

**UPPER OXFORD TOWNSHIP
APRIL 11, 2022**

Upper Oxford Township Board of Supervisors held an advertised hearing at the township building, 1185 Limestone Road, Russellville, on Monday, April 11, 2022 at 7:00 P.M.

PRESENT: Howard S. Reyburn
 Scott A. Rugen
 Charles Fleischmann
 Jane Daggett, Secretary

OTHERS; Colin Kraucunas William Beers
 Karl Herr Bernie McCreary
 Bill and Karen Hovis Bernie Barnum
 Dennis Breckbill Gideon Stoltzfus
 Sam Stoltzfus Tonya Prigg

The hearing was called to order by the Chairman, Scott Rugen. The purpose of the hearing was to receive public comment regarding a proposed ordinance which the Board of Supervisors were considering passing. The proposed ordinance amended requirements to steep slopes, the number of students allowed in family farm related schools and added definitions and regulations applicable to riparian buffers. The ordinance does not prevent cattle from using the stream. The important element of the riparian buffer is to protect our waterways and streams which DEP deemed impaired. Supervisor Rugen thanked the two members of the UOT Planning Commission which were present for all their work on this ordinance.

The hearing was closed at 7:12 PM.

At this time, the regular meeting of the Board of Supervisors was called to order by the Chairman at 7:13 PM. After the Salute to the Flag, Scott Rugen led in prayer.

PUBLIC COMMENTS – At this time, there were no comments from the public.

MINUTES – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to approve the March 14, 2022 Minutes.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

TONYA PRIGG – 114 Draper Lane was present to discuss with the Supervisors the right of way on Draper Lane. Draper Lane is not a township or state road but a public right-of-way. Attorney Wayne Buckwater, attorney for Ms. Prigg, suggested that Ms. Prigg attend a township meeting and to bring awareness of the large ditch which is on Draper Lane. Ms. Prigg stated that at one time a “bus shelter” was on Draper Lane and that her parents gave 13 feet to be included in the right of way to Frank Warfel. Ms. Prigg asserted that there are questions regarding the right of way that the other Draper Lane residents use for ingress and egress to their homes. Prigg stated that her lawyer advised her to erect a fence upon the roadway to show where her ROW existed. Supervisor Rugen suggested that a “maintenance” agreement by all the residents would be beneficial.

JOHN AND ELIZABETH HAYS – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to grant and accept an extension for the John and Elizabeth Hays subdivision until December 15, 2022.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

JOHN AND ELIZABETH HAYS – Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to grant a waiver for the John and Elizabeth Hays Subdivision from Section 617 which is “Survey monuments and pins”.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

CHESTER CO. AGRICULTURAL BOARD – Geoff Shellington contacted the Township to see if they would be interested in partnering with the Agricultural Board with a targeted outreach program to inform the farming community of the Open Space programs.

The Secretary will contact Geoff and ask him to send the Board some ideas.

UNION FIRE CO #1 – FIRE CONTRACT – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to increase the millage on the 2022 contract to .000400 for the remainder of the year. The \$1,000.00 donation which was set aside for the fire company will be deleted.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

DANIEL DECAMILLO – Cullen Road – Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to approve and sign the Stormwater Best Management Practices and Conveyances Operation and Maintenance Agreement between Daniel DeCamillo and Upper Oxford Township.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

AMOS AND MARY ESH – Hay barn on Route 10 – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to approve and sign the Simplified approach Stormwater Best Management Practices Operation, Maintenance and Inspection Plan and Agreement between Amos and Mary Esh and Upper Oxford Township.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

SAMUEL F. AND REBECCA B. STOLTZFUS – 245 Raymar Road – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to approve and sign the Simplified approach Stormwater Best Management Practices Operation, Maintenance and Inspection Plan and Agreement between Samuel F. and Rebecca B. Stoltzfus and Upper Oxford Township.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

SAMUEL E. AND KATIES L. STOLTZFUS – 425 Catamount Road – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to approve and sign the Simplified approach Stormwater Best Management Practices Operation, Maintenance and Inspection Plan and Agreement.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

TMA Resolution – a Resolution of Intent was discussed to join in a study along Old Baltimore Pike for a bike lane. This will be passed along to the OARP. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve a Letter of Intent between the Township and CCCD for a grant opportunity.

Reyburn – Yea

Rugen – Yea

Fleischman - Yea

RIPARIAN BUFFER/STEEP SLOPES/FAMIY FARM SCHOOL – Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to adopt ordinance No. 2022 – 1.

Much thanks were given to John Theilacker from Brandywine Conservancy for all his help in drafting this ordinance.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

ENGINEER – Supervisor Rugen read the engineer’s report for the month.

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

ROADS – Supervisor Rugen read the road master’s report for the month.

PAYMENT OF BILLS – Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to approve the payment of bills in the amount of \$59,472.13 from the General Fund.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

CCCD – Gaye Criswell is looking for a venue and date to hold an open meeting with the township farmers. Supervisor Rugen will contact Gaye to discuss a place for a meeting.

VERIZON CONTRACT – The township and the Solicitor received notice that the Verizon contract will expire November 9, 2024.

OLD BUSINESS

Armstrong Cable Contract – Solicitor will have something by May
Fee Schedule – zoning officer is working on this
Act 537

Grist Mill invoice – did not receive payment yet

Old Limestone Road – engineer is working on a plan

Hoey/Ray Mar Road – engineer approved to do oversight

CCCD – retrofit basin, Turners Pond – send letter to CCCD with inserted amounts

CHESTER WATER AUTHORITY – A meeting will be held at Penn Township building for discussion on prevention of the sale of CWA.

DRAPER LANE – Ms. Tonya Prigg and Mr. Breckbill discussed the possibility of having a maintenance agreement for Draper Lane whereby all residents would share in the cost to repair the lane.

ADJOURNMENT – There being no further business, motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried unanimously to adjourn at 9:30 P.M.

Respectfully submitted,

Jane Daggett
Secretary