

**ELK TOWNSHIP BOARD OF SUPERVISORS
REORGANIZATION AND REGULAR MEETING MINUTES
JANUARY 3, 2010**

The Elk Township Board of Supervisors Reorganization 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.

REORGANIZATION OF ELK TOWNSHIP - 2011

Appointments/Reappointments:

On a motion made by Estace Walters, seconded by Albert Jezyk, Pal Durborow was appointed as Chairman of the Board of Supervisors.

On a motion made by Albert Jezyk, seconded by Pal Durborow, Estace Walters was appointed as Vice Chairman of the Board of Supervisors.

On a motion made by Pal Durborow, seconded by Estace Walters, the following appointments/reappointments were made for the year 2010. The vote was unanimous.

Secretary/Treasurer	Terri Kukoda
Open Records Officer	Terri Kukoda
Building Code Official	Municipal Support Services, Inc.
Zoning Officer	Municipal Support Services, Inc.
Codes Enforcement Officer	Municipal Support Services, Inc.
Engineer	URS Corporation
Alternate Engineer	Stantec Consulting Services
Solicitor	R. Samuel McMichael
Alternate Solicitor	To Be Determined
Planning Commission	Mary Gruber, Secretary
Zoning Hearing Board	Samuel Smith (3 year term)
	Alternates (2 to be appointed)
Zoning Hearing Board Solicitor	Parke, Barnes, Spangler, Oeste & Wood
Signing of Checks	Two Signatures Required (Supervisor and/or Treasurer)
General Fund	National Penn (formerly People's Bank of Oxford), and PLGIT
State Fund	PLGIT
Other Funds	National Penn (formerly Peoples Bank of Oxford), PLGIT, and Fulton Bank
Mileage Reimbursement	.51 cents
Voting Delegate State Convention	Terri Kukoda
Newspaper of Record	Chester County Press & Daily Local News
Treasurer's Bond	\$500,000.00
Tax Collector's Bond	\$15,000.00
Fire Company	Union Fire Company
Auditors (appointed)	Penny DeFrank Elaine Gessner

On a motion made by Pal Durborow, seconded by Al Jezyk, Estace Walters was appointed as Township Roadmaster. Estace Walters abstained from the vote.

The Board of Supervisors Reorganization Meeting closed at 7:10 PM followed immediately by the Elk Township Board of Supervisors Meeting.

PUBLIC COMMENT ON AGENDA ITEMS

Thomas Shar asked if the Township Engineer will submit comments on the TOJO Preliminary Plan and water study. Pal Durborow stated that URS Corporation will review and submit a written report on the plan and water study.

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Resolution No. 2011-01 Act 45 Uniform Construction Code Fee Schedule

Pal Durborow explained that the Act 45 Uniform Construction Code Fee Schedule is the same as before except that a Zoning Permit fee is increased to \$100, no application is considered complete until all documents have been filed and fees paid, and a Zoning Permit is required before application for a Building Permt.

On a motion made by Estace Walters, seconded by Albert Jezyk, the Board adopted Resolution No. 2011-10 General Fee Schedule. The vote was unanimous.

Resolution No. 2011-02 General Fee Schedule

Pal Durborow explained that the General Fee Schedule is the same as before except that Post Construction Management Plan review fees and escrow has been added.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Resolution No. 2011-02 General Fee Schedule. The vote was unanimous.

Resolution No. 2011-03 Appointment of Zoning Hearing Board Member

On a motion made by Estace Walters, seconded by Al Jezyk, the Board appointed Mark Plaughter to a the Zoning Hearing Board for a term of three (3) years. The vote was unanimous.

Resolution No. 2011-04 Emergency Services Providers

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Resolution No. 2011-04 resolving that Union Fire Company #1 will provide fire protection services; the Pennsylvania Sate Police of Avondale Barracks will provide police protection services, and Sky Care will provide air ambulance services. The vote was unanimous.

Resolution No. 2011-05 Agricultural Security Area Proposals - TJA Properties LLP Tax Parcel No. 70-3-36; B K Campbell Inc. Tax Parcels No. 70-5-5 & 70-5-9; Oxford Gun Club Inc. Tax Parcel Nos. 70-3-16 & 70-3-20.4; Mark B. & Mary A. Gruber Tax Parcel Nos. 70-5-12 & 70-5J-28; Phyllis Wax Tax Parcel No. 70-1-3

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Resolution No. 2011-05 Agricultural Security Area Proposals for TJA Properties LLP Tax Parcel No. 70-3-36; B K Campbell Inc. Tax Parcels No. 70-5-5 & 70-5-9; Oxford

Gun Club Inc. Tax Parcel Nos. 70-3-16 & 70-3-20.4; Mark B. & Mary A. Gruber Tax Parcel Nos. 70-5-12 & 70-5J-28; and Phyllis Wax Tax Parcel No. 70-1-3. The vote was unanimous.

Resolution No. 2011-06 Agricultural Security Area Proposal - Albert Jezyk, Jr. Tax Parcel Nos. 70-4-52 & 70-4-54.3

On a motion made by Pal Durborow, seconded by Estace Walters, the Board adopted Resolution No. 2011-06 Agricultural Security Area Proposal for Albert Jezyk, Jr. Tax Parcel Nos. 70-4-52 and 70-4-54.3. Supervisor Al Jezyk abstained from the vote.

TOJO Mushrooms Preliminary Land Development Plan Application

Pal Durborow stated that the Township has received the submission for the TOJO Mushrooms Preliminary Land Development Plan.

Tax Parcels 70-3-43 & 70-3-20 (Zimmer Property Sheriff Sale 4/15/10)

Pal Durborow stated that Tax Parcels 70-3-43 and 70-3-20 formerly owned by Larry Zimmer are currently for sale, and that buyers are possibly being led to believe that all approvals have been obtained. Pal noted that although county approvals for well and septic may have been obtained, no Township approvals have been granted and no Township Building Permits have been issued.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to forward a letter to the listing agent advising that no Township approvals have been granted and that no Township Building Permits have been issued. The vote was unanimous.

Diamicis/Delledonne/Stanley Property at 7797 Hickory Hill Road – Enforcement Notice & Notice of Violation dated October 25, 2010

Pal Durborow stated that the 30-day appeal period has expired for the Enforcement Notice and Notice of Violation issued on October 25, 2010 for the Diamicis/Delledonne/Stanley Property at 7797 Hickory Hill Road.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board approved of the Zoning Officer pursuing the remedies for enforcement to secure compliance with the Enforcement Notice & Notice of Violation dated October 25, 2010 for the Diamicis/Delledonne/Stanley property at 7797 Hickory Hill Road. The vote was unanimous.

TMACC 2011/2012 Local Cash Match Certification

Pal Durborow referred to TMACC (Transportation Management Association of Chester County) fax stating that TMACC needs a local cash match certification letter in order to apply for their grant to PennDOT and DVRPC (Delaware Valley Regional Planning Commission).

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to the TMACC Local Cash Match Certification for 2011/2012 in the amount of \$400.00. The vote was unanimous.

PennDOT Correspondence date December 12, 2010 – Traffic Counting on Municipally Owned Roads

Pal Durborow referred to PennDOT correspondence dated December 20, 2010 stating that PennDOT will be collecting traffic data on municipally owned roads. The data will be available on PennDOT's website after the data has been collected.

STAFF REPORTS

Secretary's Report

On a motion made by Estace Walters, seconded by Albert Jezyk, the December 6, 2010 Board of Supervisors Meeting Minutes; and the December 20, 2010 Special Meeting Minutes (Final Budget) were approved. The vote was unanimous.

Treasurer's Report

On a motion made by Al Jezyk, seconded by Estace Walters, the Bills to be Paid for January, 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: \$232.46

Planning Commission

Pal Durborow referred to the December Planning Commission Meeting Minutes stating that Spence Andress, Dan Merritt and Jim Hillard presented the TOJO Mushrooms Preliminary Plan, and that the Planning Commission requested a site visit in January.

Zoning Hearing Board

No action.

Zoning Officer

Pal Durborow referred to the December Zoning Officer Report stating that six (6) Building Permits were issued and eleven (11) inspections were performed; that he is waiting on direction from the Board on the 7797 Hickory Hill Road Enforcement Notice; and that the Fisher permit has been issued and the project is proceeding satisfactorily.

Roadmaster

Roadmaster Estace Walters referred to the December Roadmaster Report stating that potholes were patched; he had to buy tarp and cover cinders at Folks; there were two (2) snowstorms; and that two (2) trees were cleared from Barren Road.

Post Office Committee

Pal Durborow referred to the 4th Quarter Post Office Committee Report noting a starting balance of \$12,840.55; income of \$1,374.00; expenses of \$6,645.00; and an ending balance of \$13,550.05.

Historic Commission

No report.

OLD BUSINESS

Senior Girl Scout Project

Estate Walters stated that he will provide the Girl Scouts with the owner's information for the Media Road Cemetery.

The Bluffs at Big Elk Creek

Estate Walters stated that there are some legal documents that need to be finalized.

Guard Rails Route 472

Estate Walters stated that a traffic study might be required for guardrails on Route 472, and that he would need to follow-up with PennDOT.

NEW BUSINESS

No new business

PUBLIC COMMENT

John Groce asked whether Brian Campbell is keeping the ASA parcel as a farm. Pal Durborow stated that he is not sure of what is planned but that Brian Campbell may want to keep his options open. Al Jezyk stated that the parcel needs to be in the Township's ASA if Brian Campbell decides to put it into a county program.

Meeting Adjourned at 7:40 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer