

Lower Oxford Township

Board of Supervisors Meeting Minutes

December 14, 2011

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, December 14, 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, Roadmaster Steve Price, Secretary/Treasurer Sara Laganelli, and ten 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 and asked for a moment of silence.

PUBLIC COMMENT CONCERNING ITEMS ON THE AGENDA

None.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

None.

APPROVAL OF THE MINUTES

Mr. Hershey moved to approve the minutes for the regular meeting on November 9th. Mr. Cheek seconded the motion. MOTION CARRIED.

TREASURER'S REPORTS

Presentation of Bills – Mr. Cheek moved to approve and pay the bills: totaling \$68,207.65 for General Fund and \$4,197.69 for Open Space Revenue Fund. Mr. Kepler seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Cheek moved to adopt Resolution 2011-33 for 2011 General Fund Budget deviations totaling \$16,450.00. Mr. Kepler seconded the motion. MOTION CARRIED.

Fiduciary Refunds – Mr. Kepler moved to transfer \$1,772.86 from the four listed escrow sub-accounts to the Master Escrow account to reimburse for engineering & legal fees. Mr. Cheek seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Application for Ag Security from David Fisher, 220 Quarry Rd.
- ✓ Memo from PSATS regarding the Marcellus Shale Legislation.
- ✓ PA State Police statistics report for November.
- ✓ Union Fire Company incident listing for October & November.
- ✓ Lower Oxford Historical Commission notes from the December 7th meeting.
- ✓ Invitation to the Public Officials brunch at the PA Farm Show on January 12, 2012.
- ✓ Information on PSATS new Township Emergency Management Association.
- ✓ Brandywine Conservancy's invitation to a program *Chesapeake Bay Restoration: Making our Watersheds Healthy Again* on December 8th.
- ✓ PSATS News Bulletin for November.

- ✓ Letter from Chip Lewis, OASD, with information from the annual meeting of the Chester County Tax Collection Committee.
- ✓ Memo from PSATS regarding the 23rd Annual President's Leadership Award.
- ✓ Copy of the DEP notice of violation sent to Greg Mazepink on November 15th.
- ✓ Press Release from PECO stating their rates will decrease 7% beginning January 1, 2012.

Mr. Cheek moved to accept the correspondence. Mr. Kepler seconded the motion. MOTION CARRIED.

BUILDING INSPECTOR

Mr. Scott Moran reported that he had eight (8) plan reviews, twenty-five (25) regular inspections (one failed), three (3) sewer inspections, and two (2) consultations for the month of November. Mr. Cheek moved to approve the Building Inspector's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

CODES ENFORCEMENT OFFICER

Mrs. Kinney read the Building Permits & Zoning Violations Reports for November. She issued nine (9) building permits, four (4) certificates of occupancy, five (5) sign permits, and picked up two non-permitted signs. Mrs. Kinney explained that she had one complaint from a resident regarding the property at 111 Crawl Toot Road. The house is inhabitable, the back door was kicked in, there were rats running everywhere. Mrs. Kinney investigated and found no zoning violations, but contacted the State Police and Chester County Health Department. She is waiting to hear back from CCHD with a report after they inspect the property.

Subdivisions & Land Development Plans –

Hearthstone – Mr. Kepler moved to adopt Resolution 2011-31 for a six (6) month extension to the Hearthstone final plan approval. Mr. Cheek seconded the motion. MOTION CARRIED.

Shoppes at Lower Oxford – Mr. Kepler moved to adopt Resolution 2011-32 for a 374 day extension to the Shoppes at Lower Oxford final plan approval. Mr. Cheek seconded the motion. MOTION CARRIED.

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

ENGINEER

The Secretary read the Engineer's reports for November. Mr. Kepler moved to approve the Engineer's report. Mr. Cheek seconded the motion. MOTION CARRIED.

Oxford Commons Escrow Release Request #6:

Mr. Kepler moved to authorize the release of \$478,927.55 as recommended by the Township Engineer from the Oxford Commons improvement guarantee. Mr. Cheek seconded the motion. MOTION CARRIED.

Oxford Commons Escrow Release Request #7:

Mr. Kepler moved to authorize the release of \$302,883.44 as recommended by the Township Engineer from the Oxford Commons improvement guarantee, reducing it to \$1,688,170.44. Mr. Cheek seconded the motion. MOTION CARRIED.

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman gave his report for the month of November. He said that the OASA's Act 537 Plan had been approved and no one appealed it! He said that they will start moving dirt for the lagoon on March 1st. There was a pre-construction meeting. They are on a time limit once the project officially starts. Mr. Cheek moved to approve Mr. Yeatman's report. Mr. Kepler seconded the motion. MOTION CARRIED.

ROADMASTER

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

REGIONAL RECREATIONAL AUTHORITY

Mr. Tony der Kinderen gave the report for November. He said they are working on Phase II. They received bid packets from Concord Land Planners and YSM. Lake, Roeder, Hillard did not submit a bid. Mr. der Kinderen said the two bids were close in price and the OARA Board hadn't made a decision yet. He asked for the Supervisors opinion. Mr. Cheek said he had no opinion. Mr. Kepler said that in all his years of doing business at the Township, he always tried to spend the money locally whenever possible. He suggested they go with Concord Land Planners and keep it local. Mr. Hershey agreed with Mr. Kepler and said his vote would be for Concord. Mr. der Kinderen noted that they made an agreement with Ply Mar to fix the few things that still needed attention, but they would not extend the Maintenance Bond.

The OARA has applied for a grant from PECO which they would like to use to extend the walking trail to follow the property line but not cross the creek. They have received several requests for a dog park, so that is something they are looking into for Phase II. Mr. Kepler moved to approve OARA report. Mr. Cheek seconded the motion. MOTION CARRIED.

