

**LOWER OXFORD TOWNSHIP
BOARD OF SUPERVISORS
REORGANIZATIONAL MEETING MINUTES
JANUARY 7, 2008**

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Monday, January 7, 2008.

The following were in Attendance: Supervisor Kenneth L. Hershey, Supervisor W. Ronald Kepler, newly elected Supervisor W. Ralph Cheek, Building Inspector John Coldiron, Zoning Officer Debbie Kinney, Roadmaster Steve Price, Secretary/Treasurer Sara Laganelli, and nine guests.

CALL TO ORDER

Mr. 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 then asked for a moment of silence.

RECOGNITION OF NEWLY ELECTED SUPERVISOR

Mr. Hershey recognized Mr. W. Ralph Cheek as the newly elected Supervisor for Lower Oxford Township. Mr. Cheek presented the Secretary with a notarized Oath of Office.

PUBLIC COMMENT CONCERNING ITEMS ON THE AGENDA

None.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

None.

REORGANIZATION OF LOWER OXFORD TOWNSHIP 2007

Mr. Kepler moved to appoint Mr. Hershey as temporary Chairman. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Hershey assumed position of temporary Chairman and led the meeting.

Mr. Kepler moved to nominate Mr. Hershey as Chairman of the Board. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved that the nominations be closed. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Hershey thanked the Board, assumed position of Chairman and led the rest of the meeting.

Mr. Cheek moved to nominate Mr. Kepler as Vice Chairman of the Board. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler assumed position of Vice Chairman of the Board.

Mr. Kepler moved to appoint Sara Laganelli as Secretary/Treasurer. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to appoint the Supervisors as extra help. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to appoint C. Marsha Getty as Per Capita Tax Collector. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler moved to appoint Berkheimer Associates to collect the Earned Income Taxes. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to recommend \$300,000 for the Treasurer's Bond and \$6,000 for the Tax Collector's Bond to the Auditors. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to appoint Ed Fisher of Light Heigel & Associates as the Township Engineer for a fee of \$81.00 per hour. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Hershey moved to appoint Winifred Sebastian as the Township Solicitor for a fee of \$150.00 per hour. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to appoint Arthur L. Sagner III as Zoning Hearing Board Solicitor for a fee of \$175.00 per hour. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler moved to appoint Bill Hostetter to a one year term on the Vacancy Board. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to reappoint Kevin Martin to the Planning Commission for a five year term. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler moved to appoint Richard Frampton to a three year term on the Zoning Hearing Board. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved that the UCC Board remain the same. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved that Kenneth L. Hershey and W. Ronald Kepler be designated as signers on all bank accounts. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Kepler moved that all checks be signed by the Treasurer and one of the designated Supervisors. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved that the General, State, Open Space, Sewer Extension, and Escrow Funds remain in Fulton Bank. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler moved that the Board of Supervisors regular monthly meetings be held the 2nd Wednesday of every month at 7:00 pm in the Township Building (with the exception of the

reorganization meeting). Mr. Cheek seconded the motion. MOTION CARRIED. Mr. Kepler read the meeting dates:

Feb. 13 Mar. 12 April 9 May 14
June 11 July 9 Aug. 13 Sept. 10
Oct. 8 Nov. 12 Dec. 10

Monday, January 5, 2009 Organizational Meeting-Supervisors

Tuesday, January 6, 2009 Organizational Meeting-Auditors

Mr. Cheek moved to adopt Resolution 2008-1 to designate Union Fire Co. No. 1 as the Township's Fire & Rescue Service. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler moved to appoint Mr. Ken Hershey as the Fire Equipment member. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Hershey moved to appoint Mr. Ronald Kepler as the Emergency Management Coordinator. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to appoint Sara Laganelli as the Recycling Coordinator. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Hershey moved to appoint Mr. Ronald Kepler as the Voting Delegate at the Annual Convention. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to designate the following Employee Holidays: New Year's Day, Good Friday, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day. Mr. Cheek seconded the motion. MOTION CARRIED.

