

**ELK TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
September 7, 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

Resolution No. 2010-10 Official Legal Identification of Kings Row Road #T310

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Resolution No. 2010-10 Official Legal Identification of Kings Row Road #T310. The vote was unanimous.

Oxford Regional Emergency Management (OXREM)

Chuck Freeze of Oxford Regional Emergency Management (OXREM) expressed concerns should the Township not renew the PennDOT Winter Traffic Services Agreement. Chuck stated that there were prolonged responses from PennDOT during the February 2010 storms. Chuck stated that PennDOT clears roads according to population and that the Winter Traffic Services Agreement will allow the Township to maintain control.

PennDOT 5-Year Winter Traffic Services Agreement; Resolution No. 2010-11 Authorization & Direction to Sign Agreement; Draft September 7, 2010 Letter to PennDOT

Pal Durborow stated that the PennDOT 5-Year Winter Traffic Services Agreement has cost the Township a lot of money especially the last few years. Pal explained that the Board tried to schedule a meeting with PennDOT but PennDOT refused to meet. Pal explained that PennDOT has not taken care of ditching problems, which causes the Township to use more salt and labor.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed not to renew the PennDOT 5-Year Winter Traffic Services Agreement and agreed not to adopt Resolution No. 2010-11. The motion was unanimous.

Act 537 Plan Approval – DEP Correspondence dated September 2, 2010

URS Preparation of Grant Reimbursement

Pal Durborow referred to Pennsylvania Department of Environmental Protection (DEP) correspondence dated September 2, 2010 granting approval of the Elk Township Act 537 Plan, which means that the Township is eligible for grant reimbursement.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to authorize URS Corporation to prepare the Act 537 grant application package. The vote was unanimous.

Draft Nuisance Ordinance No. 2010-02 (Storage of Inoperable Motor Vehicles; Accumulating Garbage, Refuse or Rubbish; Regulating Growth of Grass, Weed, Noxious Weed, Vegetation) Public Hearing To Be Scheduled on October 4, 2010

Pal Durborow referred to Draft Nuisance Ordinance No. 2010-02 regulating the storage of inoperable motor vehicles, accumulation of garbage, refuse or rubbish, and growth of grass, weeds, noxious weeds and vegetation.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to authorize the Township Solicitor to proceed with advertising the Public Hearing for Ordinance No. 2010-02. The motion was unanimous.

Draft UCC Ordinance No. 2010-03 (UCC Permit Exceptions); Department of Labor & Industry of the Commonwealth Review; Public Hearing To Be Scheduled on November 1, 2010

Pal Durborow referred to draft Ordinance No. 2010-03 for UCC permit exceptions for accessory structures less than 400 square feet.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to authorize the Township Solicitor to forward draft Ordinance No. 2010-03 to the Department of Labor and Industry for review. The vote was unanimous.

TJA Properties (TOJO Mushrooms) Request for Coordination with Township; Agreement for Professional Plan Review Services

Pal Durborow stated that TJA Properties (TOJO Mushrooms) has requested coordination with Township Professional Consultants in preparation of the Preliminary Plan. The Township Solicitor has provided an Agreement for Professional Plan Review Services, which in no way is to be construed as allowing any construction of improvements prior to Applicant receiving all required Township, County, State and Federal approvals and/or permits and execution of such Development and Financial Security Agreements with the Township as the Township may require.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to grant TJA Properties (TOJO Mushrooms) request for coordination with Township Professional Consultants in preparation of the Preliminary Plan conditioned upon execution of the Agreement for Professional Plan Review Services and submission of security as required by the Agreement. The motion was unanimous.

Chrome Barrens 2010/2011 Season Hunting Permits

Pal Durborow stated that Fifty-four (54) Applications to Hunt in the Chrome Barrens Conservancy have been received for the 2010/2011 Season. Fifty (50) permits were approved in 2009, fifty-five (55) were approved in 2008, and fifty-one were approved in 2007.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board approved fifty-four (54) Permits to Hunt in the Chrome Barrens Conservancy for the 2010/2011 Season. The motion was unanimous.

Oxford Area Recreation Authority (OARA) July 2010 Minutes and Budget for 2011

Pal Durborow referred to Oxford Area Recreation Authority (OARA) July 2010 Minutes and Budget for 2011. The July 2010 Minutes refer to Upper Oxford and West Nottingham considering joining the Authority. The Board agreed that these Townships should be required to pay if they join the OARA.

Elk Township Historic Commission – Display Cabinet for Township Building

Pal Durborow referred to Hershey's Wood Shop, Inc. quote for a historic display cabinet. The quote is for \$2,100 with lumber provided by the contractor or \$1,760 with lumber provided by Township. The

display cabinet will be paid for with the donation from the Estate of Virginia Gregg and be dedicated in her memory.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board approved the Hershey's Wood Shop Inc. quote in the amount of \$2,100 for a historic display cabinet for the Township Building. The vote was unanimous.

Southern Chester County Emergency Medical Services, Inc. (SCCEMS) Correspondence dated August 10, 2010 (2011 Funding Request)

Pal Duroborw referred to Southern Chester County Emergency Medical Services, Inc. (SCCEMS) correspondence dated August 10, 2010 requesting 2011 funding in the amount of \$9,906.

On a motion made by Estace Walters, seconded by Al Jezyk, the Board agreed to Southern Chester County Emergency Medical Services, Inc. 2011 funding in the amount of \$9,906. The vote was unanimous.

STAFF REPORTS

Secretary's Report

On a motion made by Estace Walters, seconded by Al Jezyk, the August 2, 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 September, 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: \$123.65

Planning Commission

Pal Durborow referred to the August 2010 Planning Commission Minutes stating that Spence Andress made a presentation on the TOJO Mushroom facility proposed land use plan.

Zoning Hearing Board

No activity.

Zoning Officer

Pal Durborow referred to the August Zoning Officer Report stating that no permits were issued; five (5) inspections were performed; and seventeen (17) inquiries were received.

Roadmaster

Roadmaster Estace Walters referred to the August Roadmaster Report stating that he cleaned up the King Row Road covered bridge, sprayed black paint on road profanity on Dougherty Road, received a request for speed limit signs on Hickory Hill Road, and that he wants to pave School

House Road and replace a pipe in Breckenridge. Estate thanked Brian Carter for his help with downed trees during the storm

Post Office Committee

No report.

Historic Commission

No report.

Open Space Committee

No report.

OLD BUSINESS

Brick Meeting House Road & Route 841

Pal Durborow stated that the intersection of Brick Meeting House Road and Route 841 have been cut back twice and will be cut back once more.

Springlawn Road Trail

Pal Durborow stated that the Township will clean out the spur trails near the creek and will install additional signage.

Township Building Piano

Pal Durborow stated that the Historic Commission would like to remove the old piano in the Township Building. The Historic Commission will check with the Church to see if anyone wants the piano.

NEW BUSINESS

No new business.

PUBLIC COMMENT

Linda Luker stated that Route 472 and Kings Row Road needs to be trimmed.

John Reynolds of OXREM stated that they are aware that Alan Kennedy resigned as Emergency Management Coordinator, and advised the Board to contact OXREM if there are any issues. Pal Durborow will attend the next OXREM meeting.

Meeting adjourned at 7:50 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer