances to use drip irrigation in Lower Oxford Township. Asked that they please consider the health and safety issues. Asked if DEP could change spray to drip irrigation.

**Mr. Tony derKinderen** – Said that he agrees with Mr. Cheek’s comments on the OASA loan for \$27 million. If there are no new hook-ups to pay for it, who does it go to: the ratepayers or the townships? From what he read, it’s not in the documentation anywhere. Said it should be run like a business; start slow and increase capacity.

**Mrs. Charlotte Elinsky** – Said that the debt is unimaginable, but if we do nothing it is absolutely certain we will not have any growth in this area.

Mr. Cheek moved to adjourn the meeting at 8:12 p.m. Mr. Hershey seconded the motion and thanked everyone for attending. 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