

# Lower Oxford Township

## Board of Supervisors Meeting Minutes

### May 14, 2014

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, May 14, 2014.

**The following were in Attendance:** Chairman Kenneth L. Hershey, Vice Chairman W. Ronald Kepler, Supervisor Joel C. Brown, Codes Enforcement Officer Deborah Kinney, Secretary/Treasurer Sara Laganelli, and ten guests. Building Inspector Scott Moran 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. Celestine Getty** – Commented on Item 17 on the agenda regarding Lincoln Village Sewer Delinquent Account for Delores Ralph. Ms. Getty stated that the Supervisors should be fair to all residents and taxpayers. She said that they need to be consistent and not accept special arrangements for any individual not willing to pay. Ms. Getty requested that the Township follow collection procedures and protocol according to the ordinances.

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

**Mr. Joseph McKeon** – Mr. McKeon expressed his concerns about the way he was treated by Keystone Collections Group. He wanted to make the Township Supervisors aware of what had happened to him in hopes that it doesn't happen to anyone else.

**Ms. Linda Badalato, Sacred Heart Church** – Ms. Badalato was seeking permission for the Sacred Heart Church to have a carnival on June 23rd through the 27<sup>th</sup>. She explained that Houghton's would be running the carnival similar to what they do in Cochranville. There will be 14 rides, 10 games, French Fries, Cotton Candy, and Funnel Cakes. The Sacred Heart School will provide security, traffic control, portable potties, and insurance. Mr. Kepler moved to approve the carnival. Mr. Brown seconded the motion. MOTION CARRIED.

#### APPROVAL OF THE MINUTES

Mr. Brown moved to approve the minutes for the regular meeting on April 9<sup>th</sup>. Mr. Kepler seconded the motion. MOTION CARRIED.

#### TREASURER'S REPORTS

**Presentation of Bills** – Mr. Brown moved to approve and pay the bills: totaling \$54,514.34 for General Fund and \$2,830.46 for Open Space Revenue Fund. Mr. Kepler seconded the motion. MOTION CARRIED.

#### CORRESPONDENCE

- ✓ Letter from PA DEP announcing our approved recycling grant from 2012 in the amount of \$1,228.00 for 205.8 tons of material recycled.
- ✓ Letter and resume from John Paul Hammond looking for a position in local government.
- ✓ Email from Abby Henry at Arcadia Publishing regarding historical information and publishing.
- ✓ Union Fire Co. No. 1 incident listing from February & March.
- ✓ Copy of a letter sent to AMEZ Church on Ashmun Ave. in Lincoln University regarding outstanding sewer charges.
- ✓ Letter from Rep. John Lawrence regarding PA General Assembly Bridge and Highway Bills.

- ✓ PSATS Legal Defense Partnership Spring report.
- ✓ 2013 Annual Report from PSATS.
- ✓ A CD from Chester County with the Draft Public Transportation Plan. The 45 day review period ends May 28, 2014.
- ✓ 2013 Annual Report for Union Fire Company No. 1.
- ✓ Chester Water Authority's 2013 Water Quality Report.
- ✓ Minutes from the OARA's March 20<sup>th</sup> meeting.
- ✓ Memo from the Chester County Tax Collection Committee with an update.
- ✓ PSATS News Bulletin for March & April.
- ✓ PA State Police Statistics reports for March & April.

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

### **BUILDING INSPECTOR**

The Secretary read the Building Inspector's report. There were two plan reviews and nine regular inspections for the month of April. Mr. Kepler moved to approve the Building Inspector's Report. Mr. Brown seconded the motion. MOTION CARRIED.

### **CODES ENFORCEMENT OFFICER**

Mrs. Kinney read the Building Permits & Zoning Violations Reports for April. She issued four residential and one commercial building permit. There were several zoning violations for weeds and mushroom composting.

