

# Lower Oxford Township

## Board of Supervisors Meeting Minutes

### May 11, 2011

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, May 11, 2011.

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

#### **PUBLIC COMMENT CONCERNING ITEMS ON THE AGENDA**

None.

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

Mr. Anthony Dambro, Mr. Jim Fritsch, and Mr. Ed Beideman – Mr. Jim Fritsch from Register Assoc. introduced himself along with Mr. Dambro & Mr. Beideman. They were at the meeting in regards to the proposed Dambro Subdivision on the corner of Street & Union School Roads. They are seeking advice as to the best method of sanitary sewer. After much discussion, Mr. Kepler said that it is not the job of the Supervisors to tell them which way to go. The Supervisors asked to have another month to read over the literature & talk to the OASA. In the meantime, they said that they would like more information and asked that the gentlemen come back to next month's meeting.

#### **APPROVAL OF THE MINUTES**

Mr. Cheek moved to approve the minutes for the regular meeting on April 13<sup>th</sup>. Mr. Kepler seconded the motion. MOTION CARRIED.

#### **TREASURER'S REPORTS**

**Presentation of Bills** – Mr. Kepler moved to approve and pay the bills; totaling \$50,147.51 for General Fund, \$45,499.55 for Open Space Revenue Fund, and \$4,772.89 for Open Space Revenue Fund. Mr. Cheek seconded the motion. MOTION CARRIED.

**Fiduciary Refunds** – Mr. Cheek moved to transfer \$780.90 from the four listed escrow sub-accounts to the Master Escrow account to reimburse for engineering fees. Mr. Kepler seconded the motion. MOTION CARRIED.

**Budget Deviations** – None.

#### **CORRESPONDENCE**

- ✓ Union Fire Co. No. 1 incident listing for April.
- ✓ Oxford Area Historical Assoc. invitation to the Armed Forces Day program at Herr's visitor center on May 21<sup>st</sup> at 1:00 p.m. The program is about Lt. General John Wilson "Iron Mike" O'Daniel, who is Oxford's highest ranking Military Officer.
- ✓ The 2010 Annual Report for the YMCA of the Brandywine Valley.
- ✓ An e-mail from PENNDOT regarding the 472 Octoraro Creek Bridge construction and detouring.

- ✓ The Oxford Area School District Superintendent's report dated April 19<sup>th</sup>.
- ✓ Letter from Richard Johnson introducing himself as the new Director of the Bureau of Environmental Health Protection with the Chester County Health Department.
- ✓ Note from Zach McElyea, a student at Cocalico High School, who is completing a cross county bike ride to raise money for the Leukemia and Lymphoma Society.
- ✓ OARA minutes from the March meeting.
- ✓ Letter from Franklin Township with a sample resolution asking for support of the *Growing Greener* program.
- ✓ Invitation to the County municipal EMC recognition banquet and training session on May 21<sup>st</sup>.
- ✓ Chester Water Authority Pine Grove Dam emergency action plan exercise information.
- ✓ Letter from the County regarding available matching reimbursable grants for eligible planning projects.
- ✓ Reminder from the County that they need copies of building and zoning permits.

### **BUILDING INSPECTOR**

Mr. Scott Moran reported that he had seven plan reviews, six regular inspections, and one sewer connection inspection for the month of April. Mr. Kepler moved to approve the Building Inspector's Report. Mr. Cheek seconded the motion. MOTION CARRIED.

### **CODES ENFORCEMENT OFFICER**

Mrs. Kinney read the Building Permits & Zoning Violations Reports for April. She issued twelve building permits, and two sign permits. Mrs. Kinney reported that she had one new violation at 190 Penns Grove Road for chickens and horses.

#### **Subdivisions & Land Development Plans – N/A**

The Planning Commission has recommended the proposed Solar Ordinance to the Board. Mr. Cheek moved to send the proposed Solar Ordinance to the Solicitor for review. Mr. Kepler seconded the motion. MOTION CARRIED.

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

### **ENGINEER**

No report available at meeting time.

### **REGIONAL ACT 537 PLAN**

Mr. Bob Yeatman gave his report for the month of April. He said that there was a letter sent from DEP and the Authority had addressed all the issues. The Municipalities received a copy of the same letter and are to address their issues. There is an issue with timing and therefore, an extension of time needs to be given to DEP. Also, the DEP is requiring revisions to the Pump-out Ordinances. They finally received a commitment letter from Fulton Bank for the interim financing. The bank is requiring each municipality to sign-off because there are provisions that if for any reason the USDA doesn't go through with their loan, then Fulton will step-up and do the full loan. Mr. Kepler asked about the bids for the lagoon. Mr. Yeatman reported that the USDA still has them. The USDA said it would take four days to approve them and it's been four weeks.

