

Lower Oxford Township
Board of Supervisors Meeting Minutes
February 9, 2011

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, February 9, 2011.

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, and nine 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 to the flag.

PUBLIC COMMENT CONCERNING ITEMS ON THE AGENDA

Jane Downs asked to speak when the Supervisors discussed the Act 537.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

None.

APPROVAL OF THE MINUTES

Mr. Cheek moved to approve the minutes for the reorganization meeting on January 3rd. Mr. Kepler seconded the motion. MOTION CARRIED.

TREASURER'S REPORTS

Presentation of Bills – Acting Secretary, Mr. Kepler, presented the bills that had been paid and needed to be paid for the month of January; totaling \$71,180.82 for the General Fund and \$4,883.32 for the Open Space Revenue Fund. Mr. Cheek moved to approve to pay the bills. Mr. Kepler seconded the motion. MOTION CARRIED.

Fiduciary Refunds – Mr. Kepler moved to transfer \$1,918.60 from the seven listed escrow sub-accounts to the Master Escrow account to reimburse for legal and engineering fees and to refund Ricky Smullen. Mr. Cheek seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Postcard from the Oxford Area Historical Association regarding the upcoming presentation “If Walls could talk, Unlocking the Secrets of the 1739 Jacob Schock Homestead.”
- ✓ Letter from Tower One Partners, a cellular tower development company that works exclusively with municipal governments to develop towers on municipally owned property.
- ✓ Letter from PENNDOT regarding the National Bridge Inventory Municipal Bridge Inspection for Reedville Road.

- ✓ Chester County Association of Township Officials announcement of the Spring Convention on March 10th at the Desmond Great Valley Hotel in Malvern.
- ✓ Notice from Armstrong that rates are increasing beginning in March.
- ✓ E-mail from Chester County 2020 regarding the “Keep Farming First” program on March 12th at the Octorara Area Middle School; registration fee is \$25.00.
- ✓ The Chester County Historic Preservation Network February Newsletter.
- ✓ Letter from the County Health Department stating that they will no longer be mailing the sewage and well permit information to the municipalities unless the business practice of the municipality requires them to continue to receive the monthly mailing. In which case they are to contact Kathy Thorpe or Debbie Hunt.
- ✓ Invitation to the Oxford Area School District’s Town Hall Meeting on Saturday, February 5th.
- ✓ Nomination form for the County Voting Delegates to the Annual PSATS State Convention.
- ✓ OARA Meeting Minutes for December 13, 2010.
- ✓ Letter from Mr. Paul Hauser regarding the composting on the Mazepink property Kimble Road.
- ✓ Letter from Representative John Lawrence introducing himself and giving his contact information.
- ✓ Union Fire Company No. 1 incident listings for November and December 2010.
- ✓ PA State Police statistics report for December 2010 and January 2011. Cadet of Chester County free week of summer camp for boys and girls ages 11 to 13 being held August 14-20th at Camp Sankanac in East Vincent Township.

Comments: None.

BUILDING INSPECTOR

Scott Moran read the Building Inspector’s report for the month. Mr. Moran reported that he conducted two plan reviews, four regular inspections, and that there were no sewer inspections for the month of January, 2011. 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 December. She issued three building permits and picked up 3 non-permitted signs with the Township. There was one new violation, but will have to be followed up when the snow melts.

Subdivisions & Land Development Plans – Mrs. Kinney presented the Board of Supervisors with a 2-lot subdivision (lot line change) for Michael D’Ignazio on Bethel Road for approval. Mr. Kepler moved to approve the D’Ignazio two-lot subdivision. 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

No monthly report received.

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman reported that the Sewer Authority submitted the Act 537 to DEP in December 2010. He stated that all municipalities have now passed a resolution to accept their portion of the percentage. Jane Downs asked who was going to install the line. Mr. Kepler moved to approve Mr. Yeatman's report. Mr. Cheek seconded the motion. MOTION CARRIED.

