

**UPPER OXFORD TOWNSHIP  
MAY 8, 2023**

Upper Oxford Township Board of Supervisors held their regular monthly meeting at the township building, 1185 Limestone Road, Russellville, on Monday, May 8, 2023 at 7:00 PM.

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

OTHERS:       Ken Miller                               Karen and Bill Hovis  
                  Ed Thornton                           Daniel Stoltzfus  
                  Tom Walsh                             Dave Aurillo  
                  Bill Beers

The meeting was called to order by the Chairman, Scott Rugen. After the Salute to the flag, Scott Rugen led in prayer.

AMENDED AGENDA – Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to amend the agenda to include a Storm Water definition and Riparian Buffer ordinance discussion on changes.

Reyburn – Yea                      Rugen – Yea                      Fleischmann - Yea

PUBLIC COMMENTS – There were no comments from the public at this time.

ROAD BID CONTRACTS – After being duly advertised in the Daily Local News on April 12, 2023 and April 19, 2023, the following road bids were opened by the Board of Supervisors:

Long’s Asphalt, Inc.	Superpave In Place – Paving
Asphalt Industries, Inc.	Seal Coat – In Place
Allan Myers Materials PA Inc.	Aggregate
Allan Myers LP	Superpave (Blacktop)
Alger Oil, Inc.	Heating Oil, Diesel Fuel and Propane

MINUTES – Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to approve the April 10, 2023 regular minutes and the April 24, 2023 work session minutes.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

KEN MILLER – was present to discuss with the Supervisors the process of tearing down the property located at 4475 Newark Road. Mr. Miller questioned how many driveways would be permitted, if he would need to tie the demolished property to his present property. Mr. Miller was interested to see what his options are for the future. The Supervisors suggested that he present a sketch plan at the next Planning Commission meeting to get their advice. The zoning is R-4.

FORESTVILLE BUSINESS CENTER – Tom Walsh discussed with the Supervisors two lots that his client, Mr. Dave Aurillo is trying to sell. Tax Parcel #57-8-25.9 (3.0 acres) on Dalin Drive and Tax Parcel #57-8-25.1 (3.6 acres) on Pennsgrove Road. Mr. Walsh is seeking help to clarify what will be allowed on these lots. A stream goes thru this property however the wetlands do not affect the two lots. The Supervisors informed Mr. Walsh and Mr. Aurillo that the township recently passed a Riparian Buffer Ordinance. Wetlands would be regulated by DEP. A round-about will be going in at Route 896 and Route 1 within the next ten years. Our zoning ordinance use regulations are pretty clear on what is allowed. The Supervisors also suggested that they contact the Chesapeake Bay Alliance.

DANIEL STOLTZFUS – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to waive the specifically mentioned waivers as follows:

- Section 505 – Impact Studies
- Section 617 – Install concrete monuments and at least one concrete monument be placed on each proposed lot at a corner
- Section 501.K.6 – locating trees with the caliper of 6” or greater.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve the Daniel Stoltzfus subdivision plan.

Reyburn – Yea                      Rugen – Yea                      Fleischmann - Yea

ROBERT PREWITT - 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, conditional on the township’s engineer, Ron Ragan sending a review letter that the application is correct.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

AARON L. KING – Motion was made by Scott Rugen, 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

DE STORAGE – Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to accept and grant an extension for review of the DE Storage Land Development Plan until October 15, 2023.

KAVANAGH – CHALLENGE GRANT PROGRAM – The township will partner with Chester County Land Preservation Board to preserve approximately 101 acres of land at the lump sum payment of \$235,743.31. A motion was made previously to participate in the Land Preservation Act. The Supervisors signed the required documents.

ROAD BIDS – Motion was made by Howard Reyburn, seconded by Scott Rugen to award the following road bids:

Heating oil, diesel fuel and propane	Alger Oil, Inc.
Paving	Long’s Asphalt, Inc.
Seal Coat – In Place	Asphalt Industries, Inc.
Aggregate	Allan Myers Materials PA Inc.
Black Top	Allan Myers LP

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

STORMWATER UPDATES – The deadline set forth by the County and DEP is May 31, 2023. Since we will not meet that deadline, we will hold a hearing and vote at our June 12<sup>th</sup> meeting. The definition of floating concrete slabs has been added. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve the draft Storm Water Ordinance with the added definition of a floating concrete slab and sent to our Solicitor for review and advertising.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

RIPARIAN BUFFER – The township has had some issues with two applicants where the riparian buffer ordinance applied. Supervisor Rugen gave some suggested language changes for Howard and Charlie to review.

ZONING – Supervisor Rugen read the zoning officer’s report for the month. The barn located at Edenton Road and Route 10 was discussed. The property owner would like to use the barn for a wedding venue.

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

ROADS – Supervisor Rugen read the road report for the month. The purchase of a pressure washer from McMann was discussed.

HISTORIC COMMISSION – The commission are reviewing a historic ordinance draft.

SOLAR – Supervisor Rugen will bring a sample solar ordinance to our next meeting.

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 \$86,289.13 from the General Fund.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

HOMEVILLE ROAD STOP SIGN – The Supervisors informed Mr. Miller to contact PennDOT regarding the stop sign at Homeville Road.

JENNERSVILLE HOSPITAL – Supervisor Rugen gave an update on the opening of the hospital which will probably be in the 3<sup>rd</sup> quarter of 2024.

ADJOURNMENT – There being no further business, motion was made by Scott Rugen, seconded by Howard Reyburn and carried unanimously to adjourn at 9:04 PM.

Respectfully submitted,

Jane Daggett  
Secretary