

**UPPER OXFORD TOWNSHIP  
MARCH 14, 2022**

Upper Oxford Township Board of Supervisors held their regular monthly meeting at the township building, 1185 Limestone Road, Russellville, on Monday, March 14, 2022 at 7:00 P.M.

PRESENT:        Scott Rugen  
                  Howard Reyburn                                Charles Fleischmann, via telephone  
                  Jane Daggett, Secretary

OTHERS:        Bill and Karen Hovis                                Carey Bresler, Oxford Public Library  
                  Shane Kinsey, Union Fire Co.                    B. J. Meadowwood, Union Fire Co.  
                  Bill Beers    Bonnie Valente  
                  Reynald D. Valle                                 Mikki Washburn  
                  Bernadine A. Barnum                            Bernadine McCreary  
                  Melina Davalos                                 Maria Davalos  
                  Jacinto Jimenez                                Jose Ornelas  
                  Liliana Rosales                                 Yasmin Bernal  
                  Reyna Arizmendi

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

PUBLIC COMMENTS – Residents living on Draper Lane were present to discuss with the Supervisors their concerns regarding a neighbor, Tonya Prigg of 115 Draper Lane, blocking Draper Lane with her vehicle making it impossible for them to access the lane without going onto another neighbor’s property. Mikki Washburn mentioned that she approached the Supervisors in January 2021 on what it would take for the township to take over Draper Lane. A few residents of Draper Lane were contributing to the cost in an effort to keep the lane manageable. However, Ms. Prigg prevents any trucks that want to place millings on the lane, threatens the children who walk to the bus stop and threatens the neighbors. Bernie McCreary showed pictures of the lane being blocked and informed the Supervisors that she farms the area at the end of the lane and needs access to it. Dennis Breckbill also farms that area and needs access to the lane. Mr. Breckbill has tried to talk to Ms. Prigg but to no avail. Supervisor Rugen informed the residents that a law was passed October 7, 2021. Act P.L. 409, No. 75, Cl.36, HB 523 states that ‘all private roads shall be opened, fenced and kept in repair by and at the expense of the persons respectively, property owners at whose request the private road was granted and laid out and by the property owner’s heirs and assigns. Each property owner that shares a common benefit from a private road shall contribute in proportion to the amount of the private road utilized to the cost of maintaining the private road at the current level of improvement and shall have the right to bring a civil action to enforce the requirement of this section’. Supervisor Rugen suggested that the residents seek help from the District Justice office. The Supervisors also agreed to give some millings, if available, to the residents if Mr. Breckbill would be willing to put the grindings down. The State Police have been called numerous times and informed the residents that it is a civil matter. The Supervisors will research what the costs would involve to take a road over. The Secretary will distribute a copy of the Act of October 7, 2021 to the residents.

MINUTES – Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to approve the February 14, 2022 regular minutes and the February 28, 2022 work session minutes.

Reyburn – Yea                                Rugen – Yea                                Fleischmann – Yea

RESOLUTION #2022 – 3 – Motion to approve Resolution #2022-3 which is the John and Elizabeth Hays Planning Module.

Reyburn – Yea                                Rugen – Yea                                Fleischmann – Yea

UNION FIRE COMPANY #1 – Shane Kinsey and B. J. Meadowwood were present to request the Board of Supervisors if they would re-visit their budget and increase the amount of the contract, we have with the fire

company. Supervisor Rugen explained that at the time of our budget meeting we did not have the contract from Union Fire Company so therefore used the millage that we received from Cochranville Fire Company and came up with the amount that we are using. The Supervisors will look at their figures again.

CCCD GRANT APPLICATION – discussion was held regarding implementing Storm Water Basin retrofits which would benefit Turners Pond and Grist Mill. Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to approve Ron Ragan, township engineer to start working on Retrofit design for Turners Pond basins with grant proposal commitment with Chester County Conservation District. (Supervisor Fleischmann will contact Paige LaDuca, grant coordinator of CCCD.

Reyburn – Yea                      Rugen – Yea                      Fleischmann - Yea

TMA – Discussion was held if the township would be interested in doing a resolution of intent with TMA. A bike lane is being proposed on Baltimore Pike from Kennett to Nottingham. Motion was made by Charles Fleischmann, seconded by Scott Rugen and carried to approve a Resolution of Intent with DVRPC for a bike way. The Resolution will be prepared and signed at the next meeting.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

OXFORD PUBLIC LIBRARY – Carey Bresler from the Oxford Public Library was present and asked the Supervisors if they would read a Proclamation to acknowledge National Libraries Week which will be held April 3 to April 8. Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to proclaimed April 3 to April 8 National Libraries Week. Scott read the proclamation for the audience.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

Carey informed the Supervisors that Karen Hovis will be the liaison between the township and the library. A book sale will be held May 18<sup>th</sup> and a Legislative Breakfast will be held in the Chester County Library in Exton on April 29 from 7:30 to 9:00 AM.

WEBSITE – a survey on broadband and cellular services will be placed on the website along with information from the State Police regarding car break-ins.

HOEY PROPERTY – Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to give Ron Ragan, township engineer, oversight authority to work with CCCD on the clear cutting on Ray Mar Road which is being done by the Amish.

AGRICULTURAL PRESERVATION PROGRAM FOR 2022 – discussion was held on a listing received from Geoff Shellington of the Agricultural Preservation Board for future farms that will be available to partner with the County. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to commit to work with the Chester County Agricultural Preservation Board in 2022.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

CELL TOWER – The township has received an assessment notice from the County for having the cell tower on township property. Supervisor Rugen will contact the county for clarification and report back to the other Supervisors.

SIGNAL SERVICE CONTRACT – Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to approve and sign the contract with Signal Service in the amount of \$300.00.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

BUTLER – 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 with Edmund Carl Butler and Carolyn Vaughn Butler and Upper Oxford Township.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Abstained

WEAVER – 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 with Merle Weaver and Upper Oxford Township.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Abstained

ROAD WORK – Motion was made by Scott Rugen, seconded by Howard Reyburn and carried to authorize the Secretary to advertise in April for Road Work and bids to be received and opened at the May 9<sup>th</sup> meeting.

Reyburn - Yea                      Rugen – Yea                      Fleischmann – Yea

ROADS – Scott Rugen read the road report for the month.

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

ZONING – Scott Rugen read the zoning report for the month. The Supervisors discussed whether a building permit can be issued before the O & M agreement has been recorded. It was decided that the O & M must be recorded first.

PAYMENT OF BILLS – Motion was made by Howard Reyburn, seconded by Scott Rugen and carried to approve the payment of bills in the amount of \$57,707.64 from the Open Space Fund and \$48,306.20 from the General Fund.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Abstained

OLD BUSINESS

- Cable Contract – Township solicitor is reviewing this.
- Fee Schedule – Zoning Officer is reviewing this.
- Act 537 – Engineer
- Grist Mill invoice – the township has not received anything yet
- Old Limestone Road – is being addressed
- Riparian Buffer – Hearing will be held at the April meeting.

CORRESPONDENCE

- Cell Tower – Supervisor Fleischmann will contact them and inform them that the township is not interested in selling
- Executive session will be held after this meeting concludes

The regular meeting suspended at 8:54 PM. An Executive Sessions was held to discuss litigation and was adjourned at 9:15 PM.

ADJOURNMENT – There being no further business the regular meeting of the Board of Supervisors was adjourned at 9:16 PM.

RESPECTFULLY SUBMITTED,

Jane Daggett, Secretary

