

**ELK TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
August 6, 2012**

The Elk Township Board of Supervisors Meeting convened at 7:00 PM at the Elk Township Building, Lewisville, PA. The following Supervisors were present: Chairman Palmer Durborow, Vice Chairman Estace Walters and Member Albert Jezyk, Jr.

PUBLIC COMMENT ON AGENDA ITEMS

No public comment.

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Oxford Region Multimunicipal Comprehensive Plan - Chester County Planning Commission Correspondence dated 7/17/12

Pal Durborow referred to Chester County Planning Commission (CCPC) correspondence dated July 17, 2012 commenting on the Oxford Region Multimunicipal Comprehensive Plan. CCPC comments include commending the municipalities for preparing an extensive document, in 2003 CCPC reviewed 827 housing units in East Nottingham Township and the Oxford region was 2nd in housing units, CCPC endorses the Transfer of Development Rights (TDR) program, Oxford Commons/Walmart should have been included in Chapter 7, and CCPC recommends adoption of the comprehensive plan.

Oxford Region Multimunicipal Comprehensive Plan July 25, 2012 Joint Public Hearing

Pal Durborow and Al Jezyk attended the Oxford Area Multimunicipal Comprehensive Plan July 25, 2012 Public Hearing. All Township/Boroughs were present at the Public Hearing but West Nottingham did not have a quorum. At the end of the Public Hearing, each Township opened and closed their meeting for adoption.

Resolution No. 2012-03 dated 7/25/12 Adoption of the Oxford Region Multimunicipal Comprehensive Plan

Pal Durborow referred to Elk Township Resolution No. 2012-03 adopting the Oxford Region Multimunicipal Comprehensive Plan. The resolution was adopted by Elk Township at its adoption meeting on July 25, 2012.

Public Comment: John Croce asked how does Elk fit into the plan.

Pal Durborow stated most of the development is in the Old Baltimore Pike area and there's nothing in the plan will hurt Elk Township.

Estace Walters thanked Al Jezyk for serving on the committee.

TJA Properties (TOJO Mushrooms) Wilmington Savings Fund Society's Bank Irrevocable Letter of Credit Number 12-36 dated 7/10/12 in the Amount of \$48,952.50

The Township has received the TJA Properties (TOJO Mushrooms) Wilmington Savings Fund Society's Bank Irrevocable Letter of Credit Number 12-36 dated July 10, 2012 in the amount of \$48,952.50. This Letter of Credit replaces National Penn Bank Letter of Credit No. 41100002 dated January 11, 2011 in the amount of \$48,952.50.

TJA Properties (TOJO Mushrooms) Release of National Penn Bank Irrevocable Letter of Credit No. 41100002 dated 1/11/11 in the Amount \$48,952.50

TJA Properties (TOJO Mushrooms) has requested release of National Penn Bank Irrevocable Letter of Credit No. 41100002 dated January 11, 2011 in the amount of \$48,952.50. TJA Properties (TOJO Mushrooms) has provided a replacement Letter of Credit from Wilmington Savings Fund Society's Bank.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board approved the release of TJA Properties (TOJO Mushrooms) National Penn Bank Irrevocable Letter of Credit No. 41100002 dated January 11, 2011 in the amount of \$48,952.50. The vote was unanimous.

Torrence Young & Douglas Young Agricultural Conservation Easement Agreement of Sale

The Township has received the Agreement of Sale for the Torrence and Douglas Young Agricultural Conservation Easement. The Agreement of Sale requires that the Township pay \$178,521.50 at the time of closing.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to sign the Torrence Young and Douglas Young Agricultural Conservation Easement Agreement of Sale. The vote was unanimous.

Intersection of Chrome and Barren Roads Traffic Study - PennDOT Correspondence Dated 7/24/12

Pal Durborow referred to PennDOT correspondence dated 7/24/12 reporting on the Chrome and Barren Roads intersection traffic study. PennDOT notes that prior to 2010, Chrome Road was an un-posted roadway and in early 2010 was posted at 40 mph. PennDOT notes adequate site distance at the intersection and recommends additional signage on Barren Road. Estace Walters stated the additional signage has been installed.

Elk Township Proposed Zoning Ordinance Amendment Chester County Planning Commission Correspondence dated 7/2/12

Pal Durborow referred to Chester County Planning Commission (CCPC) correspondence dated July 2, 2012 commenting on the Elk Township proposed zoning ordinance amendment. CCPC comments include that the commission reviewed the proposed zoning amendment in December 2011, this submission revises the ordinance number and adoption date, and CCCP recommends the Township adopt the proposed amendment.

Christian L. & Fannie K. Fisher Final Minor Subdivision Plan

The Township has received a 2-lot Minor Subdivision plan from Christian and Fannie Fisher. The subdivision plan will be sent to the Chester County Planning Commission, the Elk Township Planning Commission, and the Township Engineer for review.

2013-2016 Regional Household Hazardous Waste Collection Program Commitment Form

Pal Durborow referred to Chester County Solid Waste Authority (CCSWA) correspondence dated July 3, 2012 regarding the 2012-2016 Regional Household Hazardous Waste Collection Program. CCSWA is requesting the Township commit its proportionate share based on the 2010 census. The Township has in the past participated in the Regional Household Hazardous Waste Collection Program. The cost is proportionate based on the 2010 census and reimbursement grants are received.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to commit its proportionate share for 2013-2016, as determined from the 2010 census, for the Regional Household Hazardous Waste Collection Program. The vote was unanimous.

Gary Reiss Property Stormwater Management Facilities - URS Correspondence date 7/2/12

Pal Durborow referred to URS correspondence dated July 2, 2012 regarding the Gary Reiss property stormwater management facilities. The Township Engineer, Stan Corbett, met with the builder to discuss proposed changes to the stormwater management plan. URS conditionally approved the proposed changes except for the plastic catch basins. Specifications need to be provided prior to a final determination.

Peacedale Court

The Township has received a copy of PennDOT's contractor bid for Peacedale Court. The bid is \$510,000 but includes work that doesn't apply. The contractor bid to the absolute maximum because PennDOT did not provide specifications. The Township's options are limited because PennDOT doesn't want to lower the speed limit. The Board will meet with the Township Solicitor to discuss.

Public Comment: John Croce asked what is the history.

Pal Durborow stated that it goes back about ten years. Mr. Avery had said he bought it allegedly after approval by PennDOT. It had PennDOT approval the first time but the second time PennDOT said not enough site distance. PennDOT has not been very forthcoming with the Township. The Township Solicitor has advised not to take dedication until resolved.

Estate Walters stated that the Township Engineer has approved the improvements. This issue is the only remaining outstanding dedication item.

Pal Durborow stated that the Township Engineer reviewed the intersection and provided a cost estimate.

STAFF REPORTS

Secretary's Report

On a motion made by Estate Walters, seconded by Albert Jezyk, the July 2, 2012 Board of Supervisors Meeting Minutes were approved. The vote was unanimous.

Treasurer's Report

On a motion made by Estate Walters, seconded by Al Jezyk, the Bills to be Paid for August, with the exception of Roadmaster Payroll, were approved. The vote was unanimous.

On a motion made by Al Jezyk, seconded by Pal Durborow, the Bill to be Paid for Roadmaster Payroll was approved. Estate Walters abstained from the vote.

Tax Collector

Real Estate: \$69.78

Planning Commission

Pal Durborow referred to the July Planning Commission Meeting Minutes stating the PC recommends adoption of the Comprehensive Plan, and the PC has not had any input on the amendment discussed in CCPC's letter dated July 2, 2012 and so has no comment.

Zoning Hearing Board

No action.

Building Report

Pal Durborow referred to the July Monthly Building Report stating eight inspections were performed; twelve inquiries were received; and two Building Permits were issued.

Zoning Report

Pal Durborow referred to the July Monthly Zoning Report stating he met with American Tower representatives, met with David A. Fisher, two inspections were performed, fifteen inquiries were received, and one Zoning Permit was issued.

Roadmaster

Roadmaster Estace Walters referred to the July Roadmaster report stating that Snyder and Sons cut back trees, estimates were received for Old Forge Road with \$78,000 to pave or \$23,000 to tar and chip, trash was picked up on Barren Road, and a tree was cut back on Reisler and Media Roads.

Post Office Committee

No report.

Historic Commission

The Historic Commission has scheduled the historic bus tours for August 25th. The cost for the tour is \$20 per person.

OLD BUSINESS

Robbins Property

Pal Durborow stated that he left a message for Mrs. Robbins about cleaning the trail and he spoke with Molly about signage for the trail.

Estace Walters stated that he was told that there might be jeeps running up the trail.

NEW BUSINESS

No new business.

PUBLIC COMMENT

No public comment.

Meeting Adjourned at 7:25 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer