

**ELK TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
October 4, 2010**

The Elk Township Board of Supervisors Regular 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

There was no public comment.

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Charles Lewis, Chester County Tax Collection Committee (TCC) Delegate; TCC

Appointment of Keystone Collections Group for Tax Officer

Charles Lewis, Elk Township's appointed Delegate on the Chester Tax Collection Committee (CTCC), provided an overview of Committee's actions, which included selecting the Act 32 Tax Officer for the Chester County Tax Collection District (TCD). The Committee sent out Requests for Proposals to about nine different companies, and received proposals from Berkheimer Tax Administrator and Keystone Collections Group. The commission rate for Keystone Collections Group was approximately 1.3%, which was less than the proposal submitted by Berkheimer Tax Administrator. CTCC has appointed Keystone Collections Group as the Tax Officer for the Chester County Tax Collection District (TCD), and has entered into a Tax Collection Agreement with Keystone Collections Group.

Al Jezyk asked if Act 32 mandates the Tax Collector for 2011. Charles Lewis stated that January 2012 is the deadline but the TCC decided to go with 2011. Pal Durborow asked how often the rate is negotiated. Charles Lewis stated that the agreement is for three (3) years with a five (5) year renewable option. Pal Durborow asked what happens with reciprocal agreements for residents. Charles Lewis stated that they will need to look into reciprocal agreements.

Act 32 of 2008 Section 515(b)(1)(A) Transition; Township Appointment of Tax Officer for 2011 Earned Income Tax; Keystone Collections Group Correspondence dated 9/30/10

Pal Durborow referred to Act 32 of 2008 Section 515(b)(1)(A) Transition requiring that by November 1, 2010 the Township determine whether the current Article XIII Tax Officer (Berkheimer Tax Administrator) or the newly Tax Collection Committee (TCC) appointed Tax Officer (Keystone Collections Group) shall collect 2011 income taxes. Pal Duroborow also referred to Keystone Collections Group correspondence dated September 30, 2010 stating that Keystone Collections Group is the Chester TCC appointed Tax Collector.

On a motion made by Al Jezyk, seconded by Estace Walters, the Board determined that the Chester Tax Collection Committee appointed Tax Collector, Keystone Collections Group, shall collect 2011 income taxes under the Chester Tax Collection Committee Tax Collection Agreement. The vote was unanimous.

Kegel Kelin Almy & Grimm LLP (KKAG) Sample Act 32 Earned Income Tax Ordinances

The Attorney for the Chester County TCC, Kegel Kelin Almy & Grimm LLP, has provided sample Act 32 Earned Income Tax Ordinances for enactment by November 30, 2010.

On a motion made by Al Jezyk, seconded by Estace Walters, the Board agreed to proceed with advertising the Act 32 EIT Ordinances for November 29, 2010. The vote was unanimous.

Act 247 County Referral – Subdivision & Land Development Ordinance Amendment

The proposed Subdivision & Land Development Ordinance Amendment has been forwarded to the Chester County Planning Commission for Act 247 review. The amendment has also been forwarded to the Township Planning Commission for review. If there are no revisions to the amendment, it may be advertised for December 6, 2010.

Act 247 County Referral – Zoning Ordinance Amendment

The proposed Zoning Ordinance Amendment has been forward to the Chester County Planning Commission for Act 247 review. The amendment has also been forwarded to the Township Planning Commission for review. If there are no revisions to the amendment, it may be advertised for December 6, 2010.

Springlawn Road Trail – David Shields Correspondence dated September 23, 2010; Bill Shaner UFA Preemption Concern

Pal Durborow referred to David Shields correspondence dated September 23, 2010 requesting that the Springlawn Road Trail be closed during Firearms Hunting Season as per the Easement Agreement. The Board agreed to close the trail as requested and will install signs for when the trail is closed.

Pal Durborow referred to Bill Shaner’s regarding the prohibition of firearms in the Springlawn Road Trail is in violation of the Uniform Firearms Act. The Board agreed to consult with the Township Solicitor on this issue.

Linda Luker asked if the hunting closure applies to the Chrome Barrens. Pal Duborow stated that this closure applies only to the Springlawn Road Trail. John Groce asked if the trail would be open on Sundays. Pal Durborow stated that the trail will be open on Sundays.

PennDOT Notice of Estimated Allocation Municipal Liquid Fuels

Pal Durborow referred to PennDOT’s Notice of Estimated Liquid Fuels stating that the estimated liquid fuels allocation for 2011 is \$55,100.72.

Chester County SPCA Correspondence dated September 30, 2010

Pal Durborow referred to Chester County SPCA correspondence dated September 30, 2010 advising that the SPCA will no longer accept stray animals from Townships without a full or limited contract.

2011 Budget Work Meeting

The Board agreed to schedule the 2011 Budget Work Meeting for October 19, 2010 at 6:00 PM.

Amos & Sarah Kauffman Challenge Grant Program Application

Pal Durborow stated that John Goodall has advised that the deed for the Kauffman property includes a codicil that the farm can’t be sold for anything but a farm, and that the county feels that this codicil protects the property from development. The Kauffman’s have requested that the Township provide a refund for the appraisal of the property. The Board agreed to request

further information from John Goodall, and to request a copy of the invoice from the Kauffman's.

STAFF REPORTS

Secretary's Report

On a motion made by Estace Walters, seconded by Al Jezyk, the September 7, 2010 Board of Supervisors Meeting Minutes 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 October, 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: \$266.19

Planning Commission

Pal Durborow referred to the September 2010 Planning Commission Minutes stating that there was no new business.

Zoning Hearing Board

No activity.

Zoning Officer

Pal Durborow referred to the September Zoning Officer Report stating that no permits were issued; nine (9) inspections were performed; and twenty-three (23) inquiries were received.

Roadmaster

Roadmaster Estace Walters referred to the September Roadmaster Report stating that he weeded Route 472 and Kings Row Road; talked to Hank Henry about paving; talked to the State about various issues; cleaned the Township truck; and talked to Snyder & Sons about trimming trees along Glen Hope Road and at Breckenridge.

Estace stated that he talked to the State about the sunken pipe and ditching on Route 841, and that PennDOT advised that their personnel is inventorying signs throughout the county.

Post Office Committee

No report.

Historic Commission

No report.

Open Space Committee

No report.

OLD BUSINESS

Old Forge Road – Request for Speed Hump

The Township received a request for another speed hump on Old Forge Road. Pal Durborow stated that there was a previous request from a resident wanting the speed hump removed, and that the Board previously denied a request for a speed hump on Hickory Hill Road. The Board agreed to speak with the residents on Old Forge Road about this issue.

Historic Display Case for Township Building

The deposit for the historic display case is included in the Bills to Be Paid for October.

Piano in Township Building

Someone from the Church is looking into whether any wants the old piano from the Township Building.

Springlawn Road Trail - Spur Trails Signage

Complaints have been received that people are leaving spur trails and are on property where they are not allowed. Signage has been installed to keep people from leaving the spur trails.

Springlawn Road Trail – Picnic Table

On a motion made by Al Jezyk, seconded by Estace Walters, the Board agreed to purchase a picnic table for the Springlawn Road Trail. The vote was unanimous.

NEW BUSINESS

No new business.

PUBLIC COMMENT

Linda Luker asked the status of the Nuisance Ordinance. Pal Durborow stated that the Nuisance Ordinance will be advertised for December 6th.

Curt Haegele invited the Board to attend the Oxford Area School District Board Work Meetings held every second Tuesday of the month.

Meeting adjourned at 8:10 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer