

**ELK TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
December 5, 2011**

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

There was no public comment.

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Executive Session with Township Solicitor & Bud Avery

Pal Durborow stated that Bud Avery was informed at the November 7, 2011 Executive Session that the Township would go after the letter of credit. Pal stated that the bank has requested different language for last month's Resolution.

Resolution No. 2011-12 Avery Builders, Inc. Irrevocable Letter of Credit Peacedale Court Subdivision

On a motion made by Estace Walters, seconded by Pal Durborow, the Board adopted Resolution No. 2011-12 Event of Default by Avery Builders, Inc. under Irrevocable Letter of Credit No. 00-66 Peacedale Court Subdivision. The vote was unanimous.

First Niagara Bank Irrevocable Standby Letter of Credit No. 00-66 Sight Draft

On a motion made by Estace Walters, seconded by Al Jezyk, the Board approved the First Niagara Bank Irrevocable Standby Letter of Credit No. 00-66 Sight Draft in the amount of \$41,694.55. The vote was unanimous.

Resolution No. 2011-13 Purchase of Conservation Easement and Trail Easement from Barbara F. Robbins

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Resolution No. 2011-13 Purchase of Conservation Easement and Trail Easement from Barbara F. Robbins. The vote was unanimous.

Longview Farms Final Land Development Plan – Subdivision/Land Development Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508)

On a motion made by Estace Walters, seconded by Al Jezyk, the Board accepted the Long View Farms Final Land Development Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508). The extension will run through and include the date of December 21, 2012. The vote was unanimous.

TOJO Mushrooms (TJA Properties LLP) Preliminary Land Development Plan – Subdivision/Land Development Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508)

On a motion made by Estace Walters, seconded by Al Jezyk, the Board accepted the TOJO Mushrooms (TJA Properties) Preliminary Land Development Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508). The extension will run through and include the date of December 21, 2012. The vote was unanimous.

Union Fire Company No. 1 Agreement

On a motion made by Estace Walters, seconded by Al Jezyk, the Board approved the 2012 Union Fire Company No. 1 Agreement in the amount of \$24,488.85. The vote was unanimous.

The Bluffs at Big Elk Creek Subdivision – Request for Account of Escrow Account

Pal Durborow stated that the attorney for The Bluffs at Big Elk Creek has requested an accounting for the escrow account. Pal referred to Township correspondence dated December 5, 2011 to Attorney Rebecca Byrd providing copies of Township authorized releases. Pal stated that the developer has still not submitted the Maintenance Agreement for dedication.

Breckenridge Drive Stormwater Drainage – URS Correspondence dated 11/21/11

Pal Durborow referred to URS correspondence dated November 21, 2011 regarding stormwater drainage concerns at 5 Breckenridge Drive. Estace Walters stated that everything is working perfectly between the houses but the ground is worn-out at the top of the property. Estace stated that the owner needs to do some minor grading and this should improve drainage.

Act 167 Chester County Water Resource Authority Post Construction Stormwater Management Model Ordinance – URS Correspondence dated 11/23/11

Pal Durborow referred to URS correspondence dated November 23, 2011 to Chester County Water Resource Authority regarding the draft Act 167 Stormwater Management Ordinance. Stan Corbett has advised that waivers should be an option, the square foot impervious service threshold should be 2,000 square feet, in-kind replacement should be included, and the Township would reserve future comment on Section 106.B.

Oxford Public Library Correspondence dated 11/25/11 – Request for Increase in Contribution for 2012

Pal Durborow referred to Oxford Public Library correspondence dated November 25, 2011 requesting an increased contribution of \$1.50 per capita (\$2,521.50). The 2012 Proposed Budget includes a contribution to the library of \$2,200.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to increase the Oxford Public Library 2012 contribution to \$1.50 per capita (\$2,521.50). The vote was unanimous.

2012 Final Budget Meeting

The Board agreed to tentatively schedule the 2012 Final Budget Meeting for December 20, 2012. The date will be confirmed and advertised.

Oxford Area Recreation Authority – Budget Worksheet & July/August 2011 Minutes

Pal Durborow referred to the Oxford Recreation Authority Budget Worksheet noting the following: 2011 - \$185,400 Income, \$102,208.00 Expenses, \$83,227.80 Net Balance; 2012 - \$170,250.00 Income, \$195,500 Expenses, (\$25,250.00) Net Balance; Current Balance \$125,500; Projected End Balance \$100,250.00.

Pal Durborow referred to the Oxford Recreation Authority July 7, 2011 Draft Minutes and September 8, 2011 Draft Minutes.

Act 84 of 2011 - Bidding Requirements

The Township Solicitor has advised that Act 84 of 2011 raises the advertised bids minimum to \$18,500 and the telephone quote minimum to \$10,000. The Act takes effect on January 1, 2012.

Act 247 County Referral Form – Request for Review of Proposed Zoning Ordinance Amendment dated 11/11/11

Pal Durborow referred to Act 247 County Referral form requesting review of the proposed Zoning Ordinance Amendment. Copies of the proposed amendment are available for review and the amendment will be advertised after reviewed by the county.

Board of Supervisors Re-Organization Meeting

The Board of Supervisors 2012 Reorganization Meeting will be scheduled for January 2, 2012.

Board of Supervisors Re-Organization Meeting

The Board of Supervisors 2012 Reorganization Meeting will be scheduled for January 3, 2012.

STAFF REPORTS

Secretary's Report

On a motion made by Estace Walters, seconded by Al Jezyk, the October 25, 2011 2012 Proposed Budget Meeting Minutes and the Board of Supervisors November 7, 2011 Meeting Minutes were approved.

Treasurer's Report

On a motion made by Al Jezyk, seconded by Estace Walters, the Bills to be Paid for December, 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: \$119.44

Planning Commission

Pal Durborow referred to the November Planning Commission Meeting Minutes stating that the Commission is ready to sign the Jean Buchanan Subdivision Plan.

Zoning Hearing Board T-Mobile Northeast LLC Variance Hearing for Co-location on Existing Tower at 170' Elevation UPI #70-3-3 253 Mt. Olivet Road

Pal Durborow stated that the Township has not heard back from the applicant on the status of the application.

Zoning Officer

Pal Durborow referred to the November Zoning Officer Report stating that seven inspections were performed, eleven inquiries were received, and one permit was issued.

Roadmaster

Roadmaster Estace Walters referred to the November Roadmaster Report stating that he picked up trash on Barren and State Roads, fixed signs at State Road and Rogers Road, cold patched on Glen Hope Road and at the Township Building, and talked to the State about the sign at Chrome Road and State Road and about the ditches at State Road and Route 472, and that Brian fixed the stop sign at State Road and Hickory Hill Road.

Estate stated that he talked to the State about the State/Reisler Road Bridge and the Chrome Road and Mt. Olivet Road signs. He also talked to Representative John Lawrence about Peacedale Court and the speed limit on Route 472.

Post Office Committee

No report.

Open Space Committee

No report.

OLD BUSINESS

Barren Road Parking Lot

The Barren Road parking lot signs are almost done but there may not be any electric available for a light.

Post Office/Township Building Property Line

Last month the Board did not approve the proposed survey of the Post Office/Township Building property line. Estate Walters has looked for the pin but will need a metal detector to find it. Estate will schedule a time to meet with Al Jezyk to measure the line.

NEW BUSINESS

No new business.

PUBLIC COMMENT

No public comment.

Meeting Adjourned at 7:35 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer