

**ELK TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
December 2, 2013**

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**

**The Estate of Patricia Dupont Final Minor Subdivision Plan dated September 20, 2013 Latest Revision November 20, 2013**

Pal Durborow referred to URS Corporation correspondences dated November 23, 2013 and November 5, 2013, Crossan-Raimato, Inc. correspondence dated November 20, 2013, and Chester County Planning Commission correspondence dated November 13, 2013.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board granted the Elk Township Subdivision and Land Development waiver requests in accordance with the comments and recommendations in URS Corporation correspondence dated November 23, 2013 (The Estate of Patricia duPoint Final Minor Subdivision Plan 2<sup>nd</sup> URS Review); and the Board approved The Estate of Patricia DuPont Final Minor Subdivision Plan dated September 20, 2013 Latest Revision November 20, 2013 conditioned upon submittal of a Deed of Dedication for the Elk Mills Road right-of-way, which is offered for dedication to the Township, in a form acceptable to the Township Solicitor. The vote was unanimous.

**Anne P. & Charles G. Thorpe Final Minor Subdivision Plan Dated October 18, 2013 Latest Revision November 20, 2013**

Pal Durborow referred to URS Corporation correspondences dated November 23, 2013 and November 19, 2013, Crossan-Raimato, Inc. correspondence dated November 20, 2013, and Chester County Planning Commission correspondence dated November 20, 2013.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board granted the Elk Township Subdivision and Land Development waiver requests in accordance with the comments and recommendations in URS Corporation correspondence dated November 23, 2013 (Anne P. & Charles G. Thorpe Minor Subdivision Plan 2<sup>nd</sup> URS Review); and the Board approved the Anne P. & Charles G. Thorpe Final Minor Subdivision Plan dated October 18, 2013 Latest Revision November 20, 2013 conditioned upon confirmation from the Zoning Officer that the property is registered as a non-conforming property. The vote was unanimous.

**Harvey F. Jr. & Jennifer S. Arter Final Subdivision Plan Dated May 14, 2013 Latest Revision November 25, 2013**

Pal Durborow referred to URS Corporation correspondences dated December 2, 2013, November 22, 2013 and November 4, 2013, and Concord Land Planners & Surveyors, Inc. correspondence dated November 18, 2013, and Chester County Planning Commission Correspondence dated June 17, 2013.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board granted the Elk Township Subdivision and Land Development waiver requests in accordance with the comments and

recommendations in URS Corporation correspondence dated December 2, 2013 (Harvey F. Jr. & Jennifer S. Arter Final Subdivision Plan 4<sup>th</sup> URS Review); and the Board approved the Harvey F. Jr. & Jennifer S. Arter Final Subdivision Plan dated May 14, 2013 Latest Revision November 25, 2013 conditioned upon the following:

1. Satisfactory review by the Township Solicitor of the sewage system easement language, subsequent recordation of the sewage system easement with the Chester County Recorder of Deeds by the Applicant, and delivery of a copy of the final recorded easement to the Township.
2. Submittal of a revised Plan which excludes Maryland land in the right-of-way and satisfactory review of the revised Plan by the Township Engineer; and submittal of a Deed of Dedication with legal description commensurate with the revised Plan and satisfactory review of the Deed of Dedication by the Township Engineer and Township Solicitor.
3. Satisfactory review by the Township Solicitor of the well indemnity language.

The vote was unanimous.

**Harvey F. Jr. & Jennifer S. Arter Final Plan - Subdivision/Land Development Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508)**

No action was taken on the Subdivision/Land Development Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508) for the Harvey F. Jr. & Jennifer S. Arter Final Plan.

**Christian L. & Fannie K. Fisher Final Minor Subdivision 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 Subdivision/Land Development Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508) for the Christian L. & Fannie K. Fisher Final Minor Subdivision Plan. The vote was unanimous.

**Long View Farms Final Subdivision 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 Subdivision/Land Development Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508) for the Long View Farms Final Subdivision Plan. The vote was unanimous.

**Fair Hill Estates Subdivision Status of Improvements - URS Correspondence Dated November 11, 2013**

Pal Durborow referred to URS Corporation correspondence dated November 11, 2013 regarding the status of improvements at the Fair Hill Estates Subdivision stating that the Developer must reestablish the Letter of Credit, complete all the remaining improvements and repairs, and submit the required items/documents for dedication.