Mr. Kepler moved to approve Mr. Yeatman's report. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to authorize the extension as required by DEP including any other commitment necessary to have the Act 537 Plan approved. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Hershey move to authorize the Solicitor to take any necessary actions to comply with DEP for the Pump-Out Ordinance revisions. Mr. Cheek seconded the motion. MOTION CARRIED.

## ROADMASTER

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

## REGIONAL RECREATIONAL AUTHORITY

Mr. Hershey reported that there was a ribbon cutting ceremony yesterday for the official opening of Phase I of the park. He said it was well attended and very nice. Two of the County Commissioners were there and spoke as well as the Township and Borough Officials. Everything looks good, but there are a few issues to be resolved before they can take it over from the contractor. Mr. Cheek moved to approve the report. Mr. Kepler seconded the motion. MOTION CARRIED.

## HISTORICAL COMMISSION

Mr. Jay Eaton reported that he obtained a report about the Jumping Fox Farm done by Margaret Lynch in 1976. In the report it states that Mt. Vernon Villages dates back to the 1700's. He is going to keep the report as part of the Township's records. Mr. Kepler thanked Mr. Eaton and moved to approve his report. Mr. Cheek seconded the motion. MOTION CARRIED.

## OLD BUSINESS

Open Space Preservation –The County Ag Land Board is accepting farmland preservation applications for the Challenge Grant program until December 1, 2011. They are requesting the amount of certified Township matching funds that will be available. The Supervisors agreed to do the same thing as last year, which means that they will not give a dollar amount, but will work with the County on a case-by-case basis to do what they can with what money is available.

**Comprehensive Plan** – Mr. Joel Brown reported that they met on April 27<sup>th</sup> and reviewed the Demographic Chapter. There was some discussion about an Implementation Agreement that will need to be signed. Mr. Brown suggested that the Township needs to think about it. He said that the way the draft is written, the municipalities are going to be asked to do more on a regional basis than has ever been done before. The next meeting is June 22 at which time they will review the Housing & Economic Development Chapter. They hope to work on several chapters in July with a possible draft done August 24<sup>th</sup>. Mr. Kepler moved to approve the Comp Plan report. Mr. Cheek seconded the motion. MOTION CARRIED.

**Lincoln Village Sewer** – Mr. Kepler reported that he either talked to or left messages for the eight homeowners that still need to get a sewer permit. He said the deadline is June 1<sup>st</sup> and after that we will follow the ordinance that says there will be a charge of \$200.00 per month for anyone that does not have a permit.

## NEW BUSINESS

**Sprinkler Law** – Mr. Kepler noted that he attended a meeting with the Union Fire Company, at which time they requested the Municipalities look into implementing a sprinkler law for single family dwellings since it was repealed at the State level. Mr. Kepler said that at the same meeting they discussed buying new fire trucks. He informed the Fire Company that the Township is at its limit of giving. The Fire Co. needs to make an equipment schedule and stick to it. The new ladder truck they want to buy is \$1 million. The Fire Contract states that each Township and the Borough should have a member at the meetings for the purchase of new equipment. Mr. Kepler got the feeling they did not want him to attend those meetings.

**Blanket Bond** – Mr. Cheek moved to accept the quote \$100,000 Blanket Bond with Computer Fraud & Transfer of Funds Fraud for the Township with an annual premium of \$423.00 from H. A. Thomson Insurance. Mr. Kepler seconded the motion. MOTION CARRIED.

**OTHER BUSINESS**

**Zoning Ordinance Amendment** – Mr. Kepler explained that in order to conform with the ACRE law, our Solicitor has been working on the ordinance in accordance with the Attorney General so that they will drop the lawsuit against the Township. The trouble with our ordinance was that there were too many restrictions. There will be a Hearing on June 8<sup>th</sup> at 6:45 p.m. to discuss the Zoning Amendment Ordinance for Composting.

**Complaint** – The Secretary reported that she received an email from Tracey Mendez Moyer of 106 Scroggy Road which complained about the overnight construction noise on Route 10 for Oxford Commons. She would like the trucks to work so that they do not need to use the back-up beepers or disable them. The Supervisors agreed that there is nothing they can do about that.

Mr. Kepler noted that the waterline started in Lincoln University and is about halfway down Baltimore Pike. It will cross Baltimore Pike and come up Township Road. Also, he said that Brian Campbell met with Ed Fisher and they should start the sewer line around June 1<sup>st</sup>.

**PUBLIC COMMENTS**

None.

Mr. Kepler moved to adjourn the meeting at 8:55 p.m. and thanked everyone for attending. 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