

Lower Oxford Township  
Board of Supervisors Meeting Minutes  
August 11, 2010

The Regular Meeting of the Lower Oxford Township Board of Supervisors was held at the Township Building, 220 Township Road, on Wednesday, August 11, 2010.

**The following were in Attendance:** Chairman Kenneth L. Hershey, Vice Chairman W. Ronald Kepler, Supervisor W. Ralph Cheek, Codes Enforcement Officer Deborah Kinney, Building Inspector Scott Moran, Roadmaster Steve Price, Secretary/Treasurer Sara Laganelli, and ten 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**

None.

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

None.

**APPROVAL OF THE MINUTES**

Mr. Cheek moved to approve the minutes for the regular meeting on July 14<sup>th</sup>. Mr. Kepler seconded the motion. MOTION CARRIED.

Mr. Hershey noted that Mrs. Kinney needed to be excused early for personal reasons, so her reports were first.

**CODES ENFORCEMENT OFFICER**

Mrs. Kinney read the Building Permits & Zoning Violations Reports for July. She issued two building permits, one certificate of occupancy, and one sign permit.

**Subdivisions & Land Development Plans** – Mrs. Kinney noted that an extension was received from the Creighton subdivision.

Mr. Cheek moved to approve the final plan for the Kenneth Hershey subdivision. Mr. Kepler seconded the motion. Mr. Hershey abstained from voting. MOTION CARRIED.

Mr. Kepler moved to adopt Resolution 2010-26 for a one year extension for the Shoppes at Lower Oxford Final Plans. Mr. Cheek seconded the motion. MOTION CARRIED.

Mrs. Kinney announced that a Zoning Hearing had been scheduled for James Guthrie on August 24<sup>th</sup> at 7:30 p.m. at the Township Building. The application was for continued commercial use on a grandfathered non-conforming property known as the former Jack's Body Shop on Bethel Road.

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

## TREASURER'S REPORTS

**Presentation of Bills** – Mr. Cheek moved to approve and pay the bills: totaling \$46,292.18 for General Fund, \$15,320.00 for State Fund; and \$4,963.80 for Open Space Revenue Fund. Mr. Kepler seconded the motion. MOTION CARRIED.

**Budget Deviations** – Mr. Cheek moved to adopt Resolution 2010-25 for 2010 General Fund Budget deviations totaling \$6,000.00. Mr. Kepler seconded the motion. MOTION CARRIED.

**Fiduciary Refunds** – Mr. Cheek moved to transfer \$7,516.83 from the six listed escrow sub-accounts to the Master Escrow account to reimburse for engineering & legal fees as well as refund Wilkinson, Stoltzfoos, and Keystone Animal Hospital. Mr. Kepler seconded the motion. MOTION CARRIED.

## CORRESPONDENCE

- ✓ PennDOT's *Moving Forward* publication for Fall 2010.
- ✓ Letter and pamphlet from PECO regarding natural gas safety.
- ✓ Memo from Chester Tax Committee regarding the meeting agenda for September 9th.
- ✓ Certificate of Liability Insurance for the Oxford Bicycle Road Race.
- ✓ Letter from Senator Pileggi responding to the Resolution adopted regarding Senate Bill 1357 and House Bill 2431.
- ✓ Letter from PECO regarding upcoming changes in PA's energy market.
- ✓ PA State Police statistics report for July.
- ✓ Notice from PA DEP that they approved the Act 101 Recycling Program Performance Grant in the amount of \$3,211.00 from 2008.
- ✓ PSATS News Bulletin and Township Legal Defense Partnership newsletter for July.
- ✓ SECCRA News publication for Summer 2010.
- ✓ Packet of information on the Chester County Library System community advocacy initiative.
- ✓ Invitation from Congressman Pitts to the Chester County local elected official's breakfast on August 25th at 8:00 a.m. in Longwood.
- ✓ Email from Rep. Tom Houghton in response to the opposition to House Bill 2431 and Senate Bill 1357.
- ✓ Copy of the notice that was filed on our behalf to comply with the permit extension Act 46 of 2010 from the Solicitor.
- ✓ OARA Meeting Minutes from June 10, 2010.

**Comments:** Mr. Hershey asked about Senator Pileggi's response.

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

## BUILDING INSPECTOR

Mr. Scott Moran reported that he had one plan review and twenty-six regular inspections (two failed) for the month of July. Mr. Kepler moved to approve the Building Inspector's Report. Mr. Cheek seconded the motion. MOTION CARRIED.

