

**UPPER OXFORD TOWNSHIP
FEBRUARY 11, 2008**

The Upper Oxford Township Board of Supervisors held their regular monthly meeting at the township building, 1185 Limestone Road, Russellville, PA on Monday, February 11, 2008 at 7:00 P.M.

PRESENT: Betsy E. Huber
 Scott A. Rugen
 Charles Fleischmann

 Jane Daggett, Secretary
 Tom Guhl, Road Master
 Frances Reyburn, Historic Commission

OTHERS: Gregg Adelman Tommy Ryan
 Dave and Chris Nibouar Alice and Bob Fling
 Joe Sexton Charles Pitts
 Patricia & Harry Shinn Marty Fumo
 Gary Calibey Laura Swiski
 Elizabeth & Douglas Randolph Jack Wuerstle

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

PUBLIC COMMENTS – At this time, public comments were asked for from the audience. Elizabeth Randolph requested that the Supervisors consider changing our present traffic signal lights to LED signals. Elizabeth was informed that the signals are already LED lights. There were no other comments at this time.

MINUTES – Motion was made by Charles Fleischmann, seconded by Scott Rugen and carried to approve the January 7, 2008 Minutes, the January 15, 2008 Special Meeting Minutes and the January 28, 2008 Work Session Minutes with the following correction to the January 28, 2008 Minutes:

Page 2 – The Supervisors request Little Washington’s concerns be put in writing and submitted to the Board at least a week prior to the next regular meeting.

Huber – Yea Rugen – Yea Fleischmann – Yea

HAROLD BRYSON – 2 Lot Final Subdivision Plan on Saw Mill Road. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve the Harold Bryson 2 Lot Final Subdivision Plan, Project No. 0796.

Huber – Yea Rugen – Yea Fleischmann – Yea

JOHN ST. JOHN – 2 Lot final Subdivision Plan on Forest Manor Road. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve the John St. John 2 Lot Final Subdivision Plan, Project No. 0512.

Huber – Yea Rugen – Yea Fleischmann – Yea

WIGGINS/BAINBRIDGE – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to accept an extension for the Wiggins/Bainbridge Subdivision until April 30, 2008.

Huber – Yea Rugen – Yea Fleischmann – Yea

SHAW/THE RIDINGS – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to accept an extension for the Shaw/The Ridings Subdivision until April 30, 2008.

Huber – Yea Rugen – Yea Fleischmann – Yea

VINCENT TALIERCIO – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to accept an extension for the Taliercio 2 Lot Subdivision on Webb Road until August 28, 2008.

Huber – Yea Rugen – Yea Fleischmann – Yea

FINISH LINE LAND DEVELOPMENT – Attorney Jack Wuerstle was present to discuss with the Supervisors various documents which pertained to Finish Line’s request for approval on this land development plan. The main obstacle is the HOP from Penn Dot. The Supervisors do not want Finish Line to place an access on Route 896 but use the access on Pennsgrove Road as the original subdivision plan calls for. Issues stated by Mr. Wuerstle are as follows:

- Chester Co. Planning Commission letter of 6/10/07 – does not prohibit entrance on Rt. 896
- Ragan Engineering letter of 2001 from original subdivision – does not find entrance inappropriate
- Original final plan does not have any notes on it which prohibits access on Route 896 and Note 22 on plan implies that access may be anticipated
- Penn Dot issued HOP – not concerned with safety issue
- Driveway locations are not fixed – as shown by example, see Paige Excavating Land Development Plan, February 7, 2002, part of Phase III of Forestville Business Center

Supervisors feel it is a safety hazard whether Penn Dot issued a permit or not.

Motion was made by Charles Fleischmann, seconded by Scott Rugen and carried to reject the application of Finish Line based on the following sections of the Subdivision and Land Development Ordinance; Section 201, Section 505A, Section 611.D, Section 613, Section 503.

Huber – Nay Rugen – Yea Fleischmann – Yea

HERITAGE BUILDING GROUP – Gregg Adelman was present to discuss with the Supervisors the signing of the original Oversight agreement with Little Washington. The Supervisors placed some restrictions on the agreement which Little Washington did not agree with. Supervisors will meet with their Solicitor and Sewage Consultant to get this resolved.

AG SECURITY ADDITIONS – More than 180 days have passed since the township has received proposals from Breck a Dee Farm to add 48.8 acres, Stephen S. and Sadie Mae fisher to add 35.4 acres and 15.2 acres, Melvin and Arlene Horst to add 61.1 acres to the present ag security district. These proposals are automatically approved. Motion was made by Charles Fleischmann, seconded by Scott Rugen and carried to adopt Resolution #2008 – 2 authorizing the Secretary to file a description of these additions with the Recorder of Deeds Office.

Huber – Yea Rugen – Yea Fleischmann – Yea

UNPAID TAXES – the Board of Supervisors reviewed the list of unpaid real estate taxes which were turned over to Chester County Tax Claim Bureau for collection, by the tax collector, Nadine Hook.

ACT 537 – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to adopt Resolution No. 2008 – 3, updating the first half of the Act 537 Plan which deals with wastewater issues in Forestville and Russellville.

Huber – Yea

Rugen – Yea

Fleischmann – Yea

ROADS – Tom Guhl read his report for the month. Tom discussed the possibility of having trash containers placed at the park by Monterey Refuse. This would eliminate the need for Tom and Jim having to go to the park on weekends for cleanup. Supervisors gave OK, as long as it is seasonal. Discussion was also held regarding a “Clean-up Day” Tom will gather more information on setting a date. Additionally, a traffic study for Collamer and Village Road was discussed. Tom will have Ragan Engineering take care of having someone perform the study.

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

EMERGENCY MANAGEMENT – Betsy Huber read the report furnished by the Emergency Management Coordinators.

HISTORIC – Frances Reyburn gave the Supervisors an update on the activities of her committee. The committee would like to know if the township would give financial backing for a history on the township and who would receive the proceeds. Scott will get information to Frances about pursuing grant money.

UNIVERSITY ROAD – Lower Oxford Township sent a letter requesting us to consider adopting an ordinance which would have “no parking” along University Road. Charlie will talk to the university to see if the problem can be resolved without the signs.

EXECUTIVE SESSION – The Board of Supervisors held an executive session on January 21, 2008 at 4:00 P.M. at the Solicitor’s office to discuss the Cappelli lawsuit.

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 \$426.15 from the Open Space Fund and \$32,891.16 from the General Fund.

Huber – Yea

Rugen – Yea

Fleischmann - Yea

Supervisors also discussed receiving quotes from three internet providers, PLGIT and its advantages and a letter from Mrs. Linda Pierce regarding Dalin Drive. The supervisors are not interested in taking over the road before 50% of the development is completed. Borrowing money for Open Space Funds seemed to be unfeasible at this time.

ADJOURNMENT – There being no further business, Motion was made by Charles Fleischmann, seconded by Scott Rugen and carried to adjourn at 9:50 P.M.

Respectfully submitted,

Jane Daggett
Secretary