Lincoln KOEZ - Mrs. Kinney explained that the Planning Commission recommended a zoning map change for the Lincoln University KOEZ on the west side of Baltimore Pike from the Township line to Township Road including Farrell's and Moroney's properties. The zoning will change to C-2. Mr. Kepler moved to authorize the Township Solicitor to have a joint hearing with the Comp Plan Regional Committee to do the necessary zoning changes and amendment to the Comp Plan for the Lincoln University KOEZ. Mr. Brown seconded the motion. MOTION CARRIED.

Proposed Planned Commercial Development – Mrs. Kinney reported that the Planning Commission voted at their April meeting to recommend the Proposed Planned Commercial Development zoning changes that we submitted by Spence Address to the Board of Supervisors. Mr. Kepler moved to send the proposed zoning changes to the Township Solicitor. Mr. Brown seconded the motion. MOTION CARRIED.

Dambro/Wyncote Subdivision – Mrs. Kinney informed the Board that she received a six month extension for the Dambro subdivision, which will expire on November 14, 2014.

Mandatory Septic Pump-out – Mrs. Kinney reported that she had received twenty-five pump-out receipts since the notice was mailed with the Township Real Estate Tax Bills.

Fee Schedule – Mr. Kepler moved to adopt Resolution 2014-13 for the revised Fee Schedule, which will change the fee for the directional signs from \$400 to \$50 and allow the business to purchase the sign on their own. Mr. Brown seconded the motion. MOTION CARRIED.

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

### **ENGINEER**

The Secretary read the Engineer's report for April. Mr. Kepler moved to approve the Engineer's report. Mr. Brown seconded the motion. MOTION CARRIED.

### **OASA Report**

Mr. Bob Yeatman reported that everything is flowing. There has been lots of rain. The treatment plant is making progress. Mr. Brown asked about the Ross Spray Fields. Mr. Yeatman said that the center pivots are ready. He thought it still needed seeded. Mr. Kepler moved to approve Mr. Yeatman's report. Mr. Brown seconded the motion. MOTION CARRIED.

## ROADMASTER

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

## REGIONAL RECREATIONAL AUTHORITY

Mr. Hershey reported that the port-a-pot had been vandalized. Mr. Yeatman reported that the grass is being mowed and asked if they planned on mowing down at the bottom of the hill. Mr. Eaton noted that the parking lot is not big enough. Mr. Kepler moved to approve the OARA report. Mr. Brown seconded the motion. MOTION CARRIED.

## HISTORICAL COMMISSION

Mr. Jay Eaton reported about an email that the Township had received from Arcadia Publishing. He asked around and everyone feels it is a marketing probe.. Mr. Kepler moved to approve the Historic Commission report. Mr. Brown seconded the motion. MOTION CARRIED.

## EMERGENCY MANAGEMENT

Mr. Kepler reported that there was one emergency and six inches of rain that closed a road. But other than that no incidents. Mr. Hershey moved to approve the report. Mr. Brown seconded the motion. MOTION CARRIED.

## OXFORD REGIONAL PLANNING COMMITTEE

Mr. Kepler moved to appoint Johnny Williams as the Township's Planning Commission member to represent us on the Oxford Regional Planning Committee. Mr. Brown seconded the motion. MOTION CARRIED.  
Mr. Brown reported that at the April meeting they discussed the Comp Plan amendment to allow for the Lincoln University KOZ. The Committee approved the amendment. Mr. Bob Grabus was in the audience and added that he is currently working on a RFP for the Lincoln University KOZ development. He needed to know the zoning first. Once he includes the C-2 Zoning in with the RFP, he hopes to get the best responses and would like to keep the Township included in the process.

## OLD BUSINESS

**Open Space Preservation** – Mr. Hershey explained that the Wilson Family have accepted an offer of \$5400 per acre. The Township's share for the Ag Easement will be approximately \$112,000. Mr. Kepler moved to authorize the Township Solicitor to review the Wilson Family Ag Easement documents and memorandum of understanding. Mr. Brown seconded the motion. MOTION CARRIED.