**Elk Township Revised Draft Stormwater Management Ordinance & Proposed Ordinance Amending the Subdivision & Land Development Ordinance – URS Correspondence dated November 26, 2013; Act 247 County Referral (CCPC); Public Hearing December 18, 2013**

Pal Duroborow referred to URS Corporation correspondence dated November 26, 2013 regarding the New Elk Township Stormwater Management Ordinance. The revised draft Elk Township Stormwater Management Ordinance and proposed Ordinance Amending the Subdivision & Land Development Ordinance have been sent to Chester County Planning Commission for Act 247 review. The Public Hearing for the proposed Elk Township Stormwater Management Ordinance and proposed Subdivision & Land Development Ordinance Amendment will be scheduled for December 18, 2013.

**Challenge Grant Program Offer for Agricultural Conservation Easement to B. K. Campbell, Inc. – Agreement of Funding Terms w/B. K. Campbell, Inc.**

Pal Durborow stated that the Township has come to an agreement on funding terms with B.K. Campbell, Inc. for the Challenge Grant Program Offer for Agricultural Conservation Easement. The terms of the funding agreement are that the Township will pay ½ of its share of the easement cost (Purchase Price) to B.K. Campbell, Inc. on July 31, 2016 and ½ of its share of the easement cost (Purchase Price) to B.K. Campbell, Inc. on July 31, 2017.

**Agreement for the Sale and Purchase of an Agricultural Conservation Easement in Perpetuity – Michael & Elizabeth Miller**

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to sign the Michael & Elizabeth Miller Agreement for the Sale and Purchase of an Agricultural Easement in Perpetuity. The vote was unanimous.

**Chester County Tax Collection Committee – Delegate Charles L. Lewis Correspondence dated November 19, 2013**

Pal Durborow referred to Chester County Tax Collection Delegate Charles L. Lewis correspondence dated November 19, 2013 stating that Charles Lewis represented Elk Township at the Chester County Tax Collection Committee annual meeting held on November 12, 2013.

**Union Fire Company No. 1 2014 Agreement**

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to sign the Union Fire Company No. 1 2014 Agreement. The vote was unanimous.

**Elk Township 2014 Final Budget Meeting December 10, 2013**

The Board agreed to schedule the 2014 Final Budget Meeting for December 10, 2013.

**STAFF REPORTS**

**Secretary's Report**

On a motion made by Estace Walters, seconded by Al Jezyk, the November 4, 2013 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 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: \$216.87

### **Planning Commission**

Pal Durborow referred to the November Planning Commission Meeting Minutes stating that the Planning Commission proposes conditional approvals of the Harvey & Jennifer Arter Final Subdivision Plan, the Charles & Anne Thorpe Subdivision Plan, and the Patsy duPont Estate Subdivision Plan; and that the Planning Commission recommends approval of the Stormwater Management Ordinance.

### **Zoning Hearing Board**

No action.

### **Monthly Zoning Report**

Pal Durborow referred to the November Zoning Report stating one inspection was performed, seven inquiries were received, and no zoning permits were issued.

### **Monthly Building Report**

Pal Durborow referred to the November Building Report stating one building permit was issued, ten inquires were received, and eight inspections were performed.

### **Roadmaster**

Estate Walters referred to the November Roadmaster Report stating that he cut back trees, looked at Reisler Road driveway, and Brian replaced stop signs and did salting.

### **Emergency Management Coordinator**

Emergency Management Coordinator Stephen Roberts stated that he completed training and is reviewing the Emergency Operations Plan.

### **Historic Commission**

No report.

### **OLD BUSINESS**

#### **PennDOT Road Issues**

The Board agreed to include on the letter to PennDOT that there is a sinkhole on Strickersville Road.

#### **Springlawn Road Trail**

Pal Durborow stated that he picked up grass clippings and leaves from the Springlawn Road Trail and installed "Trail Closed" signs.

### **NEW BUSINESS**

#### **2014 Reorganization Meeting**

Pal Durborow announced that the 2014 Reorganization Meeting is scheduled for Monday, January 6, 2014.

### **PUBLIC COMMENT**

Stephen Roberts thanked Pal Durborow for serving as Township Supervisor.

Estate Walters spoke about serving on the Board with Pal Durborow and thanked Pal for serving the Township for twelve years.

Pal Durborow spoke about his time on the Board the last twelve years and thanked everyone for their support.

Meeting adjourned at 7:45.

Respectfully Submitted,

Terri Kukoda  
Secretary/ Treasurer