

**UPPER OXFORD TOWNSHIP
MAY 14, 2018**

Upper Oxford Township Board of Supervisors held their regular monthly meeting at the township building, 1185 Limestone Road, Russellville, PA on Monday, May 14, 2018 at 7:00 P.M.

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

Jane Daggett, Secretary

OTHERS: Mike and Judy DeGeiso Denise Rugen
 John Stoltzfus John Stoltzfus, Sr.
 Megan and Patrick Woodward Harold Bryson

After the Salute to the Flag, Howard Reyburn led in prayer.

PUBLIC COMMENTS – Patrick Woodward discussed with the Board on why the Township did not have a copy of his U & O Permit for the garage that he erected in 2014. Scott explained that the Township hires a third party to do inspections and some forms are not placed in our files but maintained by the third party. Patrick Woodward waved his copy of the U & O which has the Zoning Officer’s signature on it. Patrick Woodward stated that he did not fill out any permits for kitchen remodeling. The Supervisors produced a copy showing Megan’s signature on the permit application. The Supervisors informed Mr. Woodward that they would forward a copy of the permit application to him.

Mike DeGeiso brought to the Supervisors’ attention a stormwater issue arising from an adjacent property.

ROAD BIDS – After being duly advertised in the Daily Local News on April 11 and April 18, 2018, the following road bids were opened by the Board of Supervisors:

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|-------------------------------|--|
| Long’s Asphalt, Inc. | In Place – Blacktop and Mill and Fill Base Repairs |
| Asphalt Industries, Inc. | In Place – Seal Coat |
| Martins Paving, Inc. | In Place – Seal Coat |
| Allen Myers Materials PA Inc. | Stone |
| Allen Myers Materials MD Inc. | Blacktop |
| Alger Oil and Propane | Heating Oil and Diesel Fuel |

MINUTES – Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to approve the April 9, 2018 Minutes.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to approve the April 23, 2018 Work Session Minutes.

Reyburn – Yea Rugen – Yea Fleischmann – Abstained

JOHN STOLTZFUS LAND DEVELOPMENT PLAN – This property is located on Draper Lane and consists of approximately 12 acres. Mr. Stoltzfus is planning on erecting a mobile home and a 50 x 90 horse barn. The Planning Commission recommended May 7, 2018 that the Board of Supervisors approve this land development plan contingent that all outstanding issues in Ragan Engineering letter dated May 2, 2018 were met. The plans needed to be signed and notarized and the Operation and Maintenance Agreement needed to be drawn up and

signed. The applicant was informed by the Supervisors that a Performance Guaranteed will need to be set up before the plans can be released for recording.

Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to grant a waiver request from Team Ag having to have Chester County Conservation District do a review on the E & S Plan.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to approve the Final Land Development Plan for John Stoltzfus on Draper Lane contingent upon the applicant setting up an escrow account according to the Township Engineer.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

Plans were signed but will not be released until the escrow is set-up.

Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to approve the Best Management Operation and Maintenance Agreement for John Stoltzfus pursuant to the Land Development that was just signed.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

ROAD BIDS – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to award the following road bids for 2018:

| | |
|-----------------------------|--|
| Stone | Allen Myers PA Inc. |
| Blacktop | Allen Myers Md Inc. |
| Seal Coat – In Place | Asphalt Industries, Inc. |
| In Place – Blacktop and | |
| Mill and fill Base | Long’s Asphalt, Inc. |
| Heating Oil and Diesel Fuel | Alger Oil and Propane |
| Reyburn – Yea | Rugen – Yea Fleischmann – Yea |

ROADS – Scott Rugen read the road master’s report for the month which once again stated how much trash is being put at the recycling area. The Supervisors are checking into having a camera placed in the area to catch offenders.

ENGINEER – The engineer’s report was reviewed by the Supervisors. Scott will contact Ron Ragan and request him to give an update on the MS4 and Component 2.

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

HISTORIC COMMISSION – Denise Rugen reported that they are still working on the Historic Atlas and that plans for the Farm Tour are coming along nicely. Denise reported that three members of the Historic Commission attended the public meeting regarding the Watermark Road County Bridge 21. The Commission also sent a letter to the engineer firm for Penn Dot requesting that the existing stone be used if possible in the new bridge. Denise informed the Supervisors that they are still working on the design for the historic plaques.

PAYMENT OF BILLS – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to approve the payment of bills in the amount of \$73,713.56 from the General Fund.

Reyburn – Yea Rugen – Yea Fleischmann – Yea

CELL TOWER ORDINANCE – Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to forward the draft, cell tower ordinance to the Township Solicitor, Chester County Planning Commission and Oxford Area Regional Planning for review.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

CELL TOWER CONTRACT – This contract was discussed by the Supervisors. The township has received a revised contract with a few changes. The rent has been changed from \$18,000 to \$21,000; the reduced annual increase has been changed from 2% to 1.5% and \$100.00 has been added for the 3rd or 4th extra user. Additionally, attorney fees for litigation was removed and limit right of first refusal was given to them if we decide to ever sell. The recommend term is five to 10 years. The Lease will start when we sign the agreement and the Township will start receiving payments when the testing period ends.

ROUTE 1 and ROUTE 896 INTERCHANGE - A letter was received from Penn Dot requesting if the Township Officials have decided on what options the Township prefers at the above location. Signals and roundabouts were the two options. Charlie and Scott both prefer roundabouts and Howard prefers the traffic signals. Charlie will check into the option of turning lanes without any traffic signals. A design map was also included for their review.

RIPARIAN BUFFER – The Riparian Buffer Draft Ordinance was reviewed by the Planning Commission. The Commission has also received a Timber Harvest Draft Ordinance. They would like to invite John Theilacker from Brandywine Conservancy to come to the next planning commission meeting to discuss this further.

REGIONAL STORM WATER ACTIVITY – Ron is still working on this.

STORM WATER ORDINANCE AMENDMENTS – A draft/sample ordinance was presented by Charlie regarding House Bill 1486 of 2017 regarding high tunnel construction. We must amend our ordinances within 60 days to comply with this. This will be sent to the Planning Commission and the township engineer, Ron Ragan for review.

WATERMARK ROAD COUNTY BRIDGE 21 – Based on conversation with Penn Dot, Charlie asked if the existing guardrails could be salvaged. Yes, that is a possibility. At the meeting with Penn Dot, the County and their engineers, three different options for the bridge was proposed. Options were given for a form liner pattern or no form liner, a PA type 10M barrier, vertical wall barrier or F-shape barrier. Charlie stated that the bridge over Street Road will be opened shortly.

OXFORD AREA EMERGENCY – A drill will be held May 31, 2018. On Thursday, May 17th, Union Fire Company will be unveiling the result from the consultant work.

PENNS GROVE HOLDING, LLC (Brandywine Septic) ESCROW RELEASE #1 AND #2 (partial) – Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to approve Escrow Release #1 (\$8,567.00) and Release #2 (partial amount \$76,075.70) with the total amount being \$84,642.70 based on recommendations of the township engineer, Ronald Ragan.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

ADJOURNMENT – There being no further business, motion was made by Scott Rugen and carried unanimously to adjourn at 9:45 P.M.

Respectfully submitted,

Jane Daggett
Secretary

