

**ELK TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
March 2, 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**

**Shelba Jackson – Enforcement of Zoning Ordinances**

Township resident Shelba Jackson stated that she is having serious problems with her neighbor's chickens being in her driveway and on her porch. Ms. Jackson stated that she was told an Enforcement Notice was issued but didn't understand why her neighbor has thirty days to comply. Pal stated that there are legal procedures that must be followed when issuing an Enforcement Notice. The Board agreed to confirm the procedure with the Zoning Officer.

**Todd Darlington – Verizon Director of External Affairs**

Todd Darlington, Verizon Director of External Affairs, gave a brief presentation about Verizon's fibre-optic cable television/internet services. Estace Walters stated that there have been pavement issues with previous road openings, and that he is concerned about the quality of work performed by Verizon subcontractors. Al Jezyk stated that he would like cable to be available to the less populated rural areas of the Township. Mr. Darlington stated that these issues would be addressed and that Verizon would like to begin franchise negotiations. The Board directed Mr. Darlington to contact the Township Solicitor.

**Resolution No. 2009-06 Intent to Follow The Municipal Records Manual Approved on December 16, 2008**

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Resolution No. 2009-06 Intent to Follow The Municipal Records Manual Approved on December 16, 2008. The vote was unanimous.

**Resolution No. 2009-07 Public Records Policy (supercedes Resolution No. 2009-01)**

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Resolution No. 2009-07 Public Records Policy (supercedes Resolution No. 2009-01). The vote was unanimous.

**Zoning Officer Reports & Zoning Enforcement Notice**

Pal Durborow referred to Terri Kukoda's memo to the Board dated March 3, 2009 regarding Zoning Officer Reports and Zoning Enforcement Notices – Open Records Requests. The memo states that the Open Records Officer is not copied on Zoning Officer Reports and Zoning Enforcement Notices.

### **Building/Zoning and Code Enforcement Records Retention/Disposition**

Pal Durborow referred to Terri Kukoda's memo to the Board dated March 2, 2009 regarding Building/Zoning and Code Enforcement Records – Retention/Disposition. The memo states that the review and disposition of records approved by Resolution #2007-06 did not include any Building/Zoning or Code Enforcement records; and that the Building/Zoning & Codes Enforcement Officer maintains his own records.

### **DCED Grant Application - Township Building Parking Lot Repaving**

The DCED Grant Application for repaving the Township Building parking lot has been denied. The application will be automatically entered into the next round for grant approval.

### **PennDOT Salt Contract Participation Agreement**

The Board agreed to purchase 250 tons of salt in the PennDOT Salt Contract Participation Agreement for the 2009/2010 Winter Season.

### **The Bluffs at Big Elk Creek**

Elk Township Emergency Management Coordinator has informed the Board that road signs are missing in The Bluffs at Big Elk Creek. The Township Engineer has advised the Developer to replace the missing signs and that all signs must be mounted using vandal/theft resistant hardware.

### **Agricultural Security Area Application Harnish Property Tax Parcel #70-4-1**

The Township has received an Agricultural Security Area Application for Tax Parcel #70-4-1 owned by Raymond, Rhoda and Sheri Harnish. The application requires that all property owners sign but is not signed by Sheri Harnish. The Board agreed not to take action on the application until signed by Sheri D. Harnish.

## **STAFF REPORTS**

### **Secretary's Report**

On a motion made by Estace Walters, seconded by Albert Jezyk, the February 2, 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 March, 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:      \$6.19

### **Planning Commission**

Pal Durborow referred to the February Planning Commission Meeting Minutes stating that there was no new business.

### **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.

### **Zoning Officer**

Pal Durborow referred to the February Zoning Officer Report stating that one (1) Building Permit and one (1) Enforcement Notice were issued; Informal Persuasion items included dog barking issue in Hickory Hill Village; Code Items included response to concerns about horse's welfare on Kings Row Road; On-going projects include The Bluffs at Big Elk Creek, various home projects, various inquiries concerning zoning, codes, etc.; and Reports included Flood Plain Report, Chester County Building Permit Report and Department of Commerce Monthly Report.

### **Roadmaster**

Roadmaster Estace Walters referred to the February Roadmaster Report stating that a fallen tree on Hickory Hill Road was cleaned up; tires and slate shingles on Strickersville Road were picked up; tree limbs on the Springlawn Road trail were cut back; and Carter & Sons spread salt on icy mornings. Estace stated that he spoke with PennDOT about the large pothole on State Road.

### **Post Office Committee**

No report.

### **Historic Commission**

No report.

### **OLD BUSINESS**

#### **Post Office Parking Lot**

The Board agreed to direct Dave Harlan to patch deteriorated areas of the Post Office parking lot.

### **NEW BUSINESS**

No new business.

### **PUBLIC COMMENT**

There was no public comment.

Meeting Adjourned at 8:05 PM.

Respectfully Submitted,

Terri Kukoda  
Secretary/ Treasurer