HISTORICAL COMMISSION

Mr. Jay Eaton reported that history interests in the area are starting two new projects. They would like to start publishing books about local history that are currently out of print. Mr. Eaton presented a book from the Octoraro Art Association which he hopes to have printed.

As for the Lower Oxford Historical Commission, they are working on the June 2013 Lincoln Walk. They will be focusing on Ashmun Institute and Hinsonville. Mr. Cheek moved to approve Mr. Eaton's report. Mr. Kepler seconded the motion. MOTION CARRIED.

OLD BUSINESS

Open Space Preservation – N/A

Comprehensive Plan – Mr. Joel Brown reported that on December 7th they met and hope to have the Historic Chapter changes emailed to the CCPC. The next meeting will be January 25th. They could have a completed plan for the committee to review. Mr. Kepler moved to approve the report. Mr. Cheek seconded the motion. MOTION CARRIED.

Lincoln Village Sewer – The Secretary reported there are still four properties that have not connected. There are four other property owners that have exceeded the two year time period for no interest on the \$2,000 tapping fee. The Secretary said that on November 17th she sent letters informing those property owners that they will now owe 3% interest on the balance due and gave them monthly payment schedules; none of them responded or made payments as of today. Mr. Cheek moved to have the Secretary send out final notices giving the property owners 30 days to respond before they are sent to the Solicitor for collections. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Cheek moved to tell the Solicitor to proceed with her enforcement of the mandatory connection ordinance for the 4 properties that have not connected to the Lincoln Village Sewer. Mr. Kepler seconded the motion. MOTION CARRIED.

NEW BUSINESS

PSATS Pension Disclosure Statement – Mr. Cheek moved to approve and adopt the PSATS Disclosure Statement in accordance with Act 44 for the Municipal Pension Plan. Mr. Kepler seconded the motion. MOTION CARRIED.

CPA for 2011 Audit – Mr. Cheek moved to appoint Larry Maulo & Company, Ltd. as the CPA for the 2011 audit for a fee of \$7,350.00. Mr. Kepler seconded the motion. MOTION CARRIED.

Oxford Public Library – The Secretary said that the Library is requesting \$1.50 per capita. We have been paying \$1.00 per capita based on the 2000 Census figures. The 2010 Census estimates our new population to be 5,200. Mr. Kepler moved to adjust the budget to show \$5,200 (note \$4,319) for the Oxford Public Library donation in 2012. Mr. Cheek seconded the motion. MOTION CARRIED.

2012 Budgets – Mr. Kepler moved to approve and adopt the proposed 2012 Budgets for General Fund (with the change to account 456.540 to \$5,200.00), State Fund, Open Space Revenue Fund, Open Space Purchase Fund, and Sewer Fund. The 2012 Real Estate millage rate will remain .25 (calculated as .00025). Mr. Cheek seconded the motion. MOTION CARRIED.

Pension MMO for 2012 – Mr. Kepler moved to approve the 2012 Pension contribution in the amount of \$7,429. Mr. Cheek seconded motion. MOTION CARRIED.

Ordinance 2011-6: Amending Ord. 2011-5 for the reimbursement of costs for the waterline. The description of the location of the waterline is being corrected. Mr. Kepler moved to adopt Ordinance 2011-6. Mr. Cheek seconded the motion. MOTION CARRIED.

Ordinance 2011-7: Amending Ord. 4-2009 and I-2011 for Lincoln Village Sewer – This ordinance repeals the sewer moratorium in Lincoln Village. Mr. Kepler moved to adopt Ordinance 2011-7. Mr. Cheek seconded the motion. MOTION CARRIED.

Ordinance 2011-8: On-lot Sewage management – This ordinance requires septic tanks to be pumped out every 3 years. It has been approved by DEP and replaces the previously adopted ordinance. Mr. Kepler moved to adopt Ordinance 2011-8. Mr. Cheek seconded the motion. MOTION CARRIED.

Traffic Light at Oxford Commons – Tomorrow at 10:00 am the traffic lights will be activated. This will become the Township's responsibility to maintain and pay the electric bill. The Township will be reimbursed by Wolfson-Verrichia for these charges.

Mr. Kepler moved to appoint Signal Services in West Chester to do the maintenance and/or repairs to the traffic lights at Oxford Commons when they are dedicated to the Township. Mr. Cheek seconded the motion. MOTION CARRIED.

OTHER BUSINESS

2012 PSATS Convention – Mr. Kepler and Mr. Hershey said they may go for one day.

Agreement with OASA for the Route 10 sewer line: Mr. Kepler moved to authorize the Township Solicitor to move forward with this agreement. Mr. Cheek seconded the motion. MOTION CARRIED.

PUBLIC COMMENTS

Mrs. Teri D'Ignazio – Asked the Supervisors to please consider giving the Oxford Library more money in 2012 and suggested they split the difference and donate \$1.25 per person based on the 2010 Census Figures. Also noted that she attended the meeting with DEP and the Brandywine Conservancy about the Chesapeake Bay. At the meeting they presented aerial photos of the Susquehanna River going into the Bay and showed dead zones from the algae in the bay.

Mrs. Julie Brady – Agreed with Teri about giving \$1.25 per person to the library.

Mr. Johnny Williams – Told the supervisors to not worry about what the State is doing for the library and make their decision based on their own conscience. Said there are a lot of kids in this area that use the library.

ADDITIONAL BUSINESS

Library Donation – Mr. Cheek moved to add an additional \$1,500 to the 2012 budget for the library donation. Mr. Kepler seconded the motion. Mr. Hershey abstained. MOTION CARRIED.

Mr. Kepler moved to adjourn the meeting at 8:50 p.m. and thanked everybody 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