

**UPPER OXFORD TOWNSHIP  
MARCH 11, 2019**

Upper Oxford Township Board of Supervisors held their regular scheduled meeting at the Township Building, 1185 Limestone Road, Russellville, PA on Monday, March 11, 2019 at 7:00 PM.

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

OTHERS:        Bill Hovis                               Levi Glick  
                  Denise Rugen

The meeting was called to order at 7:00 PM by the Chairman, Scott Rugen. After the Salute to the Flag, Scott Rugen led in prayer.

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

MINUTES – Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to approve the February 11, 2019 Minutes.

Reyburn – Yea                   Rugen – Yea                   Fleischmann – Yea

LEVI GLICK/AMISH SCHOOL – Mr. Glick was present to question the Board about the amount of pupils that can attend the Fisher Amish School on Pusey Mill Road. A Conditional Use Hearing was held in the beginning of 2014 to allow the school to be built on this property. One of the restrictions was that “the population of the school shall not exceed thirty (30) pupils”. This amount of 30 pupils was taken from Upper Oxford Township Zoning Ordinance, Section 1420.C. Christian Fisher, owner of the property, agreed to this restriction. Mr. Glick questioned the Board if they would be able to change that number to a higher number. They have under 30 students presently, but Mr. Glick is looking to the future if more families move into the area. The teachers in the schools however do not like to have more than 35 students at a time. Mr. Glick informed the Board when the amount of students’ reaches 35 or 36, the Leaders will plan to have a new school built. Supervisor Fleischmann suggested to Mr. Glick that they could apply for a zoning variance but would need to meet five conditions. Another option would be to come before the Planning Commission and request a zoning change. Mr. Glick will meet with his board and try to get more information to pass along to Upper Oxford Township regarding their future growth. Upper Oxford will also check with surrounding Townships to see if they limit the number of students allowed in the schools.

ISLAMIC SOCIETY OF DELAWARE – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to accept and grant an extension for the Islamic Society of Delaware until June 10, 2019.

Reyburn – Yea                   Rugen – Yea                   Fleischmann – Yea

AGRICULTURAL SECURITY ADDITION – More than 180 days have passed since William and Anne Rawle submitted a proposal to add Tax parcel #57-3-52.3 (42 acres) Tax Parcel #57-3-51 (52 acres) and Tax Parcel #57-3-49 (8 acres) to the present Agricultural Security District. Since no action was taken the addition is automatically approved.

Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to adopt Resolution #2019 – 4, authorizing the Secretary to file a description of this addition with the Recorder of Deeds Office.

Reyburn – Yea                   Rugen – Yea                   Fleischmann – Yea

ENGINEER – Scott Rugen read the Engineer’s report for the month.

ZONING – Scott Rugen read the Zoning Officer’s report for the month.

ROADS – Scott Rugen read the Road Master’s report. The Road Master questioned if he could go ahead and place the order for the new 550 Dump Truck which was approved at our budget meeting. The Supervisors gave their OK. Also, the Road Master would like to change the dates of our Spring Clean-up Days from April 19<sup>th</sup> and 20<sup>th</sup> to April 26<sup>th</sup> and 27<sup>th</sup> due to April 19<sup>th</sup> being Good Friday. Permission was given and the new dates will be placed in the newsletter and the township’s website. The Supervisors will do a road inspection this month.

HISTORIC COMMISSION – Denise Rugen reported that they are gathering articles for the newsletters. Blair and Hazel are continuing working on the atlas and the commission will order plaques two times a year. Denise asked Howard if he would write an article about his father, Sam Reyburn for the newsletter. Howard agreed. Denise also stated that the commission will not be taking any photos of the Aaron King property which is scheduled for demolition and that the Brandywine Conservancy will be showing a film on May 5<sup>th</sup> on Wyeth.

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 \$54,014.28 from the General Fund.

Reyburn – Yea

Rugen – Yea

Fleischmann – Yea

ROAD WORK 2019 – Motion was made by Scott Rugen, seconded by Howard Reyburn and carried authorizing the Secretary to advertise for road work to be done in 2019. Bids will be accepted until 12:00 PM on May 13, 2019 and awarded at the Board of Supervisors regular scheduled meeting to be held May 13, 2019.

COCHRANVILLE FIRE CO. – Will hold their banquet on Saturday, April 6, 2019. RSVP by March 28<sup>th</sup> if attending.

KYLE STANLEY – stopped in to see if we had any work that he could put towards community service. We have nothing at this time.

RADIOS – Department of Emergency Services secured a grant from the Federal Homeland to give out free radios to the municipalities. Scott talked with Chuck Freese, our Emergency Coordinator and Chuck recommended that we do not take the free radios due to the high cost of replacement.

ROUTE 1 TASK FORCE – Charlie forwarded minutes of the Route 1 Task Force to the other Board members showing that the Task Force is expanding outside the corridor. Charlie sent the Task Force a letter with information that the corridor should be limited. Result were that they revised the map but still have highlighted areas outside the corridor. The Task Force is going to allow any parcel owner to promote their property on the web site. Scott mention that Upper Oxford Township never “opted in” but is ok with Charlie informing the Task Force that we “never opted in”. Denise Rugen stated that she believes it is the consensus of township residents that we opt out.

CELL TOWER – ECO SITE – The agreement with Eco Site was reviewed by the Supervisors and discussed. Their comments regarding the agreement will be sent to our Solicitor, Thomas Oeste. Comments are as follows:

1. The lease will designate the location. – OK
2. Catamount Road will be the access point.
3. The Tower shall be a monopole – BOS agrees
4. Eco Site agreed that the outside perimeter of the fence shall be landscaped and screened accordingly to our SALDO
5. Eco Site shall provide compensation and is agreeing to pay UOT. The amount will be non-refundable and pro-rated
6. Eco Site agreed that rent will be \$2,000/month and 2% increase annually – not CPI increase
7. Eco Site agreed to pay \$250/month for additional carriers to be increased with the same rate as the Lease Agreement with Eco Site

8. Supervisors will take Item #7 in lieu of a generator as stated in #8
9. Eco Site will provide space for emergency providers and will install and maintain antennas for emergency services
10. Eco Site will provide financial security to remove tower, ground structures etc if terminate lease/end and will provide a bond based on engineer's estimate of costs (BOS – OK)
11. Liability Insurance – BOS would like our Solicitor's guidance on this.
12. Necessary permits – UOT will not challenge reasonable requests
13. Utilities – Eco Site has agreed to this – BOS – OK too.

ADJOURNMENT – There being no further business, motion was made by Scott Rugen and carried unanimously to adjourn at 8:20 PM.

Respectfully submitted,

Jane Daggett  
Secretary