Designation of Employee's Wages:

Mr. Kepler moved to increase the Roadmaster's current wages by 3%. Mr. Cheek seconded the motion. MOTION CARRIED.

Roadman Ron Kepler (recommended to auditors): Mr. Hershey noted that Mr. Kepler chose not to take a raise this year. Mr. Cheek moved that Roadman Ron Kepler's wages stay the same. Mr. Hershey seconded the motion. MOTION CARRIED.

Mr. Cheek moved to increase Roadman Randy Gray's current wages by 3%. Mr. Hershey seconded the motion. Mr. Kepler abstained from voting. MOTION CARRIED.

Mr. Kepler moved to increase the Secretary/Treasurer's salary by 3%. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to increase the Per Capita Tax Collector's salary to \$390.00 per month. Mr. Cheek seconded the motion. MOTION CARRIED.

Extra Help (recommendation to auditors): Mr. Kepler moved to increase the extra help wages by 3%. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler moved to increase the Code Enforcement Officer's salary by 3%. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to pay the Building Inspector according to the Fee Schedule. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler moved to keep the Zoning Hearing Board pay of \$40.00 per hearing. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to set the mileage reimbursement rate at 50.5 cents per mile (IRS rate). Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2008-2 for the 1% Earned Income Tax to be collected and shared equally with the Oxford Area School District. Mr. Cheek seconded the motion. MOTION CARRIED. Mr. Kepler moved to adopt Resolution 2008-3 for the 1% Real Estate Transfer Tax to be collected and shared equally with the Oxford Area School District. Mr. Cheek seconded the motion. MOTION CARRIED.

APPROVAL OF THE MINUTES

Mr. Kepler moved to approve the minutes for our regular meeting on December 12th. Mr. Cheek seconded the motion. MOTION CARRIED.

TREASURER'S REPORTS

Presentation of Bills The Secretary presented the bills that had been paid and needed to be paid for the month of December. Mr. Kepler moved to approve and pay the bills, including the SPCA contract. Mr. Cheek seconded the motion. MOTION CARRIED.

Budget Deviations Mr. Kepler moved to adopt Resolution 2008-4 for 2007 Budget deviations totaling \$10,555.00. Mr. Cheek seconded the motion. MOTION CARRIED.

Fiduciary Refunds Mr. Kepler moved to transfer \$501.75 from the four listed escrow subaccounts to the Master Escrow account to reimburse for legal and engineering fees. Mr. Cheek seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Letter from Brandywine Conservancy with consultant rates for planning assistance for 2008.
- ✓ Notice from PA DEP that the Township has been approved for \$2,993.00 in recycling grant monies from 2005 (246.6 tons recycled).
- ✓ Letter from the Chesco Pops announcing their Winter 2008 Concert series will be coming to the Oxford High School on Friday, January 18th at 7:30 p.m.
- ✓ Letter from the PA DEP regarding their preliminary review of the Act 537 Plan. Some of the comments are to be addressed by the OASA and some by the municipalities.
- ✓ Union Fire Co. No. 1 incident listing for November.
- ✓ Incident listing from PA State Police for December 2007.

Comments: Mr. Kepler noted that the Township Engineer received a copy of the letter from DEP and will address it promptly.

BUILDING INSPECTOR

Mr. John Coldiron read his report for December. He had ten inspections and three plan reviews. Mr. Cheek moved to approve the Building Inspector's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

CODE ENFORCEMENT OFFICER

Mrs. Kinney read the Building Permits & Zoning Violations Reports for December. She issued two building permits and didn't have any new violations.

Subdivisions & Land Development Plans Laura Swiski was present to answer any questions the Board had about the Shoppes at Lower Oxford Phase II. Mrs. Kinney said that the Planning Commission approved the plan and passed it on to the Board. There was some discussion about who owns a very small triangle on the plan. Ms. Swiski said that it would not impact the plan and she would continue to research the issue until it was resolved. Ms. Swiski asked that the Board give final approval pending Escrow money be submitted. Mr. Kepler moved to approve the plan contingent on water, sewer, financial escrow, and approval by DEP. Mr. Cheek seconded the motion. MOTION CARRIED.