## ENGINEER

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

## REGIONAL ACT 537 PLAN

Mr. Bob Yeatman gave his report for the month of July. He explained that the public comments had been received and that the OASA was in the process of answering them. The Expansion Committee met twice. They are still waiting on comments from the CCHD and CCPC. After all answers have been completed they will be compiled

and a workgroup meeting will be scheduled. The whole plan will be reviewed once more and then it's up to the Board of Supervisors to adopt a resolution to approve the plan. There was a meeting with DEP because of some misunderstandings. Municipalities wrote letters to DEP stating that they would be able to approve the plan by the end of August; however, West Nottingham never said they could meet that deadline. DEP agreed to delay the final submittal until after West Nottingham's September meeting. After much discussion, Mr. Kepler moved to approve Mr. Yeatman's report. Mr. Cheek seconded the motion. MOTION CARRIED. Mr. Kepler asked the Board to keep August 30<sup>th</sup> open for a special meeting to adopt the approval of the Act 537 Plan if necessary.

### ROADMASTER

Mr. Steve Price read the Roadmaster's Report for July. Mr. Kepler moved to approve the Roadmaster's Report. Mr. Cheek seconded the motion and said that a nice job was done on Reedville Road. MOTION CARRIED. Mr. Hershey added that the Roadmaster would like to thank whoever is mowing the Park & Ride.

### REGIONAL RECREATIONAL AUTHORITY

Mr. Hershey gave the report for July. He said the grass was mowed and the Ply-Mar trailer was removed. The Soil Conservation inspected the property on July 28<sup>th</sup>. Everything should be finalized in August with Ply-Mar turning it over in September to the OARA. Mr. Kepler moved to approve OARA report. Mr. Cheek seconded the motion. MOTION CARRIED.

### HISTORICAL COMMISSION

Mr. Jay Eaton showed the Board a document from 1863, which was a ledger from the Button Wood and Harmony Schools in Lincoln. The ledger showed mostly attendance records and what books the students were reading. There were a lot of family names from Hinsonville. Mr. Eaton also spoke about a meeting he had with the National Trust at Lincoln University regarding grant studies among other things. Mr. Kepler moved to approve the report and thanked Mr. Eaton. Mr. Cheek seconded the motion. MOTION CARRIED.

### OLD BUSINESS

**Open Space Preservation** – Nothing new.

**Comprehensive Plan** – Mr. Joel Brown reported that Mark Gallant presented a sample chapter from the Natural Resources of the final plan at their July meeting. The next meeting will review more chapters. Mr. Kepler moved to approve the Comp Plan report. Mr. Cheek seconded the motion. MOTION CARRIED.

**Lincoln Village Sewer** – Mr. Kepler noted that the Solicitor was handling the Dennis Miller situation with one permit and two dwellings hooked-up. Mr. Hershey suggested that the Secretary send a reminder letter to all of the residents that have not yet applied for a permit to hook-up to the public sewer.

### NEW BUSINESS

**Zoning Hearing Board Alternate** – Mr. Kepler moved to appoint Barry Hostetter as the Zoning Hearing Board Alternate replacing Tony derKinderen. Mr. Cheek seconded the motion. MOTION CARRIED.

### OTHER BUSINESS

Mr. Hershey said that he would like to send a Thank you letter to Steve Austin of PennDOT thanking him for all of the new blacktop in southeastern Chester County.

**Zoning Hearing** – Mr. Kepler explained that for the Zoning Hearing coming up for Mr. Guthrie, the Supervisors have three options: To be in favor of it, oppose it, or say nothing. Mr. Kepler moved to authorize the Secretary to write a letter to the Zoning Hearing Board stating that the Board of Supervisors is in favor of the Guthrie property staying non-conforming commercial as long as the property is kept neat and the disabled cars are kept in the fenced in lot behind the building. Mr. Cheek seconded the motion. MOTION CARRIED.

PUBLIC COMMENTS

**Mrs. JoJo Campbell** – Asked what the special meeting would be for if it was on August 30<sup>th</sup> and if it would be open to the public. Also wanted to know what was going in the old Jack's Body Shop. She told Steve Price that there was a tree hanging over Roney's Corner Road.

**Mrs. Teri Dignazio** – Asked about the Leo/Cantarera property – what was mentioned about it and sewer.

Mr. Kepler moved to adjourn the meeting at 8:05 p.m. and thanked everyone for attending. 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