

Lower Oxford Township
Board of Supervisors Meeting Minutes
October 14, 2019

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Monday, October 14, 2019.

The following were in Attendance: Joel C. Brown; Kevin R. Martin; Secretary/Treasurer, Deborah J. Kinney; Codes Enforcement Officer, Terri Dugan; Building Inspector, Scott Moran; Solicitor, Winnie Sebastian; and six guests.

CALL TO ORDER

Mr. Kepler called the Regular Board of Supervisors meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mr. Kepler led the Pledge of Allegiance to the flag.

PUBLIC COMMENT CONCERNING ITEMS ON THE AGENDA

None.

Mr. Brown moved to amend the agenda to remove the word "hearing" from the Stormwater Management Ordinance Amendment. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

Mr. Kepler turned the meeting over to Solicitor, Sebastian at 7:04 p.m. to discuss the Stormwater Management Ordinance Amendment.

STORMWATER MANAGEMENT ORDINANCE AMENDMENT

Mrs. Sebastian opened the discussion for the Stormwater Management Ordinance Amendment. Mrs. Sebastian stated that the reason for this amendment is to establish a definition and exception for certain high tunnel facilities. After reading the new amended ordinance and providing time for discussion, the meeting was turned back over to Chairman, Kepler at 7:20 p.m.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

Philip Delp – Regional Police Force

Mr. Delp approached the Board of Supervisors to get their thoughts and opinions on a regional police force for the Oxford area. Mr. Martin stated that there is a designated State Police car that patrols the area and the Township has been happy with them thus far and he didn't really see a need to pay for a regional police force at this time. Mr. Kepler and Mr. Brown concurred with Mr. Martin. Mr. Delp thanked them for their time and stated that if a need for a regional police force arises in the future, please let him know. The Board thanked him for his time.

APPROVAL OF THE MINUTES

Mr. Brown moved to approve the minutes for the Board of Supervisor's meeting held on September 9, 2019. Mr. Martin seconded the motion. Mr. Kepler abstained. MOTION CARRIED.

TREASURER'S REPORTS

Presentation of Bills

Mr. Martin moved to approve and pay the bills totaling \$69,950.20 from the General Fund. Mr. Brown seconded the motion. All in favor. MOTION CARRIED.

Pine View Estates (Conner Road) Escrow Release No. 2

Mr. Martin moved to approve Escrow Release No. 2 in the amount of \$228,174 for the Conner Road (Pine View Estates) Subdivision & Land Development Plan contingent upon Engineer's final review and approval of release request according to his letter dated October 14, 2019. Mr. Brown seconded the motion. Mr. Kepler abstained. MOTION Carried.

Mr. Brown moved to approve the Treasurer's Report. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

CORRESPONDENCE

Avondale State Police – Incident Listing for August 2019

Avondale State Police – Significant Incident Listing – 08-14 thru 09-16; 09-20 thru 09-24; 10-01; 10-02 thru 10-03; and 10-04 thru 10-08.

BK Campbell Inc. – Request for Escrow Release No. 2 – Pine View Estates (Conner Road)

CC Department of Emergency Services – Fire EMS Strategic Plan Update 11 on Sept. 19th

CC Emergency Planning Coordinator – E-mail dated Oct. 11th – FEMA's Hazard Mitigation non-disaster grant program

Chester County Tax Collection Committee – Meeting Agenda 11-12-19

Chester County Water Resources – Jan Bowers – Stormwater Summit Agenda – Sept. 20th

Chester County Water Ways – 2019 Chester County Municipal Stormwater Summit Review held 09/20 & Upcoming Events

Chester Water Authority – Update for Meeting October 10th – Penn Township – 6:30 p.m.

Landscapes 3 - 2019 Fall Events Calendar

Letter from Blair Fleischmann (S.A.V.E.) dated Oct. 8th to Governor Tom Wolf regarding the sale of Chester Water Authority OARA – 2018 Annual Report

OASA – Moneys estimated to be received by OASA for the "Guaranty Agreement" for USDA

OASD – Work Session Agenda & Regular Meeting Agenda

ORPC – Mark Gallant – Municipal Stormwater Budget Workshop – 10-09-19 – East Nottingham Township - 9 a.m. until noon.

PennDOT – US Route 202, Route 896, Route 10 Lane Closures – Starting 09-30-19; Accepting Unsolicited Public-Private Partnership Proposals Until October 3rd; LTPA Technical Information Sheet #195 – Fall 2019; and Quarterly Newsletter "Moving Forward – Fall 2019.

PSATS – 2019 Stormwater Conference – Oct. 16th – Monroeville, Allegheny County; News Bulletin for September 2019

SCCEMS Medic 94 – Monthly Municipal Report – September 2019

Union Fire Co. No. 1 – 2020 Contracts for Fire Company & Ambulance Division; Alarm Dates – August 2019; Compliance Audit – 2017 thru 2018; and Incident Listing for September 2019

Mr. Martin moved to accept the correspondence. Mr. Brown seconded the motion. All in favor. MOTION CARRIED.

BUILDING INSPECTOR

Mr. Moran stated that he conducted five plan reviews, twenty-four regular inspections; three stormwater inspections; and seven commercial inspections.

Mr. Brown moved to approve the Building Inspector's report for the month of September 2019. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

CODE ENFORCEMENT OFFICER

Ms. Dugan stated that she issued four residential building permits; three zoning permits; one driveway permit; one Use & Occupancy certificate; two commercial permits; and one commercial sign permit for the month of September 2019.

SUBDIVISION AND LAND DEVELOPMENT

Smullen Subdivision

Mr. Martin moved to approve the Smullen 2-Lot Final Subdivision Plan. Mr. Brown seconded the motion. All in favor. MOTION CARRIED.

ZONING VIOLATIONS

Mrs. Dugan report the following violations:

- 164 Elkdale Road, Lincoln University – Weed nuisance and house unsecure. Zoning Officer sent letter to the owner, but it was returned. There is no forwarding address.
- 210 College Circle, Lincoln University – Nuisance: tree rubbish and limbs dumped on neighbor's property.
- 216 Cream Road, Oxford – Complaint received of burning plastics, junk and scraps, and late evening truck fires.

Mr. Brown moved to approve the Codes Enforcement Officer report for the month of September 2019. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

ENGINEER

Mrs. Kinney presented the following Engineer's Report:

- Performed several inspections for John King on Township Road for stormwater work.
- Conversed with Keystone Custom Homes on several occasions regarding Lavender Court.
- Performed a stormwater inspection for Pine View Estates (Conner Road) and provided escrow release recommendation no. 1
- Reviewed land development plan for Providence Place at Lower Oxford Township and provided comments to Township and applicant's consultant.
- Provided documents and information to Township Solicitor for Pine View Estates Sewer Service Agreement.
- Performed a stormwater inspection for Casadevall on Duck Farm Road (Lot #1).

Mr. Brown moved to approve the Engineer's report for the month of September 2019. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

ROADMASTER

Mrs. Kinney presented the following Roadmaster's Report:

Backfilled edges on Spring Valley Road; mowed Benard Park and Township Building twice; cleaned gutters on Hall Road & Conner Road; patched Roney's Corner Road and Lower Hopewell Road; mowed State intersections; opened inlet boxes; cut down dead trees on Worth's Bridge Road; replaced pipe at Bethel Road & Rt. 472; patched pipe on Bethel Road; replaced "STOP" sign at Township Road & Baltimore Pike; and cleaned the Township Building.

Mr. Martin moved to approve the Roadmaster's report for the month of September 2019. Mr. Brown seconded the motion. All in favor. MOTION CARRIED.

OASA REPORT

Mr. Kepler stated that there was a letter sent to each Township stating that since it is budget time, each municipality needs to allot their percentage due of the loan with the USDA. Lower Oxford Township's portion of \$1.2M is \$190,000. The Sewer Authority is still working on the sale of the building and ground. Once these are sold, Lower Oxford will recover half of that back towards the loan payment.