Mrs. Kinney presented the Board of Supervisors with a simple add-on plan for Jack King. The plan would make his lot conform by increasing it to one acre. DEP, CCHD, and Planning Commission all approved the plan. Mr. Kepler moved to approve a non-building waiver for the Jack King Subdivision. Mr. Cheek seconded the motion. MOTION CARRIED. Mr. Kepler moved to approve the add-on subdivision plan for Jack King. Mr. Cheek seconded the motion. MOTION CARRIED.

Mrs. Kinney explained that the Township needed to reply to the comments regarding the Oxford Commons Component 4B. Mr. Cheek moved to authorize the Engineer and Solicitor to prepare a response to Chester County Planning Commission comments 3, 4, and 14, which response provides that Lower Oxford Township will provide public water as a bulk purchaser from Oxford Borough, that there is no regional comprehensive plan so that the impact on another municipality's revitalization plan is not relevant to an application for sewer for Lower Oxford Township and that this application is consistent with the Act 537 plan revision currently under review by DEP which will be the Act 537 Plan under which this project operates. Mr. Kepler seconded the motion. MOTION CARRIED.

Mrs. Kinney noted that she received an e-mail from Wilkinson Affinity regarding an extension but did not receive an actual extension letter. Mr. Kepler moved to deny the Wilkinson Affinity 132-lot subdivision for outstanding engineering review items unless an extension letter is received on or before January 16, 2008. Mr. Hershey seconded the motion. Mr. Cheek abstained. MOTION CARRIED.

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

ENGINEER

The Board read the Township Engineer's December report. Mr. Kepler explained that the Engineer was proposing zoning map changes for three properties that are zoned both C-1 and

C-2. There was a map showing the proposed changes. Mr. Kepler moved to send the proposed zoning map change to the Township Solicitor. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Cheek moved to approve the Township Engineer's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman was absent. No report.

ROADMASTER

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

Mr. Cheek noted that when he was going around the Township talking to residents he didn't hear any complaints about the roads and that is a very positive thing.

REGIONAL RECREATIONAL AUTHORITY

Mr. Lee Towner was absent. No report.

OLD BUSINESS

Comprehensive Plan Mr. Kepler noted that the next meeting will be January 23rd at 7:00 p.m.

Lincoln Village Sewer Mr. Kepler reported that the Township Engineer opened the bids today at 1:00 p.m. There were twelve bids submitted. The lowest bid was \$888,141.50 from Tru-Line. The highest bid was just over \$2 million. The Engineer is going to review the low bid, call the references and make a recommendation at the February Board meeting.

University Road parking problems Mr. Kepler moved to have the Solicitor prepare an ordinance that would state no parking allowed on University Road, enable the Township to post no parking signs, and authorize the Zoning Officer to have vehicles towed at the owner's expense. Mr. Cheek seconded the motion. MOTION CARRIED. Mr. Kepler also suggested that Upper Oxford be contacted about doing their half.

NEW BUSINESS

PSATS Convention - The convention is May 11-14 this year. Mr. Hershey, Mr. Kepler, Mr. Cheek, and Mrs. Kinney all plan to attend.

Supervisors Workshop Mr. Cheek requested to attend the PSATS Supervisor's workshop on February 9th in West Chester. Mr. Kepler moved to authorize Mr. Cheek to attend the workshop; the Township will cover the cost of the class as well as any mileage reimbursement Mr. Cheek would incur. Mr. Hershey seconded the motion. MOTION CARRIED.

Jone/Losito Mr. Kepler said that Jones & Losito had applied to DEP for a permit to dump soils on the old landfill. The Township Solicitor and Engineer are looking into the application.

OTHER BUSINESS

None.

PUBLIC COMMENTS

Vickie Brown Asked for clarification of this year's meeting dates. Also inquire about the differences between C-1 and C-2 Zoning.

Teri D Ignazio Asked the status of the Historic Commission Ordinance.

Mr. Cheek moved to adjourn the meeting at 8:48 p.m. **Mr. Kepler** 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