

**ELK TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
August 3, 2009**

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

PUBLIC COMMENT ON AGENDA ITEMS

There was no public comment.

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Equipment Rental Proposals & Contracts – Roadwork and Winter Maintenance

Two (2) proposals for Roadwork Equipment Rental were received from Mt. Rocky Trucking, Inc., and Harlan Construction Company. Pal Durborow read aloud the amounts bid by line item for each proposal.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board awarded the Roadwork Equipment Rental contract to Mt. Rocky Trucking, Inc. The vote was unanimous.

One (1) proposal for Winter Road Maintenance was received Carter and Sons, Inc. Pal Durborow read aloud the amounts bid by line item.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board awarded the Winter Road Maintenance contract to Carter and Sons, Inc. The vote was unanimous.

Materials Proposals & Contracts – Aggregate, Blacktop Mixes; Liquid Asphalt

One Aggregate Materials Proposal was received from Martin Limestone, Inc. Pal Durborow read aloud the amounts bid by line item.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board awarded the Aggregate Materials Contract to Martin Limestone, Inc. The vote was unanimous.

No proposals were received for Blacktop Mixes or Liquid Asphalt.

King Tract Preliminary/Final Subdivision Plan (East Nottingham Township)

The King Tract Preliminary/Final Subdivision Plan has been submitted to East Nottingham Township for review. The plan proposes no new construction in Elk Township but does reflect Elk Township parcels. The Board agreed to the Township Engineer's review to determine if a plan should be submitted to Elk Township.

CCHD Correspondence dated July 14, 2009 – Drinking Water Analysis Results

Pal Durborow referred to Chester County Health Department (CCHD) correspondence dated July 14, 2009 advising that steps must be taken to correct the water bacteria problem in the Township Hall. The Board agreed to get quotes for various options to correct the problem.

Horse Shed at 893 Old Forge Road

Pal Durborow stated that it has come to the Board's attention that the previous Zoning Officer granted a setback variance for a horse shed at 893 Old Forge Road. The Township Solicitor has been consulted and the Board has discussed the issue at an Executive Session. The Board agreed to acknowledge a waiver by estoppel.

Project R.A.K.E. Ramp Building Permit

Pal Durborow stated that it has come to the Board's attention that the previous Building Inspector waived the permit fee for a building ramp at 633 Kings Row Road. The Township Solicitor has been consulted and the Board has discussed the issue at an Executive Session. The Board agreed to acknowledge a waiver by estoppel.

CCPC Correspondence dated July 6, 2009 – Request for Official Review of Draft Update to Landscapes

Pal Durborow referred to Chester County Planning correspondence dated July 6, 2009 requesting Township review and comment on the draft update to Landscapes. Al Jezyk stated that the Strawbridge property is reflected as open space but should be agriculture. The Board agreed to review and provide comments on the draft update to Landscapes.

Audit of Real Estate Tax Collection

The 2008 Audit of Real Estate Tax Collection reflects two (2) observations in which the discount was applied to payments deposited after the discount deadline. The Tax Collector provided the Auditors with the background information as to why the discount was applied. The Auditors have suggested that the Tax Collector date stamp or make written notes of payments within the discount period but deposited later. The Board agreed that the Tax Collector retain postmarked envelopes for questionable payments or discounts.

On a motion made by Estace Walters, seconded by Al Jezyk , the Board approved of the 2008 Audit of Real Estate Tax Collection. The vote was unanimous.

Springlawn Road Trail

The Board has received reports of motorcycles on the Springlawn Road Trail. The Board agreed to consult with the Solicitor on this issue.

The Bluffs @ Big Elk Creek

The Township Engineer is working on a cost estimate for the improvements required for dedication. The Board agreed to consult with the Township Solicitor on this issue.

State Road Issues

The Board agreed to forward a letter to PennDOT outlining state road issues that need to be addressed.

STAFF REPORTS

Secretary's Report

On a motion made by Estace Walters, seconded by Albert Jezyk, the July 6, 2009 Board of Supervisors Meeting Minutes were approved. The vote was unanimous.

Treasurer's Report

On a motion made by Estace Walters, seconded by Al Jezyk, the Bills to be Paid for July, 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. Estace Walters abstained from the vote.

Tax Collector

Real Estate: \$209.33

Planning Commission

Pal Durborow referred to the July Planning Commission Meeting Minutes stating that there was no new business, and that Spence Andress presented a letter for Long View Farms.

Zoning Hearing Board

The TJA Properties (TOJO Mushrooms) Zoning Hearing has been postponed indefinitely. The hearing will be advertised and adjacent property owners notified when rescheduled.

Building Inspector/Zoning & Codes Enforcement Officer

Pal Durborow referred to Thomas Lowry's July Report stating that six (6) permits were issued (addition, pool, decks and sheds); eleven (11) inspections were performed; and fifty-three (53) inquiries were received.

No further inquiries have been received from Crownstone Communications regarding changing/adding cell antennae at 253 Mt. Olivet Road.

Code enforcement issues included drafting ordinances; follow-up on dog barking complaint on Baker Road property; inspections and follow-up on Hickory Hill Road property; and inspections and follow-up on Kings Row Road property.

Roadmaster

Roadmaster Estace Walters referred to the July Roadmaster Report stating that weeds were cut at Kings Row Road & Route 472; patching will begin on Barren Road; trees were removed from the Springlawn Road Trail; storm drains were cleared; and that Estace spoke with PennDOT about various state road issues.

Historic Commission

No report.

Open Space Committee

The Open Space Committee is working on the Act 153 Ordinance.

Post Office Committee Report

No Report.

OLD BUSINESS

The Bluffs @ Big Elk Creek – Road Name Signs

Brian Carter will install road name signs in The Bluffs at Big Elk Creek.

NEW BUSINESS

No new business.

PUBLIC COMMENT

Bill Schoell, Representative Tom Houghton's Chief of Staff, spoke about various issues affecting Townships including House Bill 1500 (police services), Act 537 funding, Joint Comprehensive Plans, and nuisance ordinances.

Meeting Adjourned at 7:40 PM.

There was no additional public comment.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer