

UPPER OXFORD TOWNSHIP
FEBRUARY 8, 2016

Upper Oxford Township Board of Supervisors held their regular monthly meeting at the township building, 1185 Limestone Road, Russellville, PA on Monday, February 8, 2016 at 7:00 P.M.

PRESENT: Scott A. Rugen
Howard S. Reyburn
Charles Fleischmann

Jane Daggett, Secretary

| | | |
|---------|-----------------|-------------------|
| OTHERS: | Frances Reyburn | Fran Sharon |
| | Chris Coburn | Denise Rugen |
| | Sam Reyburn | Larry Davis |
| | Moody Baker | Terry Bonenberger |
| | Gary Calibey | Pat Woodward |
| | Dave Plank | Timothy Gilles |
| | Ed Thornton | Harry Dudley |
| | Ron Laird | Norm Bernard |
| | John Pogue | Eric Frasse |
| | Neil Melmon | Joe Sexton |
| | Ed Jefferis | |

The meeting was called to order by the Chairman, Scott Rugen.

After the Salute to the Flag, Scott Rugen led in prayer.

PUBLIC COMMENTS – At this time, Chief Rob Linnenbaugh of the Cochranville Fire Company informed the audience that for the past six to eight months they have been working on a “Grain Rescue Device” which is a multi-piece device which will go on their rescue truck. This can be used if someone is trapped in a grain bin. The training awareness is available for both fire companies and Cochranville has been working also with Penn State Ag Group. Recently they were going to apply for a grant but a local grain company has volunteered to pay for the device.

PAT WOODWARD – A resident of 159 Old Limestone Road discussed with the Supervisors the flooding problems caused by water on this road. The Supervisors promised Mr. Woodward that they will look into this problem.

MOODY BAKER – 60 Forest Manor Road, Lincoln University questioned the Supervisors on the property that the Chester County Press reported that was being sold for a Muslim Cemetery. Mr. Baker and his neighbors are concerned about water runoff and their wells. Supervisor Rugen responded that nothing has been received by anyone applying for a zoning hearing in order to place a cemetery on this site. A cemetery is a permitted uses but would need to go thru a zoning hearing. The applicants would need to meet certain requirements. The residents would like to be notified of any activity that the Township receives regarding Parcel #57-8-14.6. The Supervisors informed the audience that if a hearing would be scheduled, it would be advertised in the Daily Local News and the residents within 1,000 feet of the property would be notified by mail. Land Development Plan would also need to be submitted and also forwarded to the Chester County Planning Commission and Chester County Health Department for review.

MINUTES – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to approve the January 4, 2016 Minutes with the following corrections:

DEP/HEAVLOW MEETING – The Chester County Conservation District will work with the Landowner to implement a soil conservation plan.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

ALFRED FORTUGNO TRUST – This subdivision plan was submitted by Ed Jefferis of Concord Land Planners. A note was added to the plan stating the “the remaining allowable 6 lots to be granted to Lot #1”. The applicant is seeking a waiver.

Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to grant waivers on the Alfred Fortugno Trust plan from the following sections:

- Section 501.J.1 – not to show pins and monuments around the perimeter of the tract.
- Section 501.K – not to show the significant physical features within the tract.
- Section 617 – not to show the pins and monuments around the perimeter of the tract.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve the Alfred Fortugno Trust Final Subdivision Plan, Project No. 1539-2.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

WPM HOLDINGS – A sketch plan was presented to the Upper Oxford Township Planning Commission last month by John Pogue of Lake, Roeder, Hillard Associates/Tri-Tech Resources, Inc. The applicants are requesting waivers from doing storm water studies as required by the township storm water ordinance. This was deferred to the township solicitor for guidance.

Motion was made by Scott Rugen, seconded by Howard Reyburn and carried, by recommendation of the township engineer, granting a waiver from the Storm Water Ordinance Section 308.A, specifically requiring the reduction of the two (2) year post development peak runoff rate to the one (1) year pre-development peak runoff rate. All other aspects of the SW Ordinance should be met consistent with the requirements of the post-construction SW Management Plan NPDES permit.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

APPOINTMENTS – Scott Rugen will abstain from voting for the following appointment.

Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to appoint Denise Rugen to the Historic Commission for a 5 year term.

Reyburn – Yea Rugen – Abstained Fleischmann – Yea

Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to appoint Dennis Breckbill to the Agricultural Areas Advisory Committee.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

CO-STARS SALT CONTRACT – Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to participate in the Commonwealth of Pennsylvania’s Cooperative Purchasing Program known as Co-stars for the approaching 2016/2017 Sodium Chloride (road salt).

Reyburn – Yea Rugen – Yea Fleischmann – Yea

RESOLUTION #2016 – 2 – Multi jurisdictional Hazard Mitigation Plan. Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to adopt Resolution #2016 – 2, which is the Multi-jurisdictional Hazard Mitigation Plan of the County of Chester.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

DECLARATION OF DISASTER EMERGENCY – This Disaster Emergency was declared on January 23, 2016 at 4:00 P.M. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to sign the Declaration of Disaster Emergency. (this makes the township eligible to participate in funding)

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

Motion was made by Charles Fleischmann, seconded by Scott Rugen and carried to declare an end to the Disaster Emergency as of February 8, 2016 t 7:30 PM.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

BEILER ZONING HEARING – The zoning hearing for Alvin Beiler of 110 Collamer Road, is scheduled for Thursday, February 25, 2016. The property in question is situated on Newark Road and is storing tractor trailer trucks. Discussion on this property is that it is private parties, the previous use was fertilizer/seed and was a non-conforming use.

Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to instruct the township Solicitor to attend the Zoning Hearing.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to have the Solicitor represent the township for continuous of non-conforming use and be an advocate for screening with landscapes or fences.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

AUDITORS REPORT – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to instruct the auditors to file their yearly report on our website and discontinue publishing the report in the newspapers.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

ESCROW RELEASE #5 – KERWIN KING DUCK OPERATION – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve Escrow Release #5, in the amount of \$2,427.46 based upon recommendation of the township engineer, Ragan Engineering Associates, Inc.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

ZONING – Scott Rugen read the zoning officer’s report for the month.

ROADS – Scott Rugen read the road report for the month. Larry Davis questioned the Board on the supervision of the road master and his hours of operation. Discussion was held on the purchase of new sets of chains and also quotes for garage doors.

HISTORIC – Articles are due for the newsletters by March 1st. Frances also gave the Board a document for review regarding the placement of historic markers on properties. Scott will contact the solicitor on this matter.

TAX COLLECTOR – The Supervisors received a letter from the Tax Collector regarding real estate property tax exemption for a disabled veteran. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to continue with the tax exemption for real estate only for disabled veterans.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

UNPAID PER CAPITA TAXES – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to instruct the Secretary to turn over the 2015 per capita delinquent taxes for collection to Berkheimer Associates.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

PAYMENT OF BILLS – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve the payment of bills in the amount of \$34,120.77 from the General Fund.

Reyburn – yea

Rugen – Yea

Fleischmann – Yea

SPRING CONVENTION – Scott Rugen will attend the CCATO Spring Convention on March 10, 2016.

ECONOMIC DEVELOPMENT COMMITTEE – Peter Kjellerup of Dansko has invited the Board of Supervisors to a meeting to be held April 7, 2016 at 5:00 P.M. at Dansko regarding Economic Development especially along the route 1 corridor. A panel from Chester County will also be present namely: Ron O’Leary, John Theilacker, John Goodall, Geoff Shellington, Bill Gladden and Given Lacey. If interested in attending, we should email Peter at peter@dansko.com.

S.P.C.A. – The Township still has two outstanding invoices from the Chester County SPCA. We will wait until we are notified again by the SPCA for payment.

EXECUTIVE MEETING – The Board of Supervisors held an executive session on January 25th to discuss personnel.

Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to suspend the meeting at 9:10 P.M. An executive session was held to discuss land preservation opportunities.

Respectfully submitted,

Jane Daggett
Secretary