

**Lower Oxford Township**  
**Board of Supervisors Meeting Minutes**  
**June 8, 2011**

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, June 8, 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, Solicitor, Winnie Sebastian, and fourteen guests.

**CALL TO ORDER**

Chairman Kenneth L. Hershey called the meeting to order at 7:20 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**

Jo Jo Campbell asked to speak before the Supervisors signed the agreement for Fulton Bank regarding the Act 537.

**Adoption of Zoning Ordinance Amendment**

Mr. Kepler made a motion to adopt Ordinance #3-2011 for a Zoning Ordinance Amendment as presented at the hearing prior to the Regular Board of Supervisor's meeting along with adopting Resolution #19 for the Fee Schedule to go along with the Zoning Ordinance Amendment. Mr. Cheek seconded the motion. MOTION CARRIED.

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

**Dambro Subdivision** - Mr. Dambro was present with Mr. Ed Beideman, Jim Fritsch, and Cindy Wells. Each gave information to the Board of Supervisors regarding the Advantex Systems. The Supervisors expressed their concern of the Operations & Maintenance Agreement and who would be responsible for any failures of the system. Mr. Fritsch thanked the Board for their time and will submit a plan with Mr. Dambro's intentions with regards to the sewage system.

**APPROVAL OF THE MINUTES**

Mr. Kepler moved to approve the minutes for the Board of Supervisor's meeting on May 11<sup>th</sup>. Mr. Cheek 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 May 2011; totaling \$39,384.87 for the General Fund and \$40,507.61 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. Cheek moved to transfer \$1,150.80 from the two listed escrow sub-accounts to the Master Escrow account to reimburse for engineering fees. Mr. Kepler seconded the motion. MOTION CARRIED.

### **CORRESPONDENCE**

- ✓ Compliance Audit Report from the Auditor General for the Non-uniformed Pension Plan for the period of January 1, 2008 through December 31, 2010.
- ✓ PA State Police incident listings for April & May 2011.
- ✓ Invitation to the Oxford Borough ribbon cutting ceremony for the new downtown revitalized streetscape.
- ✓ Notice from PA DEP that our Act 101 Recycling Grant for 2009 was approved in the amount of \$5,804.00.
- ✓ Invitation from the Chester County Economic Development Council to a meeting regarding the Route #1 corridor on June 1<sup>st</sup> at the Dansko building.
- ✓ Notice of a pre-construction meeting with PennDOT for upcoming resurfacing projects.
- ✓ Chester County Ledger newsletter for June 2011.
- ✓ Chester County Conversation District newsletter for Spring/Summer 2011.
- ✓ Medic 94 Annual Report for 2009.
- ✓ Letter from the County regarding the 2012-2014 Housing and Community Development Programs.
- ✓ Invitation to the Oxford Area High School graduation ceremony on June 10<sup>th</sup> at 7:00 p.m.
- ✓ PSATS New Bulletin for April-May 2011.
- ✓ Invitation from John Lawrence to an Open House at his new office on May 18<sup>th</sup>.
- ✓ Notice of a seminar regarding Tick Control Methods for your Community held on May 18<sup>th</sup> in West Chester.
- ✓ Press Release from Nancy Fromnick announcing the winners of the County Kindergartners Cap Collection Contest: Bethany Christian School Kindergarten.
- ✓ Invitation from Chester Water Authority to a dinner and presentation to take place June 8<sup>th</sup> at the Red Clay Room in Kennett Square.

Comments: None.

### **BUILDING INSPECTOR**

Scott Moran read the Building Inspector's report for the month. Mr. Moran reported that he conducted three plan reviews, four regular inspections, and that there were seven sewer inspections for the month of May, 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 May 2011. She issued ten building permits and picked up 2 non-permitted signs with the Township. There was one new violation located at 190 Pennsgrove Road with regards to farm animals and more than two horses on a 4.9 acre parcel.

**Subdivisions & Land Development Plans** – Mrs. Kinney stated that she had an Amended Final Plan for Oxford Commons, but is awaiting comment from Chester County Health Department and Chester County Planning Commission

Mrs. Kinney presented Hearthstone Subdivision and Land Development Plan, Ballymeade Subdivision and Land Development Plan, and Jones & Losito Land Development Plan for extensions by Resolution.

Ralph Cheek moved to adopt Resolution #2011-17 for Hearthstone Subdivision and Land Development Plan for a 180 day extension to the final plan approval. Mr. Kepler seconded the motion. MOTION CARRIED.

