

**UPPER OXFORD TOWNSHIP  
MAY 13, 2024**

Upper Oxford Township Board of Supervisors held their regular monthly meeting at the township building, 1185 Limestone Road, Russellville on Monday, May 13, 2024 at 7:00 PM.

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

OTHERS:        Bill and Karen Hovis

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

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

ROAD BIDS – After being duly advertised in the Daily Local News on April 15, 2024 and April 22, 2024, 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 8, 2024 Minutes and the April 22, 2024 Work Session Minutes with the following change to the Work Session Minutes:

COMPONENT 2M – second line – “We are considering have the township divided by zones.”

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

KENNELS – Supervisor Rugen spoke with Jackie Keeney with United org against puppy mills regarding her organization trying to discourage puppy mills. Following a discussion with kennel owners in the township, Scott called Attorney Sam Goodley inquiring when he will be sending in an application for Daniel Stoltzfus regarding his kennel.

ELIAS AND MARIA GONZALEZ ZONING HEARING – The hearing is scheduled for May 22, 2024. Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried to ask the Township Solicitor to enforce Upper Oxford Township’s existing zoning ordinance on the Gonzalez matter.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

DE STORAGE ZONING HEARINBG – The hearing is scheduled for May 22, 2024. Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to ask the Township Solicitor to enforce Upper Oxford Township’s existing zoning ordinance.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

STONEY BEND FARM LLC – Dennis L. and Susan J. Breckbill – AGRICULTURAL SECURITY ADDITION – More than 180 days have passed since Upper Oxford Township received a petition to add Tax Parcel #57-8-45 (65.2 acres) and Tax Parcel #57-8-45.1 (33.4 acres) to the present agricultural security area. Motion was made by Charles

Fleischmann, seconded by Howard Reyburn and carried to adopt Resolution #2024-4, authorizing the Secretary to file a description with the Recorder of Deeds.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

DAVID RUTA – O & M AGREEMENT – Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to approve and sign the Stormwater Best Management Practices (BMPs) and Conveyances Operation and Maintenance Agreement between David Ruta and Upper Oxford Township for property located at 120 Spotts Way, Upper Oxford Township.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

SARAH FISHER – Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to accept and grant the extension for Sarah Fisher Subdivision Plan until September 1, 2024 with decision to be made at the August 12, 2024 Board of Supervisors meeting.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

RESOLUTION #2024 – 5 – Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to adopt Resolution #2024 – 5 authorizing the acquisition of Real Property Interest. (this is part of a litigation that is on-going)

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

RESOLUTION #2024 – 6 – PROVIDING FOR AUDITORS COMPENSATION – This recently was signed into law. The increase could not exceed \$18.00. This would only apply to an Auditor starting a new term. Motion was made by Howard Reyburn, seconded by Charles Fleischmann and carried to adopt Resolution #2024 – 6 – Increasing Auditors Compensation.

Reyburn – Yea                      Rugen – Yea                      Fleischman – Yea

BUTLER STORM WATER – The Supervisors will inform their Solicitor to send letter opposing the waiver. (The Supervisors will act formally on this at the June meeting)

COMPONENT 2M – Motion was made by Scott Rugen, seconded by Charles Fleischmann and carried authorizing the township engineer to continue working on the Component 2M application for DEP. Supervisor Fleischmann is working on a spread sheet of properties that are being pumped. Discussion was held regarding having the Tax Collector put a notice of pumping requirement included with the tax bills next April.

Reyburn – Yea                      Rugen – Yea                      Fleischmann – Yea

AMISH SCHOOLHOUSE – discussion was held on a letter prepared by Supervisor Rugen on this property. The owners were required to put in Storm Water which was never done. Now they must submit to us “As built Plans”. The Township will notify the owners. The Secretary will send the letter to the owners after receiving the draft from Supervisor Rugen.

LETTER OF SUPPORT – CHESTER CO – ACCELERATOR PROGRAM – is tabled until we get more information.

HISTORIC ORDINANCE – The township received a copy of the ordinance from the Township Solicitor showing his review with changes. The Supervisors will review the changes and send a copy to the Historic Commission. Discussion was also held regarding restrictive covenants.

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

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

Reyburn – Yea	Rugen – Yea	Fleischmann – Yea
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ZONING – The zoning officer’s report was reviewed for the month.

ENGINEER – The engineer’s report for the month was reviewed.

ROADS – The road report for the month was reviewed.

HISTORIC – The draft ordinance received from the Solicitor will be sent back to the Historic Commission.

PAYMENT OF BILLS – Supervisor Scott Rugen will abstain from voting. Motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to approve the payment of bills in the amount of \$86,469.54 from the General Fund.

Reyburn – Yea	Rugen – Abstained	Fleischmann – Yea
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OLD BUSINESS

- Act 537 – Township Engineer is working on this
- Cable TV – Armstrong, Verizon and Comcast – Solicitor is working on this
- Zoning Fees Schedule – will wait until we have a new zoning officer
- Retrofit Basin – Township engineer met with Mr. and Mrs. Jett at Turners Pond previously
- Revised Zoning Map – Township Engineer was given the OK to move forward
- American Rescue Funds – Scott is waiting a response from the Solicitor on the use of the funds
- Septic Pumping and records – discussed previously
- Old Limestone Road – Scott will contact Brandywine regarding this
- Lecture – Alliance for the Chesapeake Bay will be here on July 19<sup>th</sup>.

ADJOURNMENT – There being no further business, motion was made by Charles Fleischmann, seconded by Howard Reyburn and carried to adjourn at 8:55 P.M.

Respectfully submitted,

Jane Daggett  
Secretary

