

**ELK TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
APRIL 6, 2015**

The Elk Township Board of Supervisors April Meeting convened at 7:00 PM at the Elk Township Building, Lewisville, PA. The following Supervisors were present: Chairman Albert Jezyk, Jr., Vice Chairman Estace Walters and Member James George.

PUBLIC COMMENT ON AGENDA ITEMS

There was no public comment.

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Barren Road Motor Vehicle Size Limitation Ordinance Drafts

Al Jezyk referred to the Barren Road Motor Vehicle Size Limitation Ordinance drafts provided by the Township Solicitor. One version of the draft ordinance includes the requirement for permits/security, and the other version does not require include the requirement for permits/security.

On a motion made by Al Jezyk, seconded by Jim George, the Board approved the Barren Road Motor Ordinance drafts conditioned upon East Nottingham approving the same Ordinance. The vote was unanimous.

Armstrong Correspondence dated 11/12/14 – Extension of Existing Agreement

Al Jezyk referred to Armstrong correspondence dated November 12, 2014 requesting that the Township agree to extend the Existing Agreement to May 6, 2015.

Public Comment: Donna Ellingsen asked if this would change the costs.

Jim George stated that costs shouldn't change and that the Board will try to extend service areas.

On a motion made by Jim George, seconded by Estace Walters, the Board agreed not to extend the Armstrong Existing Agreement and authorized the Township Solicitor to negotiate a new agreement. The vote was unanimous.

Lora Myers Correspondence dated 3/23/15 – Request for Reduction of Township Income Taxes

Al Jezyk read aloud Lora Myers' correspondence dated March 23, 2015 requesting a reduction of the Township Income Tax. Al stated that the Township is committed for open space payments to July 2017, and that the Township has never borrowed funds nor paid any interest for open space purchases.

Public Comment: Donna Ellingsen asked about the 2017 deadline. Mona Kadow asked about what will happen in 2017. John Croce asked about the time limit for the Ordinance.

Estace Walters stated that the Township could still receive requests for matching funds through the Challenge Grant Program. Estace stated that the history of the Open Space Earned Income Tax includes the forming of an Open Space Committee and an open space referendum passed by Township voters. Estace stated that he understands that some are struggling financially and eventually the Open Space Tax will be eliminated.

Jim George stated that the Board would vote to eliminate the Open Space Earned Income Tax after all open space opportunities are exhausted.

Estate Walters stated that the Township is committed for open space payments to July 2017.

Al Jezyk stated that open space purchases are through the Challenge Grant Program or State grants and the Dougherty property was planned for 40+ homes but is now preserved with a conservation easement.

Jim George referred residents to the County's website for a listing of tax rates and stated that Elk Township is near the bottom of that list.

TJA Properties (TOJO Mushrooms Preliminary Land Development Plan – Township Engineer 3/19/15 Meeting w/Spence Address

Al Jezyk stated that the Township Engineer met with Spence Address (TJA Properties Consultant) on March 19, 2015 to discuss the TJA Properties (TOJO Mushrooms) land development plan. Al stated that the Township Engineer has advised that TJA Properties is still working on the plan, Phase 1 composting will no longer be done on site, development is still proposed in three stages, and projected groundwater withdrawals remain the same or less as those in the 2013 hydro-geologic study.

Chester County Department of Emergency Services Correspondence dated 3/12/15 – Study of Regionalization of Regional EMS Council

Al Jezyk referred to Chester County Department of Emergency Services correspondence dated March 12, 2015 advising that the County is establishing an advisory group to provide strategic guidance regarding the study of regionalization of the Regional EMS Council.

Union Fire Company Correspondence dated 3/10/15 – Informative Meeting 4/29/15

Al Jezyk referred to Union Fire Company correspondence dated March 10, 2015 inviting the Board to attend an informative meeting on April 29, 2015.

Chester County Planning Commission Correspondence dated 3/4/15 – Proposed Stormwater Management Ordinance Amendment

Al Jezyk referred to Chester County Planning Commission correspondence dated March 4, 2015 advising that the proposed Stormwater Management Ordinance Amendments are appropriate.

CBRE Correspondence dated 3/3/15 – USPS Lease Renewal

Al Jezyk referred to CB Richard Ellis (CBRE) correspondence dated March 3, 2015 proposing the terms for renewal of the United States Post Office Lease (USPS). Al stated that CBRE is negotiating on behalf of the United States Post Office and would be paid a 4.00% commission by the Township.

Public Comment: John Croce stated that the Township should not have to pay a commission.

On a motion made by Jim George, seconded by Al Jezyk, the Board agreed not to pay a commission to CBRE and authorized the Township Solicitor to negotiate the terms for the USPS lease renewal. The vote was unanimous.

PECO Correspondence dated 3/25/15 – Electric Equipment Inspections

Al Jezyk referred to PECO correspondence dated March 25, 2015 stating that electrical equipment inspections will be conducted and are expected to be complete by May 2015.

Act 164 of 2014 Elected Tax Collector Training & Certification

Al Jezyk stated that Act 164 of 2014 requires tax collectors to take courses annually and that the Township may agree to pay for the costs.

Public Comment: Mona Kadow stated that Tax Collectors must be certified. Donna Ellingsen asked how much is collected in taxes.

Al Jeyzk stated that about \$25,000 in taxes is collected and about \$8,000 is paid to the Tax Collector.

On a motion made by Jim George, seconded by Estace Walters, the Board agreed to pay the costs of Act 164 courses for this year. The Board also agreed to consider an Ordinance to increase the Tax Collector's hourly rate and/or commission instead of paying the costs of Act 164 courses for next year. The vote was unanimous.

Chester County Transportation Improvement Inventory 2013

Al Jeyzk stated that the Township has advised the County that the projects for the Chester County Transportation Improvement Inventory 2013 are still relevant and include the following: 1) State Road Bridge over Little Elk Creek; 2) Route 472 East Nottingham Township to Lewisville Road; 3) Route 472 at Peacedale Court; 4) Route 472 at Kings Row Road; 5) State Road south of Old Forge Road; 6) Hickory Hill Road Bridge over Little Elk Creek.

Jim George stated that the Peacedale Court "No Left Turn" sign was installed by Penn DOT and that Penn DOT has lowered the speed limit. Jim stated that the Board would like to accept dedication and the process is still ongoing.

Public Comment: Mona Kadow asked about reporting potholes and the State contracting roadwork to the Township.

Estace Walters stated that residents may call him directly to report potholes or may call Penn DOT if it is a State owned road. Estace stated that the Township does not have enough funds to maintain State owned roads and lots of developments are in need of repair.

Lancaster Home Builders Stormwater Management Plan dated 1/15/15 – Township Correspondence dated 3/3/15 to Lancaster Home Builders

Al Jeyzk referred to Township correspondence to Lancaster Home Builders dated March 3, 2015 advising that two separate plan/permit submissions are required for the Lancaster Home Builders Stormwater Management Plan dated January 15, 2015.

Township Clean-up Day 4/18/15

Al Jeyzk stated that the Township Clean-up Day is scheduled for April 18, 2015 at 9:00 AM.

Residential Lease Draft - Township Owned House (2724 Lewisville Road)

Al Jeyzk stated that the Township Solicitor has provided a draft residential lease for the Township owned house at 2724 Lewisville Road.

Public Comment: Donna Ellingsen asked if anyone is interested in renting the house. Milt Rudy asked if the tenant would be subject to Board approval.

Jim George stated that there are five (5) people interested in the rental and the tenant would be subject to Board approval. Jim stated that the rent would be \$1,000 plus security and the Board is considering Gary Stacy as the rental agent for the property.

On a motion made by Al Jeyzk, seconded by Estace Walters, the Board authorized Jim George to sign the Residential Lease on behalf of the Township. The vote was unanimous.

On a motion made by Jim George, seconded by Estace Walters, the Board agreed to appoint Gary Stacy as the rental agent for the Township. The vote was unanimous.

STAFF REPORTS

Secretary's Report

On a motion made by Jim George, seconded by Estace Walters, the March 2, 2015 Board of Supervisors Meeting Minutes were approved. The vote was unanimous.

Treasurer's Report

On a motion made by Jim George, seconded by Al Jezyk, the Bills to be Paid for April with the exception of Roadmaster Payroll were approved. The vote was unanimous.

On a motion made by Al Jezyk, seconded by Jim George, the Bill to be Paid for Roadmaster Payroll was approved. Estace Walters abstained from the vote.

Tax Collector

March 2015: \$6,718.65

Planning Commission

Al Jezyk referred to the March Planning Commission Meeting Minutes stating that Mark signed the Brian Campbell minor subdivision.

Zoning Hearing Board

No action.

Building/Zoning Report

Al Jezyk referred to the March Building/Zoning Report stating that two (2) zoning permits were issued, five (5) building permits were issued, and four (4) complaints were received.

Roadmaster

Roadmaster Estace Walters referred to the March Roadmaster Report stating that Brian Carter took care of freezing events and installed a "no trucks" sign at Old Forge Road and Route 472; calls about plowing in Peacedale Court were taken care of, lots of potholes were patched, and Dave Harlan installed rip at a Hickory Hill Road storm drain.

Public Comment: Milt Rudy asked about remediation for crumbling road edges.

Estace stated that rip-rap is installed until areas are blacktopped.

Emergency Management Coordinator

Deputy Emergency Management Coordinator Milt Rudy reported that he's been working with Chuck Freeze to identify a regional management center and will ask Oxford Regional Emergency Management for suggestions.

Oxford Area Recreation Authority

No report.

Trail Coordinator

No report.

Historic Commission

No report.

OLD BUSINESS

Coventry Greene Neighborhood Watch Program

Milt Rudy stated that the Coventry Greene Neighborhood Watch signs have been installed and he has a handbook on creating a Neighborhood Watch program.

NEW BUSINESS

Roadbank Mowing

Estate Walters stated that Chris Weaver will continue to do roadbank mowing for the Township.

PUBLIC COMMENT

Mona Kadow presented a bill for replacing her mailbox damaged by the snowplow.

Estate Walters stated that there have been a few mailbox incidents due to heavy wet snow and difficulty in seeing during snowstorms.

On a motion made by Estate Walters, seconded by Jim George, the replacement mailbox bill was approved. The vote was unanimous.

Meeting Adjourned at 8:20 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer