

Lower Oxford Township

Board of Supervisors Meeting Minutes

February 13, 2008

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, February 13, 2008.

The following were in Attendance: Chairman Kenneth L. Hershey, Vice Chairman W. Ronald Kepler, Supervisor W. Ralph Cheek, Zoning Officer Deborah Kinney, Roadmaster Steve Price, Building Inspector John Coldiron, Secretary/Treasurer Sara Laganelli, and twelve 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. He asked everyone to remember the Sebastian family during the 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. Kepler moved to approve the minutes for the reorganization meeting on January 7th. 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 January; totaling \$83,933.53 for the General Fund and \$4,165.14 for the Open Space Revenue Fund. Mr. Cheek moved to approve and pay the bills. Mr. Kepler seconded the motion. MOTION CARRIED.

Fiduciary Refunds – Mr. Kepler moved to transfer \$2,205.00 from the four listed escrow sub-accounts to the Master Escrow account to reimburse for legal and engineering fees. Mr. Cheek seconded the motion. MOTION CARRIED.

CORRESPONDENCE

- ✓ Letter from Armstrong regarding a rate adjustment for basic cable. The new monthly charge is \$48.45.
- ✓ Chester County Planning Commission Winter newsletter.
- ✓ Letter from Representative Art Hershey congratulating the Township on the recycling performance grant of \$2,993.00
- ✓ Letter from Delaware Valley Regional Planning Commission regarding an on-line survey at www.dvrpc.org/connections that will run through March 7th.

- ✓ Letter from Karen Marshall, the Heritage Preservation Coordinator of The Chester County Parks & Recreation Department regarding the Lower Oxford Historic Resource Atlas Survey and three historic houses in the Township.
- ✓ Letter from John Bradley of the Oxford Area Historical Association regarding the historic home located on the Brown Farm.
- ✓ Letter from Teri D'Ignazio regarding a public notice that was published in the Daily Local News on January 9, 2008 in reference to Oxford Commons.
- ✓ Letter from Blair Fleischmann regarding the public notice for Oxford Commons.
- ✓ Union Fire Co. No. 1 incident listing for December 2007.
- ✓ Incident listing from PA State Police for January 2008.

Comments: None.

BUILDING INSPECTOR

Mr. John Coldiron was excused from the meeting early. The Secretary reported that John had five inspections and two plan reviews for the month of January. 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 December. She issued nine building permits, one sign permit and didn't have any new violations.

Subdivisions & Land Development Plans – Mrs. Kinney explained that the Board needed to re-approve the two-lot subdivision for Masciantonio since DEP finally approved the SFPM. Mr. Cheek moved to approve the Masciantonio two-lot subdivision. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2008-5 granting a six month extension to the Hearthstone Plan approval. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Tim Nilan of Sylmar Products, Inc. was present at the meeting to discuss his request to amend his Land Development Plan. Mr. Nilan said that he had been in communication with the Township Engineer and had an understanding that he could increase the size of the originally approved building as long as he submitted an updated grading plan. He explained that the building would be used for bulk soils and that he was seeking the Board's approval so that he could proceed with an unconventional funding process. There was some discussion. Mr. Kepler then moved to authorize the Codes Enforcement Officer to send a letter to Mr. Nilan stating that his building was a permitted use which can be constructed as long as a grading plan is submitted. Mr. Cheek seconded the motion. MOTION CARRIED.

Mrs. Kinney requested that the Board take action regarding the Keystone Animal Hospital's Land Development plan for additional parking. Mr. Kepler moved to deem the plan null and void if an extension was not received. Mr. Cheek seconded the motion. MOTION CARRIED.

Mrs. Kinney noted that the Planning Commission's February meeting was moved to Thursday, February 21st at 7:30 p.m.

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

ENGINEER

The Board read the Township Engineer's January report.

Mr. Kepler moved to authorize the Solicitor to advertise the proposed zoning map change and schedule a hearing. Mr. Cheek seconded the motion. MOTION CARRIED.

Mr. Kepler noted that the Engineer had sent some proposed user fees for the Lincoln Village sewer. The rates were comparable to the current rates for the Oxford Area Sewer Authority: \$47.50 per quarter for the first 5,000 gallons and \$9.85 per 1,000 gallons over 5,000 gallons.

Mr. Kepler noted that there is also a possibility of a flat fee.

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

REGIONAL ACT 537 PLAN

Mr. Bob Yeatman reported that the Sewer Authority and member municipalities were busy responding to DEP's comments on the Act 537 Plan. Mr. Kepler noted that the Solicitor had prepared a draft Pump-out Ordinance that he will take back to the committee for review. Mr. Cheek asked for some explanation. There was some discussion. Mr. Yeatman questioned one of the conditions imposed upon the proposed Ross Spray fields. He felt that the third condition was a little unclear. Mr. Cheek moved to approve Mr. Yeatman's report. Mr. Kepler seconded the motion. MOTION CARRIED.

ROADMASTER

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

REGIONAL RECREATIONAL AUTHORITY

Mr. Lee Towner was absent. No report.

OLD BUSINESS

Comprehensive Plan – Mr. Kepler reported that at the last meeting, the committee members reviewed the work schedules that the Chester County Planning Commission had set-up for each month through July 2009. Mr. Joel Brown noted that each municipality had been given a map to verify current land uses of the Township.

Lincoln Village Sewer – Mr. Kepler moved to award the bid to Tru-Line Contactors, Inc. of Perkasio, PA, for the proposed amount of \$888,141.50, contingent upon the Chester County Department of Community Development's approval. Mr. Cheek seconded the motion. MOTION CARRIED.

University Road parking problems – Mr. Kepler noted that the Secretary had sent a notice to Upper Oxford regarding the proposed no parking ordinance for University Road. Upper Oxford did not act on the issue at their regular meeting, but said they would check with Lincoln University about the problem. Mr. Kepler moved to authorize the Solicitor to advertise and hold a hearing for the No Parking Ordinance. Mr. Cheek seconded the motion. MOTION CARRIED.

NEW BUSINESS

Preservation letter – Mr. Kepler moved to have the Secretary write a letter to Diana Hoopes regarding Steven Stoltzfoos; stating that the Township will partner with the County to buy the land development rights for the ninety acre farm. Mr. Cheek seconded the motion. MOTION CARRIED.

Water Supply Agreement – Mr. Kepler moved to sign the basic water agreement with the Oxford Borough to buy water from them. Mr. Cheek seconded the motion. MOTION CARRIED.

Delinquent Fire Hydrant Taxes – Mr. Cheek moved to authorize the Solicitor to sue the five taxpayers that have not paid their Fire Hydrant taxes for 2007. Mr. Kepler seconded the motion. MOTION CARRIED.

OTHER BUSINESS

Mr. Cheek asked if he could have a copy of the bills paid in the minutes.

Mr. Kepler asked if anyone was going to attend the County Convention.

PUBLIC COMMENTS

Teri D'Ignazio – Asked for some clarification of the zoning for C-1 and C-2. She also wanted to know if anyone had heard the rumor that the 55 and over community of Honeycroft development on Route 41 was having problems selling. Mr. Kepler responded that was just a rumor.

Mr. Kepler moved to adjourn the meeting at 8:54 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