**Lincoln Village Sewer Delinquent Accounts** – Mr. Kepler explained that the Mandatory Hook-up ordinance for Lincoln Village said that if a property owner did not connect to the public sewer, then the Township would do the connection and charge the property owner. This was the case for the Dorsey Property on Third Ave. Delores Ralph chose the contractor that the Township used; RBI Home Improvements. He didn't come back and finish the yard. Now he is gone and the phone number Mr. Kepler had is no good. The property is in the process of being liened. Delores Ralph has agreed to pay the Township \$25.00 per month. The Township is charging 3% interest. Mr. Kepler moved to accept a payment schedule of \$25.00 per month with 3% interest from Delores Ralph and if she is delinquent at all, the Township will go to Judge Massey for collection. Mr. Brown seconded the motion. MOTION CARRIED.

The Supervisors discussed the issue with Ms. Ralph's yard. The cesspool is settling. The contractor did a bad job. It should only take a couple hours and ½ truck load of topsoil to fix it. Mr. Brown moved to authorize Mr. Kepler to repair Delores Ralph's yard. Mr. Hershey seconded the motion. MOTION CARRIED.

The A.M.E.Z. Church on Ashmun Ave. still owes \$2,000 for the tapping fee. Ms. Ralph said at a Township meeting they would pay \$100 per month but they have not paid. The Board wonders if the congregation of the church knows about the delinquent account. The Supervisors agreed to postpone a decision about the church until June.

**NEW BUSINESS**

**2014 Real Estate Tax Bills less than \$1.00** – There are 18 real estate tax bills that have amounts less than one dollar, for a total of \$7.24. It will cost more to collect the taxes than the amounts due. Mr. Kepler moved to waive the real estate taxes on the 18 bills for 2014. Mr. Brown seconded the motion. MOTION CARRIED.

**ROAD BIDS OPENED AT 8:00 P.M.**

Mr. Kepler opened the bids for the 20I Road Project.

Mr. Kepler moved to award the asphalt bid to Independence Construction Materials, Inc. Mr. Brown seconded the motion. MOTION CARRIED.

Mr. Kepler moved to award the seal coat-in-place bid to Asphalt Industries, Inc. Mr. Brown seconded the motion. MOTION CARRIED.

Mr. Kepler moved to award the stone bid to Independence Construction Materials, Inc. Mr. Brown seconded the motion. MOTION CARRIED.

Mr. Kepler moved to award the diesel & heating oil bid to Alger Oil, Inc. Mr. Brown seconded the motion. MOTION CARRIED.

Mr. Kepler moved to award the paving equipment bid to Long’s Asphalt, Inc. Mr. Brown seconded the motion. MOTION CARRIED.

**OTHER BUSINESS**

**Hawksworth Drive** – Mr. Kepler explained that Gilman was the original builder for the houses on Hawksworth Drive in Wyncote. There was a letter of credit on file. The bank was bought out and the Township was not notified when the letter of credit expired. So it is no longer valid. The Township Solicitor can research and find out if Gilman has any assets worth attaching to get enough money to pave the road. It will cost approximately \$40,000 to top Hawksworth Drive. Mr. Brown moved to authorize the Township Solicitor to spend up to \$2,000 to find assets Gilman owns to try and collect enough money to top Hawksworth Drive. Mr. Kepler seconded the motion. MOTION CARRIED.

**PUBLIC COMMENTS**

**Mr. Jay Eaton** – Reported that there is a huge ditch washed out along Street Road between Bethel and Forge Roads.

**Mrs. Celestine Getty** – Asked about the Township accepting payments beyond two years as is stated in the Ordinance. She noted it will take over 10 years of monthly payments of \$25. She said the Township is not a bank, so they shouldn’t be acting as a lender. Ms. Getty understands the concern about the liability of the hole in Ms. Ralph’s yard, but it is personal property and she is concerned about the Township repairing it. She said that the individual should be billed for the total cost of the repairs to the yard. She requested everything be done legally.

Mr. Kepler thanked everyone for attending and moved to adjourn the meeting at 8:35 p.m. Mr. Brown 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