Ralph Cheek moved to adopt Resolution #2011-18 for Ballymeade Subdivision and Land Development Plan for a 90-day extension to the final plan approval. Mr. Kepler seconded the motion. MOTION CARRIED.

Ralph Cheek moved to adopt Resolution #2011-16 for Jones & Losito Land Development Plan for a 180 day extension to the final plan approval. Mr. Kepler seconded the motion. MOTION CARRIED.

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

### **ENGINEER**

No monthly report received.

Oxford Commons Request for Escrow Release #1 – Ed Fisher has approved release request #1 in the amount of \$64,166.65.

Mr. Kepler moved to accept the Engineer's recommendation and reduce the Oxford Commons Improvement Guarantee by \$64,166.65 to \$3,983,060.95. Seconded by Mr. Cheek. MOTION CARRIED.

### **REGIONAL ACT 537 PLAN**

Mr. Bob Yeatman reported that the Act 537 Plan went out for a 30-day public comment period on June 1, 2011. OASA is waiting for all comments to be received and will then be answered and sent to DEP.

Ms. Campbell stated that she attended the OASA meeting on May 18, 2011 and wanted to know what would happen if OASA cannot pay the debt. She expressed concern that she is worried about a recession and it would affect the developers coming to pick up the burden of the sewer. She gave two hand outs to the Board of Supervisors 1) Department of the Treasury – *"Debt Limit: Myth v. Fact"* and 2) Wall Street Journal – *"As Debt Limit Reach, Agreement Still Far Off"*

Mr. Cheek stated that, in his opinion, this is a tremendous risk to the Township and unless someone can convince him that the debt will not affect the residents of the Township, he will vote "no."

After much discussion, Solicitor, Winnie Sebastian, read the Resolution aloud.

Ron Kepler moved to adopt Resolution 2011-15 for the OASA (Fulton Bank Loan). Mr. Hershey seconded. Mr. Cheek opposed. MOTION CARRIED.

### **ROADMASTER**

Mr. Price read the Roadmaster's Report. Mr. Kepler moved to approve the Roadmaster's Report. Mr. Cheek seconded the motion. MOTION CARRIED.

### **REGIONAL RECREATIONAL AUTHORITY**

Mr. Hershey reported that the Regional Recreational Authority had their ribbon cutting ceremony in May, 2011. He stated that there are a few minor things to be completed by the contractor, but the project is pretty much complete.

Mr. Cheek moved to approve the Regional Recreational Authority Report. Mr. Kepler seconded. MOTION CARRIED.

### **HISTORICAL COMMISSION**

Ms. D'Ignazio reported, in Jay Eaton's absence, that she attended a Black History conference in May. She stated that the State of Pennsylvania is interested in placing Lincoln University on a Historical register. She also stated that it costs about \$15,000 for someone to write a summary to be placed in the National History Register. There is some question on grant money at this time.

Mr. Kepler moved to approve the Historical Commission Report. Mr. Cheek seconded. MOTION CARRIED.

### **OLD BUSINESS**

**Comprehensive Plan** – Mr. Brown reported that the Comprehensive Plan meeting for May, 2011 discussed land use. He stated that there wasn't much change from the current zoning. Their next meeting will be held on June 22, 2011. They are hoping to complete their portion of the Comprehensive Plan sometime in the Fall of 2011.

**Lincoln Village Sewer** – Mr. Kepler reported that he did a walk through with Bill Conrad (Chester County Health Department) today at Lincoln University. It was noted that out of the five systems that are not hooked-up, two septic systems are running on top of the ground. The Chester County Health Department will issue violation notices.

### **NEW BUSINESS**

None.

### **OTHER BUSINESS**

Mr. Kepler stated that Patricia Samuels, Secretary for the Lincoln Community Association, notified him that there is mold in the carpet. Ms. Samuels obtained an estimate of \$189.70 to clean the carpet and remove the mold. Ms. Samuels stated that the LCA can no longer afford the \$100 rent and asked that they be rent free. Mr. Kepler stated that the LCA uses the building for Summer Camp for kids and is already six months behind on the rent. Mr. Kepler also stated that the utilities the Township pays for the building exceeds the \$100 month rent. Mr. Hershey asked the building inspector, Scott Moran, to take a look at the mold problem and report to the Township. Mr. Moran agreed.

Mr. Hershey made a motion that the Township pay the \$189.70 to have the carpet cleaned and the Lincoln Community Association will resume paying rent in September, 2011. Mr. Kepler seconded the motion. MOTION CARRIED.

### **PUBLIC COMMENTS**

None.

### **ADJOURNMENT**

Mr. Hershey made a motion to adjourn at 8:54 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.**