ROADMASTER

Mr. Steve Price was absent. Mr. Kepler read the Roadmaster's Report for January. Mr. Hershey and Mr. Cheek stated that the roadmen did a wonderful job on the roads during the winter storms and wanted to thank them for a job well done. Mr. Cheek moved to approve the Roadmaster's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Der Kinderen reported that West Nottingham Township would like to join the Recreational Authority, but does not have all the funds up front. West Nottingham Township would like to pay the \$15,000 over a three year period or some other type of arrangement if the other member townships are willing to allow them do this. Mr. Kepler moved to support the addition of West Nottingham Township to the Recreational Authority and agree that they can make three payments of \$5,000 each year for the next three years to pay off their membership fee. Mr. Cheek seconded the motion. MOTION CARRIED.

HISTORICAL COMMISSION

Mr. Eaton reported that the Historical Commission will now accept digital photos instead of the black and white film previously required. The Historical Commission is now taking pictures for submission. Mr. Kepler moved to approve the Historical Commission's report. Seconded by Ralph Cheek. MOTION CARRIED.

OLD BUSINESS

Comprehensive Plan – Mr. Kepler reported that the Comprehensive Plan meeting for January, 2011 was cancelled due to inclement weather.

Lincoln Village Sewer – Mr. Kepler reported that there are currently 14 outstanding permits that are not complete; eleven have not applied for a permit and that ten of these eleven have signed for a 30-day notice that was mailed and seven had no response at all. Mr. Kepler stated that he will contact all seven homeowners by phone to find out when they will connect and report at next month's meeting. A letter was received from Thomas & Debbie Cozzone at 111 Elkview Road stating that they are unable to comply. The Supervisors agreed that when the weather breaks, they must tie-in.

NEW BUSINESS

Mandatory Connection Ordinance – The Board of Supervisors reviewed the comments made by the Lower Oxford Township Planning Commission. Mr. Hershey questioned whether the setback is 150 feet to property line or building. Mr. Kepler stated that he will check with the solicitor.

After much discussion, Mr. Kepler made a motion to send the ordinance back to the participating Townships with the following changes:

Section 2 – Definitions – Add the following:

E. “Inspector” shall mean the person appointed or employed by the Authority *or Township* to inspect public sewers, on-lot systems, cesspools, holding tanks and all other connection between occupied structures, buildings and the public sewer lines and area serviced by the public sanitary sewer;

Section 3 – Use of Public Sewer Required -

A. (First Paragraph) – Remove the following:

The Owner of any commercial establishment or industrial establishment ~~which has effluent in the amount of 220 gallons per day~~ and which is within 150 feet of any Oxford Area Sewer Authority lateral shall connect such property with the Oxford Area Sewer Authority’s sewer collection system, in such manner as the Authority may require, within one year after the adoption of this Ordinance or within one year after the Sewer lateral is placed in a location within 150 feet of the property line. This connection shall be for the purpose of discharging all Sanitary Sewage from said property; Subject, however, to such limitations and restrictions as shall be established herein or otherwise by the Authority, from time and time.

A. (Second Paragraph) – Remove entire paragraph:

~~For commercial and industrial establishments whose effluent is 220 gallons per day or less, said establishments shall be subject to the same regulations which control residential users that are within 150 feet of any public sewer lateral.~~

C. (Second Paragraph) – Remove and Add the following:

In addition to the above, any on-lot system which ~~fails an inspection is unable to be certified as working correctly~~ by a certified sewage inspector at the point of transfer to a new owner shall be required to connect as though the Chester County Health Department had failed the system.

Mr. Hershey seconded the motion. MOTION CARRIED.

Zoning Hearing Scheduled for February 14, 2011 – Emma Moore – 56-10A-11

This non-conforming property contains approximately 10,000 sq. ft. Setbacks cannot be met. Mr. Kepler made a motion to oppose the application and request Township Solicitor to attend hearing. Mr. Cheek seconded the motion. MOTION CARRIED.

OASA USDA Loan

Mr. Kepler made a motion to adopt Resolution #2011-09 for the Oxford Area Sewer Authority Loan. Seconded by Mr. Hershey. Mr. Cheek opposed. MOTION CARRIED.

OTHER BUSINESS

None.

PUBLIC COMMENTS

None.

ADJOURNMENT

Mr. Kepler made a motion to adjourn at 8:35 p.m. Mr. Cheek seconded the motion. MOTION CARRIED.

Respectfully Submitted,

W. Ronald Kepler
Acting Secretary

Note: Copies of all reports mentioned are available at the Lower Oxford Township Building, 220 Township Road, Oxford, PA.