

**ELK TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
FEBRUARY 13, 2006**

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.

A moment of silence was held in memory of Kaye Ginn.

PUBLIC COMMENT ON AGENDA ITEM

No public comment.

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Ordinance No. 2006-01 Elk Township Historical Commission

On a motion made by Estace Walters, seconded by Albert Jezyk, **Ordinance No. 2006-01 Elk Township Historical Commission** was adopted. The vote was unanimous.

Resolution 2006-04 Disposition of Records

On a motion made by Estace Walters, seconded by Albert Jezyk, **Resolution 2006-04 Disposition of Records** was adopted. The vote was unanimous.

Resolution 2006-05 Building Permit Fee Schedule

Zoning Officer George Guss has advised that the Uniform Construction Code does not require a building permit for accessory buildings under a thousand square feet. George requests a Zoning Permit to be required for building permits in order to verify setbacks.

On a motion made by Estace Walters, seconded by Albert Jezyk, **Resolution 2006-05 Building Permit Fee Schedule** was adopted. The vote was unanimous.

John Carl and Elisabeth Steichen Final Subdivision Plan

Pal Durborow stated that legal and engineering issues regarding the Steichen Final Subdivision Plan have been resolved.

On a motion made by Estace Walters, seconded by Albert Jezyk, the John Carl and Elisabeth Steichen Final Subdivision Plan dated June 21, 2005 Latest Revision dated January 3, 2006 was approved. The vote was unanimous.

Act 537 Plan URS Corporation Plan of Study and Task Activity Report

On a motion made by Estace Walters, seconded by Albert Jezyk, the Board authorized URS Corporation to proceed with the Act 537 Plan of Study and Task Activity Report dated October 2005. The vote was unanimous.

Open Space Referendum Ordinance

Pal Durborow stated that the Township Solicitor has provided an Open Space Referendum Ordinance for the Board's review. Pal stated that the Board would like the Open Space Committee to provide further information regarding the Open Space Plan prior to proceeding with the ordinance.

PennDOT 2006/2007 Salt Contract Participation Agreement

On a motion made by Estace Walters, seconded by Albert Jezyk, the Board approved the Pennsylvania Department of Transportation 2006/2006 Salt Contract Participation Agreement. The vote was unanimous.

Peacedale Court Subdivision/Route 472 Intersection

Pal Durborow referred to URS Corporation correspondence dated January 23, 2006 from Stan Corbett regarding the intersection of Peacedale Court and Route 472. Mr. Corbett has advised that modifications to Route 472 would be necessary in order to provide adequate site distance.

Pal stated that the Board would continue to discuss this issue with the Township Solicitor, Township Engineer and PennDOT.

Springlawn Road Trail Grant Status Report

Pal Durborow stated that the Springlawn Road Trail Agreement needs signatures from Mr. Strawbridge's Trustees and that this should be completed by the end of February. The county has requested an update on the status of the project.

Executive Session

Pal Durborow stated that an Executive Session with the Township Solicitor was held on February 2, 2006 to discuss various legal issues including the conditions of the Erinc Conditional Use Decision; the Avery Appeal to the Validity of the Zoning

Ordinance; Chester Water Authority; and legal requirements regarding subcontractors providing services to the Township.

King Row Road Covered Bridge

Pal Durborow referred to McCormick Taylor correspondence dated February 7, 2006 stating that lights will be installed at King Row Road covered bridge.

PIRMA Liability Loss Recommendations

Pal Durborow referred to PIRMA correspondence dated January 9, 2006 listing recommendations to be made to the Township Building to help reduce liability exposure.

All-Terrain Vehicle Law

Pal Durborow stated that the Township has received complaints regarding ATV's and that the Township Solicitor has advised that an ordinance restricting ATV's is not feasible. Pal advised residents to contact the State Police to report problems with ATV's.

PASTS' Spring Convention

On a motion made by Estace Walters, seconded by Albert Jezyk, the Board authorized the Township's elected and/or appointed officials and employees to attend the PASTS Spring Convention. The vote was unanimous.

CCATO Spring Convention

On a motion made by Estace Walters, seconded by Albert Jezyk, the Board authorized the Township's elected and/or appointed officials and employees to attend the CCATO Spring Convention. The vote was unanimous.

Long View Farms Preliminary Subdivision Plan

Pal Durborow stated that a revised Preliminary Plan for the Long View Farms Subdivision has been received and will be forwarded to the appropriate agencies for review.

STAFF REPORTS

Secretary's Report

On a motion made by Estace Walters, seconded by Albert Jezyk, the January 3, 2006 Meeting Minutes were approved.

Treasurer's Report

On a motion made by Estace Walters, seconded by Albert Jezyk, the Bills to be Paid for January, with the exception of the "Snyder and Sons" bill in the amount of \$810.00, were approved. The vote was unanimous.

On a motion made by Pal Durborow, seconded by Albert Jezyk, the "Snyder and Sons" bill in the amount of \$810.00 was approved. Estace Walters abstained from the vote.

Tax Collector

Real Estate: \$199.09

Planning Commission

The January Planning Commission Meeting was cancelled.

Zoning Hearing Board

No activity.

Zoning Officer

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

Roadmaster

Pal Durborow stated that the road crew did a good job on snow removal during the recent storm. Harold Gregg asked if the Township truck has been repaired. Pal stated that he would check with Michael regarding the truck.

Estace Walters stated that he spoke with Dave Harlan regarding patching and that the Board needs to schedule a tour of the roads.

POST OFFICE COMMITTEE REPORT

Mary Gruber stated that she has taken over responsibility for the Post Office Committee Report and stated that Michele Peterson is a new member of the Committee.

OLD BUSINESS

State Police Report

Pal Durborow stated that the State Police Report listed several arrests regarding recent break-ins.

Armstrong Cable

Pal Durborow stated that the Armstrong Cable Agreement is almost ready to be signed.

Chester Water Authority

Pal Durborow stated that the Township Solicitor has advised that the Township may not deny CWA from entering the Township, but may impose limits through the adoption of a Water Overlay District Ordinance. The Township Solicitor will forward a sample ordinance for the Planning Commission's review.

NEW BUSINESS

No new business.

PUBLIC COMMENT

Mark Plaughter asked if the courts have approved Mr. Avery's townhouses. Pal Durborow stated that the Township Solicitor has advised that the court has overruled the Township appeals and that it would not be cost efficient to appeal again.

Mark Plaughter asked if the Water Overlay District would require fire hydrant rental fees be paid by those only in the service area. Estace Walters stated that the Board would need to follow-up with the Township Solicitor regarding this issue.

Delbert Steele stated that the Township hall needs a sound system so that everyone in attendance can hear what is being said. Delbert also stated that the road crew did a good job on the roads but missed two (2) houses on Lombard Road at the border of Maryland and Pennsylvania. Pal Durborow stated that he would alert the road crew of the problem.

Meeting Adjourned at 8:40 PM.

Respectfully Submitted,

Terri Kukoda

Secretary/ Treasurer