Mr. Brown moved to approve the OASA report for the month of September 2019. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

OXFORD AREA RECREATION AUTHORITY

Mr. Hoffman reported that the OARA worked very hard for the Halloween activity and there was a very good turnout on Friday and Saturday. The next meeting for the OARA will be held on Thursday, October 17, 2019, at 6:30 p.m. here at the Township building.

Mr. Martin moved to approve the OASA report for the month of September 2019. Mr. Brown seconded the motion. All in favor. MOTION CARRIED.

HISTORICAL COMMISSION

No report.

EMERGENCY MANAGEMENT REPORT

No report.

OXFORD REGIONAL PLANNING COMMITTEE REPORT

Mr. Brown reported that the ORPC met on Wednesday, September 25th and discussed the following:

A presentation was given from Brandywine Conservancy regarding stormwater management. Pennsylvania may not meet their 2020 promise. There are still high nitrogen and sediment levels in Chesapeake Bay. There is a possibility that the all Townships may get involved as far as their streets and roads are concerned. Lower Oxford Township currently does not require an MS4 permit, however, they may be required to obtain one after the next census. The committee briefly discussed an update of municipal ordinances regarding a woodland ordinance.

Mr. Kepler moved to approve the Oxford Regional Planning Committee report for the month of September 2019. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

TAX COLLECTOR REPORT

Mrs. Kinney stated that there was \$41.44 collected for the Fire Hydrant Taxes and no money was collected from the Chester County Treasurer's Office for the Real Estate Taxes for the month of September 2019.

Mr. Brown moved to approve the Fire Hydrant Tax Collector's and the Real Estate Tax Collector's report for the month of September 2019. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

OLD BUSINESS

Ballymeade (Lavender Court)

Mr. Bill Briegel (Keystone Custom Homes) contacted the Township and said that they have reconsidered and do not want to pay the Township \$1,500 to maintain Lavender Court this fall/winter as previously agreed. The Township sent letters to residents on October 3rd informing them that Lavender Court is a private road and if they have any concerns or questions about the road, they need to contact Keystone Custom Homes directly.

NEW BUSINESS

Sebastian – Ag Preservation

Mr. Kepler made a motion to approve the agreement of sale for the purchase of an Agricultural Preservation easement from The Donald Sebastian estate for tax parcel 56-10-16 using open space funds in the amount of \$64,719.00 for 31.79 acres. Mr. Martin seconded the motion. Mr. Brown abstained. MOTION CARRIED.

Joel Brown recused himself and abstained because he has the property listed for sale.

Subsequently Chairman Ronald Kepler left the meeting room because of illness. As a result of that and the need for a quorum, a new motion was made. Mr. Brown noted the potential conflict but voted because business of the board could not be conducted without a quorum and thus his participation was necessary to conduct business.

Mr. Brown made a motion to approve the agreement of sale for the purchase of an Agricultural Preservation easement for The Donald Sebastian estate for tax parcel 56-10-16 using open space funds in the amount of \$64,719.00 for 31.79 acres. Mr. Martin seconded the motion. MOTION CARRIED.

Smullen – Ag Preservation

Mr. Brown made a motion to approve the agreement of sale for the purchase of an Agricultural Preservation easement for the Smullen property for tax parcel 56-3-39 (36.65 acres) using open space funds in the amount of \$69,268.50. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

Pine View Estates – Pump & Haul Agreement

Mr. Martin made a motion to approve Resolution No. 2019-21 for the Pine View Estates Pump & Haul Agreement subject to any modifications from the Oxford Area Sewer Authority. Mr. Brown seconded the motion. Mr. Kepler abstained. MOTION CARRIED.

Amish School Children – Pine Grove Covered Bridge

A letter was received at the Township on Friday, September 20, 2019, from members of the Amish Community regarding a safety concern for four of their children walking to school over the Pine Grove Covered Bridge. They have requested that the Lower Oxford Township build a bridge for the school children. The Board of Supervisors had much discussion regarding this issue. Given that the Supervisors are sympathetic to their concern, the fact is that this is a State road. The Supervisors believe there are other alternatives to get the children across the bridge safely without the children having to walk.

High Tunnels – Amendment to Stormwater Management Ordinance – Ordinance No. 2019-01

Mr. Brown moved to approve Ordinance No. 2019-01 amending the Chapter 20 Stormwater Management Ordinance to establish a definition and exception for certain high tunnel facilities. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

OTHER BUSINESS

Fall Trash Day

Mrs. Kinney stated that the Fall Large Trash Day was held on Friday & Saturday (October 4th & 5th) and there were three bins filled and removed.

Municipal Secretary/Administrator 2-Day Class

Mr. Martin moved to authorize the Secretary to attend the two-day class entitled "Municipal Secretary/Administrator" on November 7th & 8th at the Doubletree by Reading Hotel in Reading, PA at a cost of \$225. Mr. Brown seconded the motion. All in favor. MOTION CARRIED.

Glenroy Farms

Brandywine Conservancy is pulling together money to purchase the Glenroy Farm and donate it to the Oxford Area Foundation for a Park. After speaking with John Goodall at the Brandywine Conservancy, it is the understanding of Lower Oxford Township that a representative from Lower Oxford Township can obtain a seat on the Oxford Foundation's advisory committee.

Mr. Brown moved to commit Lower Oxford Township to contribute the amount of \$53,164 toward the purchase of Glenroy Farms by the Oxford Foundation to be used for open space purposes. If and when that purchase occurs, Lower Oxford Township will make the contribution with the following conditions: based on purchase price, Lower

Oxford Township being listed as part owner, and a representative from Lower Oxford be placed on their advisory committee.

2020 Budget Meeting

A reminder that the budget meeting is scheduled for Thursday, October 17, 2019, at 9:00 a.m. here at the Township Building.

Municipal Stormwater Budgeting Workshop

Debbie Kinney attended the Municipal Stormwater Budgeting Workshop hosted by David Ross (West Nottingham Township) and held at the East Nottingham Township Building on Wednesday, October 9th from 9:30 a.m. until 1:00 p.m. She stated that two of the presenters, Stephanie Armpriester and Ellen Kohler, asked that each municipality reach out to their boards to see if there is a need to come to a regular board meeting to discuss this information. The Board decided that the Township's Representative, Joel Brown, could relay the information as needed so there would be no need for them to attend and give a presentation.

PennDOT – Notice of Estimated Allocation for 2020

Mrs. Kinney stated that the Township received notification on September 18th that our anticipated allocation for 2020 Liquid Fuels is \$216,130.96.

Recycling Grant Application

Mrs. Kinney stated that the Township received notification on October 4th that we will be receiving \$7,972 for the 2018 – 904 Performance Recycling Grant. This is an increase of \$1,001 over last year.

General Code – Codification Updates

Mr. Martin moved to accept the General Code estimate in the amount of \$895 for the codification updates. Mr. Brown seconded the motion. All in favor. MOTION CARRIED.

Trick-or-Treat

Mr. Brown moved to authorize Trick-or-Treat on Thursday, October 31st, from 6:00 p.m. until 8:00 p.m. for the Lower Oxford Township. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

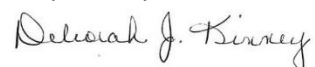
PUBLIC COMMENTS

Mrs. Brady asked how the use of the Glenroy Farm is being approached? Is it considered Agricultural Easement? Mr. Brown stated that it is public access and will allow activities such as hiking and horseback riding, and no motorized vehicles will be allowed.

ADJOURNMENT

Mr. Brown made a motion to adjourn at 8:30 p.m. Mr. Martin seconded the motion. All in favor. MOTION CARRIED.

Respectfully Submitted,



Deborah J. Kinney
Secretary/Treasurer

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