

**ELK TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
December 3, 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 and Member Albert Jezyk, Jr. Vice Chairman Estace Walters was not present.

PUBLIC COMMENT ON AGENDA ITEMS

No public comment.

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

2013 Board of Supervisors Reorganization Meeting - Monday, January 7, 2013 @ 7:00 PM

The 2013 Board of Supervisors Reorganization Meeting is scheduled for Monday, January 7, 2013 at 7:00 PM.

2013 Auditors Reorganization Meeting - Tuesday, January 8, 2013 @ 6:00 PM

The 2013 Auditors Reorganization Meeting is scheduled for Tuesday, January 8, 2013 at 6:00 PM.

2013 Final Budget Adoption Meeting – Thursday, December 20, 2012 @ 6:00 PM

The 2013 Final Budget Adoption Meeting is scheduled for Thursday, December 20, 2012 at 6:00 PM.

Public Notice Zoning Ordinance Amendment Public Hearing & Public Meeting Thursday, December 20, 2012 @ 6:30 PM

Public Notice has been given for the Public Hearing and Public Meeting to be held on Thursday, December 20, 2012 at 6:30 PM for public comment and review of an amendment to the Elk Township Zoning Ordinance.

Public Notice Zoning Map Amendment Public Hearing & Public Meeting – Thursday, December 20, 2012 @ 6:30 PM

Public Notice has been given for the Public Hearing and Public Meeting to be held on Thursday, December 20, 2012 at 6:30 PM for public comment and review of an amendment to the Elk Township Zoning Map.

Resolution No. 2012-03 Acceptance of Dedication of Roads for The Bluffs @ Big Elk Creek

On a motion made by Al Jezyk, seconded by Pal Durborow, Resolution No. 2012-03 Acceptance of Dedication for The Bluffs at Big Elk Creek was adopted. The vote was unanimous amongst Supervisors present.

The Bluffs at Big Elk Creek, LLC Improvement Account Final Release

On a motion made by Al Jezyk, seconded by Pal Durborow, The Bluffs at Big Elk Creek, LLC Improvement Impound Account Final Release was approved. The vote was unanimous amongst Supervisors present.

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

On a motion made by Al Jezyk, seconded by Pal Durborow, the TJA Properties, LLP (TOJO Mushrooms) Preliminary Land Development Plan Agreement to Extend Requirements of the PA

Municipalities Planning Code Section 508 (53 P.S. 10508) was approved. The vote was unanimous amongst Supervisors present.

Long View Farms Final Subdivision Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508)

On a motion made by Pal Durborow, seconded by Al Jezyk, the Long View Farms Final Subdivision Plan Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508) was approved. The vote was unanimous amongst Supervisors present.

Public Comment: John Croce asked about the time limit for Long View Farms.

Pal Durborow stated the Developer would not proceed if development rights were sold.

Union Fire Company No. 1 2013 Contract/Agreement dated 12/31/12

On a motion made by Pal Durborow, seconded by Al Jezyk, the Union Fire Company No. 1 2013 Contract dated December 31, 2012 was approved. The vote was unanimous amongst Supervisors present.

Chris Fisher Proposed Dairy Expansion Post Construction Stormwater Management Plan

On a motion made by Al Jezyk, seconded by Pal Durborow, the Chris Fisher Proposed Dairy Expansion Post Construction Management Plan was approved conditioned upon meeting all engineering and legal criteria. The vote was unanimous amongst Supervisors present.

Brandywine Conservancy Correspondence dated 11/27/12 Re: Summary of Breach of Conservation Easement by Barbara Robbins

Pal Durborow referred to Brandywine Conservancy correspondence dated November 27, 2012 regarding summary of breach of conservation easement by Barbara Robbins. Brandywine Conservancy has observed trees removed in an area not to be cleared. Brandywine Conservancy will require Barbara Robbins to replant the trees.

Public Comment: Donna Ellingsen asked how often are the inspections.

Pal Durborow stated Brandywine Conservancy inspects once a year.

Fireworks Ordinance

Pal Durborow stated the Township Solicitor and Township Engineer are reviewing fireworks ordinances. The fireworks ordinance might need to include zoning and permit requirements. Townships have different criteria and the ordinance needs to fit Elk. The Board will continue to investigate what will work best.

CCHD Sanitation Establishment Inspection Form – Elk Township Hall

Pal Durborow referred to Chester County Health Department Sanitation Establishment Inspection Form for the Elk Township Hall. Three violations were observed during the inspection by Chester County Health Department. The Board will address the violations as required.

TJA Properties LLP (TOJO Mushrooms) Agricultural Conservation Easement Settlement

Pal Durborow stated the TJA Properties, LLP (TOJO Mushrooms) Agricultural Conservation Easement has settled. The Township's first payment was made at the time of settlement.

STAFF REPORTS

Secretary's Report

On a motion made by Pal Durborow, seconded by Al Jezyk, the November 5, 2012 Board of Supervisors Meeting Minutes were approved. The vote was unanimous amongst Supervisors present.

Treasurer's Report

On a motion made by Pal Durborow, seconded by Al Jezyk, the Bills to be Paid for December were approved. The vote was unanimous amongst Supervisors present.

Tax Collector

Real Estate: \$264.79

Planning Commission

Pal Durborow referred to the November Planning Commission Meeting Minutes stating no new business.

Zoning Hearing Board

No action.

Zoning Report

Pal Durborow referred to the November Monthly Zoning Report stating two inspections were performed; ten inquiries were received; no Zoning Permits were issued; and a meeting was held with David Fisher.

Building Report

Pal Durborow referred to the November Monthly Building Report stating two inspections were performed; five inquiries were received; and one Building Permit was issued.

Pal Durborow referred to Tom Lowry's memo regarding the PA Uniform Construction Code Board of Appeals. Tom recommends Elk Township enter into an agreement with the West Chester County Board of Appeals. Elk Township is in a joint PA Uniform Construction Code Board of Appeals with Lower Oxford Township. The Board agreed to review the issue with the Township Solicitor.

Pal Durborow stated there was an issue regarding a used mobile home. The state law for certification requirements of used mobile homes has changed.

Roadmaster

Roadmaster Estace Walters referred to the November Roadmaster report stating Snyder and Sons cut down a tree on Hickory Hill; Brian put up road and stop signs on Baker Drive; there is a washout on Barren Road; and he got a call about deer carcasses on Springlawn Road.

Pal Durborow stated he talked with the Game Warden about hunters leaving deer carcasses. The Game Commission may issue big fines to these hunters if caught. Pal encouraged anyone seeing this to report it to the Game Commission.

Public Comment: Donna Ellingsen asked what about deer carcasses on the side of the road.

Pal Durborow recommended calling the Game Commission or State Police.

Public Comment: John Croce asked why are they bulldozing Strickersville Road.

Pal Durborow stated PennDOT needed to clear for ditching and said they will fix it.

Post Office Committee

No report.

Historic Commission

No report.

OLD BUSINESS

No report.

NEW BUSINESS

No new business.

PUBLIC COMMENT

Sue Ellen Hunter thanked the Board for their help with her complaint.

Meeting Adjourned at 7:25 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer