

Lower Oxford Township
Board of Supervisors Meeting Minutes
December 10, 2008

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, December 10, 2008.

The following were in Attendance: Chairman Kenneth L. Hershey, Vice Chairman W. Ronald Kepler, Supervisor Ralph Cheek, Zoning Officer Deborah Kinney, Building Inspector John Coldiron, Secretary/Treasurer Sara Laganelli, and eleven 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

Ms. Teri Dignazio said that she would have a question on the budget.

RECOGNITION OF THOSE ASKING TO APPEAR ON THE AGENDA

Mr. John St. John – Mr. St. John brought a plan of his Hall Road property to the table and asked the Board if there was anyway he could add another house to the one parcel of land that was 4.7 acres and currently had one house on it. He said that he got a perk on the property behind the existing house and would like to add one more house without doing a subdivision. The Supervisors told him the only way to do it would be to subdivide.

Teri Dignazio for Friends of Lincoln – Ms. Dignazio explained that she was a member of a subcommittee that was formed to update the history of buildings that are fifty years old or older specifically concentrating on Lincoln Village. She explained that the State will be sponsoring Black History in 2010 and so this project has sparked a lot of interest both at County and State levels. Ms. Dignazio said that Lincoln University has applied for a \$5,000 grant that would be used to hire a professional to do research and nominate Lincoln for the National Historic Registry. Ms. Dignazio requested that the Board of Supervisors send a letter of support for the project and the grant request. Mr. Kepler moved to authorize the Secretary to send a letter of support for the project. Mr. Cheek seconded the motion. MOTION CARRIED. Ms. Dignazio then submitted a copy of a sample letter and some information on what the subcommittee has been doing in Lincoln.

APPROVAL OF THE MINUTES

Mr. Cheek moved to approve the minutes for the regular meeting on November 12, 2008. Mr. Kepler 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 November; totaling \$53,121.86 for the General Fund and \$2,914.86 for the Open Space Revenue Fund, and \$180,354.73 for Open Space Purchase Fund.. Mr. Cheek moved to approve and pay the bills. Mr. Kepler seconded the motion. MOTION CARRIED. Mr. Hershey thanked the Kepler Family for preserving 49 acres of their farm for Open Space. Mr. Kepler then announced that his family had decided to accept the State's offer for the preserving 129 acres of the home farm.

Fiduciary Transfers – Mr. Cheek moved to approve the transfer of \$3,263.55 to the Master Escrow account from the eleven listed subaccounts to reimburse General Fund for legal and engineering expenses and to refund three of the accounts. Mr. Kepler seconded the motion. MOTION CARRIED.

Budget Deviations – Mr. Cheek moved to adopt Resolution 2008-26 for budget deviations totaling \$16,600.00. Mr. Kepler seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Letter from Lancaster County Planning Commission notifying us of their new address.
- ✓ Copy of the Draft Green Infrastructure Element of the Lancaster County Comprehensive Plan on disk.
- ✓ Training brochures from PA State Association of Boroughs.
- ✓ Letter Ballot from International Code Council for Proposed Bylaw Amendment.
- ✓ Memo announcing the search for a new Executive Director of PSATS.
- ✓ Fall edition of the Chester County Planning Commission newsletter.
- ✓ Oxford Area Sewer Authority meeting minutes from September and October.
- ✓ Compliance audit from Auditor General for the Pension Plan from 2005 through 2007.
- ✓ Letter from the Brandywine Conservancy offering to create maps showing the AES/Mid-Atlantic gas pipeline's proposed routes which cost from \$200 to \$1500.
- ✓ Union Fire Co. incident report for October 2008.
- ✓ Incident listing for November from the PA State Police.
- ✓ DVRPC packet of information on reclaiming brownfields.

BUILDING INSPECTOR

Mr. John Coldiron reported that he had eight building inspections, two plan reviews, and three electrical inspections for the month of November. Mr. Kepler moved to approve the Building Inspector's Report. Mr. Cheek seconded the motion. MOTION CARRIED.

CODE ENFORCEMENT OFFICER

Mrs. Kinney read the Building Permits & Zoning Violations Reports for November. She issued four building permits and had no new zoning violations. Mrs. Kinney reported that she issued a cease and desist order to Mr. Mazepink at 221 Kimble Road. She explained that the Soil Conservation District is working on this issue; they feel Mr. Mazepink is running a composting operation. Mrs. Kinney said that Darien White on Ashmun Ave. is still working with John Coldiron to comply. Mrs. Kinney reported that she sent another letter to Doug McDowell with the Right to Farm Act information and requested that he please comply.

Subdivisions & Land Development Plans – Mrs. Kinney said that she had received the Component 4A from the Planning Commission, Component 4B from the Chester County Planning Commission, but did not receive the Component 4C from the Chester County Health Department. Mrs. Kinney reported that apparently it had been on the back burner at the Health Department due to staffing changes. Mrs. Kinney said that she received an extension for 120 days for the Creighton Subdivision and that they were currently trying to sell the property. Mrs. Kinney reported to the Board that the Planning Commission had made a motion at their last meeting not to move forward with the Recreational Authority's proposed ordinance. The Planning Commission members felt that Lower Oxford Township is promoting agriculture in lieu of development so they felt the ordinance was inappropriate.

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

ENGINEER

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

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman reported that Ed Lennex has a tentative plan on how to proceed. He said that Mr. Lennex is trying to set up a committee meeting but it won't be possible until January.

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

ROADMASTER

The Roadmaster read his report for November. Mr. Cheek moved to approve the Roadmaster's Report. Mr. Kepler seconded the motion. MOTION CARRIED.

REGIONAL RECREATIONAL AUTHORITY

Mr. Lee Towner reported that they had met with East Nottingham Township's Planning Commission and went over questions about the Land Development Plan and the variance requests. Mr. Towner said they are waiting on a letter from the Department of Forestry regarding a small glitch. He said that they now have all of the PENNDOT permits and will be sending out RFP's in January. They are still on schedule to start moving dirt in the spring. Mr. Kepler asked about Jim Pierson. Mr. Towner said that he hadn't been to a meeting in over a year and the seat needed to be filled. Mr. Towner then asked the Board for their thoughts on the proposed in-lieu of ordinance. Much discussion ensued. Mr. Kepler moved to take the Planning Commission's recommendation and not advance with the ordinance at this time. Mr. Cheek seconded the motion. MOTION CARRIED.

OLD BUSINESS

Open Space Preservation – Mr. Kepler moved to authorize the Secretary to contact the Bond agent and find out with our income how much more money could be borrowed for Open Space purchasing. Mr. Cheek seconded the motion. MOTION CARRIED.

Comprehensive Plan – No report.

Lincoln Village Sewer – Mr. Kepler said that he talked to the Engineer and discussed the tapping fees for the Lincoln Village sewer. Mr. Kepler reported that the current Engineering fees incurred for the sewer project are \$161,139. He said it looks like the charge will be around \$2,100 but it won't have to be paid all at once. Mr. Kepler also noted that there are 3 or 4 vacant lots and at least seven abandoned houses which would have about a \$7,500 tapping fee if the owners ever decided to tie in to the public sewer. Mr. Kepler moved to approve the agreement for the Lincoln Village Sewer subject to the Engineer and Solicitor's approval of the content. Mr. Cheek seconded the motion. MOTION CARRIED.

Polling Place for East Precinct – Mr. Kepler recalled that there were a lot of complaints received at the last meeting and while the Supervisors don't have the power to change the situation with the East Precinct, he feels that the Board should take a stand. Mr. Kepler moved to have the Secretary write a letter and offer the Township Building for both precincts as well as traffic control if necessary. And to request that the

dividing line for the precincts be moved to Baltimore Pike. Mr. Cheek seconded the motion. MOTION CARRIED.

NEW BUSINESS

2009 Budgets – Mr. Hershey allowed Ms. Teri Dignazio to ask her questions about the budget. Mr. Cheek moved to adopt the 2009 Budgets for General Fund, State Fund, Open Space Revenue Fund, Open Space Purchase Fund, and the Sewer Extension Fund. Mr. Kepler seconded the motion. MOTION CARRIED.

87th Annual PSATS Convention – Mr. Cheek moved to appoint Mr. Kepler as the Township voting delegate at the convention in April 2009. Mr. Hershey seconded the motion. MOTION CARRIED.

Electronic Access to PENNDOT systems – Mr. Cheek moved to adopt Resolution 2008-25 authorizing the signing of the PENNDOT Electronic Access Licensing Agreement to file Liquid Fuels forms online. Mr. Kepler seconded the motion. MOTION CARRIED.

OTHER BUSINESS

None.

PUBLIC COMMENTS

Mr. Gerry McCormick – Mr. McCormick said that he represents Mr. Dambro and they were seeking sewer options so that they could begin the process to submit a final plan to build on the 74 lots.

Marcella Peyre-Ferry – Asked if the Supervisors would be in favor of an in-lieu of ordinance for the OARA if it was for commercial instead of residential.

Tony der Kinderen – Introduced himself as a new resident who wants to be involved in the community.

Teri Dignazio – Asked what the heavy equipment was for on Street Road.

Mr. Kepler moved to adjourn the meeting at 9:10 p.m. 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