

**ELK TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
November 5, 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 Vice Chairman Estace Walters. Member Albert Jezyk, Jr. was not present.

PUBLIC COMMENT ON AGENDA ITEMS

No public comment.

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Hurricane Sandy Public Infrastructure Damage Assessment

Pal Durborow referred to the Chester County Department of Emergency Services Public Infrastructure Preliminary Damage Assessment Form for Hurricane Sandy. Elk Township has reported \$7,380.00 in damages to roads and bridges during the storm.

Chester County Department of Emergency Services Release Dated 10/31/12 - Chester County Disaster Help Request

Pal Durborow referred to the Chester County Department of Emergency Services Release dated October 31, 12 encouraging residents to report property damage to their local municipality or to the Chester County Department of Emergency Services, and to connect with community and faith-based organizations that may be able to help with storm related needs.

Christian L. and Fannie K. Fisher Final Minor Subdivision Plan

Pal Durborow referred to Register Associates, Inc. letter dated October 8, 2012 requesting a 90-day extension in the allotted time for review of the Christian L. and Fannie K. Final Minor Subdivision Plan.

On a motion made by Estace Walters, seconded by Pal Durborow, the Board agreed to a 90-day extension in the allotted time for review of the Christian L. and Fannie K. Fisher Final Minor Subdivision Plan. The motion was unanimous amongst Supervisors present.

Peacedale Court Subdivision

Pal Durborow stated the Board is waiting for a response from Representative John Lawrence for the Peacedale Court Subdivision.

Bluffs @ Big Elk Creek Subdivision

Pal Durborow stated the deeds for The Bluffs at Big Elk Creek have been received and dedication should take place at the next meeting.

Chester County Solid Waste Authority Correspondence dated 10/18/12 - Status of Illegal Dump Site

Pal Durborow referred to Chester County Solid Waste Authority correspondence dated October 18, 2012 regarding the status of the illegal dumpsite at Barren and Chrome Roads. Pal stated that the Roadmaster has cleaned up the dumpsite at Barren and Chrome Roads.

The Land Conservancy for Southern Chester County Hunter/Hiker Forum November 8, 2012 @ 7:00 PM East Marlborough Township Building

The Land Conservancy for Southern Chester County has scheduled a Hunter/Hiker Forum on November 8, 2012 at 7:00 PM at the East Marlborough Township Building. The forum will address questions and concerns from hunters, hikers, and landowners.

Chester County Water Resources Correspondence dated 10/11/12 - Final Draft “County-wide Act 167 Stormwater Management Plan for Chester County, PA” 45-Day Public Review

Pal Durborow referred to Chester County Water Resources correspondence dated October 11, 2012 announcing that the Final Draft “County-wide Act 167 Stormwater Management Plan for Chester County, PA” has been released for 45-day public review and comment. The Township Engineer has already provided comments on behalf of Elk Township.

TJA Properties LLP (TOJO Mushrooms) Agricultural Conservation Easement Agreement of Sale

Pal Durborow stated that the Township needs the terms changed for the TJA Properties LLP (TOJO Mushrooms) Agricultural Conservation Easement Agreement.

On a motion made by Estace Walters, seconded by Pal Durborow, the Board agreed to change the payment terms for the TJA Properties, LLP (TOJO Mushrooms) Agricultural Conservation Easement Agreement of Sale from two payments to three payments. The motion was unanimous amongst Supervisors present.

Proposal for the Modification of an Agricultural Security Area – George Strawbridge Tax Parcels Nos. 70-5-6, 70-5-7, 70-5-8

The Township has received a Proposal for the Modification of an Agricultural Security Area for George Strawbridge Tax Parcels Nos. 70-5-6, 70-5-7, and 70-5-8.

2013 Proposed Budget – General Fund, Liquid Fuels Fund, Open Space Fund

The 2013 Proposed Budget for the General Fund, Liquid Fuels Fund, and Open Space Fund are available for public inspection. The public meeting for adoption of the Final Budget will be scheduled for December.

Oxford Area Recreation Authority Report

The Oxford Area Recreation Authority has provided a draft 2013 Budget for review and comment. The Authority hopes to approve their final budget in December.

STAFF REPORTS

Secretary’s Report

On a motion made by Estace Walters, seconded by Pal Durborow, the October 1, 2012 Board of Supervisors Meeting Minutes were approved. The vote was unanimous amongst Supervisors present.

Treasurer’s Report

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

Tax Collector

Real Estate: \$491.23

Planning Commission

Pal Durborow referred to the October Planning Commission Meeting Minutes stating the Commission reviewed URS and Chester County Health Department comments on the Chris and

Fanni Fisher plan, and reviewed the Pennsylvania Department of Environmental Protection comments on the Yerkes subdivision plan.

Zoning Hearing Board

No action.

Zoning Report

Pal Durborow referred to the October Monthly Zoning Report stating one inspection was performed; four inquiries were received; no Zoning Permits were issued; and a meeting was held with the owner of 502 Elk Mills Road regarding a noise complaint.

Pal Durborow referred to Thomas H. Lowry correspondence dated October 24, 2012 to Sue Ellen Hunter stating the Township Solicitor has advised that the Game and Wildlife Code (Game Law) preempts all local regulation of hunting. Pal stated that the Township Solicitor has provided the case law and a copy will be provided to Sue Ellen.

Public Comment: Sue Ellen Hunter stated that the problem is not hunting but the noise. Sue Ellen expressed concern about this jeopardizing her horses and business. Melanie Ryan stated it is not a hunting issue but a noise issue.

Pal Durborow stated the Township might be able to regulate some things related to fireworks but it's not clear. Pal stated that the Case Law includes the noise issue and suggested Sue Ellen call the Fire Marshall about the fireworks.

Building Report

Pal Durborow referred to the October Monthly Building Report stating ten inspections were performed; thirty-one inquiries were received; and three Building Permits were issued.

Roadmaster

Roadmaster Estace Walters referred to the October Roadmaster report stating he cleaned up trash and tires at Chrome and Barren Roads; cleaned up tires at the King Row Road Bridge; cleaned up a pool table on Strickersville Road; took trash and tires to the landfill; called the state about a couch and chair dumped on State Road; called the State about a complaint about 472 encumbrances; helped cut up a tree on Camp Bonsul Road during the storm; Brian Carter closed Barren Road due to flooding and cut up trees from Hickory Hill Road and Barren Road and helped with Camp Bonsul Road during the storm; rip was placed King Row Road near the bridge; Dave Harlen finished King Row Road, the drain pipe, and Old Forge Road tar and chipping; put rip on Hickory Hill Road; and had pre and post storm meetings with the emergency management group.

Post Office Committee

Pal Durborow referred to the October 1, 2012 Quarterly Post Office Committee report showing an ending balance of \$18,677.47.

Historic Commission

No report.

OLD BUSINESS

Open Space Settlements

Estate Walters stated there were two open space settlements (Kauffman & Young), which is why the Township needed TOJO Mushrooms to change to three payments.

Robbins Property Trail

Pal Durborow provided an update on the Robbins property trail.

NEW BUSINESS

Hickory Hill Road

Estate Walters stated Steve Snyder would work on the tree leaning over Hickory Hill Road.

Strickersville Road

Pal Durborow stated he hasn't heard from the electric company about the two poles on Strickersville Road.

PUBLIC COMMENT

John Croce asked if there are any regulations on dumping deer carcuses and gut piles. John stated people are dumping these at the end of Springlawn Road on Strickersville Road.

Estate Walters suggested calling the PA Game Warden. Pal Durborow stated the Board would look into it further.

Meeting Adjourned at 7:40 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer