

**ELK TOWNSHIP BOARD OF SUPERVISORS**  
**MEETING MINUTES**  
**August 6, 2007**

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, Vice Chairman Estace Walters and Member Albert Jezyk, Jr.

**PUBLIC COMMENT**

No public comment.

**ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE**

**Ordinance No. 2007-02 Subdivision & Land Development**

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Ordinance No. 2007-02 Subdivision & Land Development Ordinance. The vote was unanimous.

**Ordinance No. 2007-03 Official Map & Ordinance**

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Ordinance No. 2007-03 Official Map & Ordinance. The vote was unanimous.

**Ordinance No. 2007-04 Post Construction Stormwater Management**

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Ordinance No. 2007-04 Post Construction Stormwater Management Ordinance. The vote was unanimous.

**Ordinance No. 2007-05 An Ordinance Vacating Township Road T-354**

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Ordinance No. 2007-05 An Ordinance Vacating Township Road T-354. The vote was unanimous.

**Resolution No. 2007-08 Fee Schedule**

On a motion made by Estace Walters, seconded by Al Jezyk, the Board adopted Resolution No. 2007-08 Fee Schedule. The vote was unanimous.

**David Ward – Chester County Planning Commission Multi-Municipal Comprehensive Plan**

David Ward, Director of the Chester County Planning Commission, gave an overview of the advantages and disadvantages of a Multi-Municipal Comprehensive Plan. David stated that participation provides the opportunity to distribute all zoning uses to be spread over a larger geographical area. However, there are negotiations as to who takes what and local zoning may need to be adjusted to reflect the regional plan.

Township resident Harry Chapman stated that he feels that the participation in a multi-municipal plan would not be of benefit to taxpayers.

Pal Durborow stated that the Township Solicitor will review the Intergovernmental Cooperative Planning Agreement and advise the Board. The Board agreed that is important to have a Board member attend the meetings to gather further information.

#### **Springlawn Road Trail Construction Activities**

Pal Durborow stated that the Board has received correspondence from Benjamin Berger (Attorney for George Strawbridge) regarding ATV trespassers on Springlawn Road. Pal referred to Township Solicitor correspondence dated August 3, 2007 to Mr. Berger stating that the Township acknowledges its responsibility to honor the terms of the contract and will monitor Spring Lawn Road to assure compliance.

Pal referred to Township correspondence dated August 6, 2007 to Kimberley Merrit, Municipal Grant Coordinator, providing a status update on the Springlawn Road Trail Improvements.

#### **Chester County Challenge Grant Program**

The Board agreed not to commit funds to the Chester County Challenge Program at this time.

#### **Chester County Major Incident Response Team (M.I.R.T.)**

The Board agreed not to participate in the Chester County Major Incident Response Team (M.I.R.T.) program at this time.

#### **Application for Variance - Ruggiero**

An Application for Variance has been received for Tax Parcel #70-4-29.1C owned by Richard Ruggiero.

#### **PennDOT Winter Services Traffic Agreement**

On a motion made by Estace Walters, seconded by Al Jezyk, the Board accepted the PennDOT Winter Services Traffic Agreement Exhibit A. The vote was unanimous.

Estace Walters stated that he is concerned about inadequate ditching along some state roads and that he will contact PennDOT regarding the problem.

#### **Agricultural Security Area**

A proposal for modification to the Elk Township Agricultural Security Area has been received for Tax Parcel #70-4-15.38 owned by Gordon Kerr.

### **STAFF REPORTS**

#### **Secretary's Report**

On a motion made by Estace Walters, seconded by Albert Jezyk, the July 2, 2007 Board of Supervisors Meeting Minutes were approved. The vote was unanimous.

Linda Luker asked if information regarding junk cars could be sent out to all Township residents. Pal Durborow stated that this could probably be included in a Township newsletter.

### **Treasurer's Report**

On a motion made by Al Jezyk, seconded by Estace Walters, the Bills to be Paid for August, with the exception of the Chester County M.I.R.T. invoice and 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**

\$1,058.82 in real estate taxes was collected.

### **Planning Commission**

The July Planning Commission meeting was cancelled. Melanie Hesse asked the Board to consider including in the ordinances a deadline for special exceptions, variances and conditional use decisions.

### **Zoning Hearing Board**

#### **Application for Variance - Ruggiero**

An Application for Variance has been received for Tax Parcel #70-4-29.1C owned by Richard Ruggiero.

### **Zoning Officer**

Pal Durborow referred to the July Zoning Officer Report stating that three (3) Building Permits, four (4) Use & Occupancy Permits, and one (1) Enforcement Notice were issued. On-going projects include The Bluffs at Big Elk Creek, various single homes and various inquiries regarding codes, zoning, etc.

### **Roadmaster**

Estace Walters referred to the July Roadmaster Report. Estace stated that East Nottingham Township will tar and chip Mt. Olivet Road including the portion located within Elk Township at no expense to Elk Township.

### **Post Office Committee**

No report.

### **Historical Commission**

There will be a 150<sup>th</sup> Anniversary Dinner and Barn Dance in September that will be open to anyone in the Township.

### **Open Space Committee**

Melanie Hesse questioned as to why the Open Space Plan needs to be updated. Pal Durborow explained that the Township Engineer is reviewing the plan for compliance with the legal requirements as outlined by the Township Solicitor.

### **OLD BUSINESS**

No old business.

**NEW BUSINESS**

No new business.

**PUBLIC COMMENT**

Andrew Kluger suggested that “No Dumping” signs could be installed at the Hickory Hill covered bridge.

Susan Dougherty stated that the bushes at Brick Meeting House Road and Route 841 need to be trimmed.

Alan Kennedy stated that there will be a new apparatus ceremony at the Union Firehouse on September 15<sup>th</sup>.

Meeting Adjourned at 8:25 PM.

Respectfully Submitted,

Terri Kukoda  
Secretary/ Treasurer