

**ELK TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
July 10, 2017**

The Elk Township Board of Supervisors May 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**

**Christian Fisher Application for Post Construction Stormwater Management Plan dated 6-27-17 (Amish Schoolhouse 708 Old Forge Road); AECOM Correspondence dated 7/10/17**

Al Jezyk stated that the Stan Corbett's review letter was received today and that John Coldiron needs to address all the issues.

Estace Walters stated that the Township Engineer has provided comments but the Board hasn't had time for review.

Public Comment: Jim Whitesel asked about the procedure.

Estace Walters explained that this doesn't happen overnight and the Board doesn't know yet if everything can be addressed.

Al Jezyk explained that there are a lot of things to be addressed but if everything gets worked out, the Board could hold a special meeting.

On a motion made by Jim George, seconded by Estace Walters, the Board approved the "Simplified Approach Stormwater Best Management Practices Operation, Maintenance, and Inspection Plan Agreement" between Christian L. & Fannie K. Fisher and Elk Township. The motion was conditioned upon all stormwater management plan issues being satisfactorily resolved and confirmation that the plan meets the requirements for a simplified approach. The vote was unanimous.

**Elk Township Grant Proposal for Patricia du Pont Foundation Property Acquisition for Creation of a Public Nature Preserve (Project); The Land Conservancy of Southern Chester County (Applicant)**

Al Jezyk stated that The Land Conservancy (TLC) is requesting funds to purchase the Patricia du Pont Foundation property. TLC has funding commitments from the County and State, and is requesting \$150,000 from Elk Township.

Jim George stated that TLC will own the land and manage/run the programs, and the Board will need confirmation from the Township Solicitor that open space funds may be used.

Public Comment: Milt Rudy asked about the \$150,000 portion from the Township.

Estace Walters explained that this is a one-time commitment and no further funding would be provided by the Township.

On a motion made by Jim George, seconded by Al Jezyk, the Board agreed to commit \$150,000 of open space funds to The Land Conservancy's acquisition of the Patricia du Pont Foundation property. The motion was conditioned upon the County and State providing grant funds and the Township Solicitor's confirmation of open space funds being used. The vote was unanimous.

**Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508) - George Robert Gregg & Carolyn Mildred Gregg (Deceased) Two Lot Subdivision Preliminary/Final Plan dated 8/19/14 latest revision 4/24/17**

On a motion made by Jim George, seconded by Estace Walters, the Board agreed to sign the Agreement to Extend Requirements of the PA Municipalities Planning Code Section 508 (53 P.S. 10508) - George Robert Gregg & Carolyn Mildred Gregg (Deceased) Two Lot Subdivision Preliminary/Final Plan dated 8/19/14 latest revision 4/24/17. The motion was unanimous.

**TOJO Mushrooms Preliminary Land Development Plan – AECOM Correspondence dated 6/30/17; Chester Conservation District Correspondence dated 6/23/17 General NPDES Permit for Stormwater Discharges**

Al Jezyk stated that the Township Engineer has reviewed the TOJO Mushrooms revised Preliminary Land Development Plan.

Public Comment: Gregg Miller asked about the outcome of the increased water usage.

Al Jezyk stated that the applicant still needs to address all the issues.

**DuVall-Wolfe Project SWM Plan; Scott Moran Correspondence dated 7/10/17; AECOM Correspondence dated 7/10/17; Crossan-Raimato, Inc. Correspondence dated 6/14/17**

Al Jezyk stated that the applicant is requesting access to Chrome Road instead of Lombard Road, and has requested a waiver of Stormwater Management Ordinance Section 306 (minimum infiltration).

On a motion made by Jim George, seconded by Estace Walters, the Board granted a waiver of Stormwater Management Ordinance Section 306 (minimum infiltration). The motion was unanimous.

**Heritage Builders SWM Plan (Whitesel); AECOM Correspondence dated 6/19/17; Register Associates, Inc. Correspondence dated 6/7/17**

Al Jezyk stated that all SWM plan approval conditions have been met.

**Lancaster Home Builders Lots 1 & 3 SWM Plans – Concord Land Planners & Surveyors, Inc. Correspondences dated 7/7/17 & 7/10/17**

Al Jezyk stated that Lancaster Home Builders has requested a waiver of Stormwater Management Ordinance Section 105.C.1 (use of an alternative process). The Township Engineer will review the waiver request.

**Union Fire Company No. 1 & Ambulance Division Municipal Fund Financial Statements for the Year Ending December 31, 2016**

Al Jezyk stated that the financial statements for Union Fire Company No. 1 & Ambulance Division have been received and are available for inspection.

**Penn DOT Correspondence dated 6/23/17 Re: Traffic Counting on Municipally Owned Roads**

Al Jezyk stated that PennDOT will conduct traffic counting from July to November.

**PA DEP Correspondence dated 5/24/17 to Penn DOT Charles Davies, P.E. RE: General Permit II Acknowledgement S.R. 3004, Section ORH Elk Creek Road Bridge Replacement**  
Al Jezyk stated that Penn DOT is getting ready to replace the Elk Creek Road Bridge.

**FEMA Correspondence dated 6/2/17 Re: Floodplain Management**

Al Jezyk referred to FEMA correspondence dated June 2, 2017 regarding floodplain management.

Estate Walters stated that there were no revisions to Elk's floodplain maps.

**Draft Proposed "Elk Township Flood Plain Ordinance"; FEMA Approval & CCPC Act 247 Review**

Al Jezyk stated that the Stan Corbett has worked on the draft floodplain ordinance and it will be forwarded to the County for review.

Public Comment: Jim Whitesel asked what this affects.

Al Jezyk stated that it would require certain permits for floodplain areas.

On a motion made by Estate Walters, seconded by Jim George, the Board authorized the Township Solicitor to proceed with the County Act 247 review and to advertise the public notice. The vote was unanimous.

**2017/2018 Roadwork Equipment Rental, Aggregate & Blacktop Materials Bids**

Al Jezyk stated that bids were submitted by New Enterprise Stone & Lime Co., Inc. for aggregate materials, Allan D. Myers Materials MD, Inc. for blacktop mixes, and Harlan Construction Company for roadwork equipment rental.

On a motion made by Estate Walters, seconded by Jim George, the Board awarded the following bid contracts: Aggregate Materials - New Enterprise Stone & Lime Co., Inc.; Blacktop Mixes - Allan D. Myers Materials MD, Inc.; Roadwork Equipment Rental - Harlan Construction Company. The vote was unanimous.

**2017/2018 Snow Removal/Ice Control Bid Packet**

The Board agreed to advertise the 2017/2018 snow removal/ice control bid packet for September.

**STAFF REPORTS**

**Secretary's Report**

On a motion made by Estate Walters, seconded by Jim George, the June 5, 2017 Board of Supervisors Meeting Minutes were approved. The vote was unanimous.

**Treasurer's Report**

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

On a motion made by Jim George, seconded by Al Jezyk, the bill to be paid for Roadmaster was approved. Estate Walters abstained from the vote.

**Tax Collector**

May 2017: \$717.20

**Trail Coordinator**

No report.

**Planning Commission**

June 2017: PC discussed the future need for monitoring the withdrawal of water at proposed TOJO plant.

Public Comment: Thomas Shar provided further specifics on the PC's discussion.

**Zoning Hearing Board**

No action.

**Building/Zoning Report**

Three (3) zoning permits issued; three (3) building permits issued; no occupancy/demolition/sign permits issued; one (1) complaint received.

**Roadmaster**

Roadmaster Estace Walters reported that Mt. Olivet is done and thanked East Nottingham Township for a job well done; he picked up trash at Chrome Barrens; Chris Weaver mowed Springlawn Road trail and a couple of roads that needed cut back; Brian Carter put up a few signs; and Estace had two (2) requests for speed bumps. Estace explained that the Township doesn't install speed bumps and that it would require traffic studies and be costly. Estace called that County about guard rails on Hickory Hill Road where it meets Maryland. The County doesn't think it will happen but will get back to him.

**Historic Commission**

No report.

**Emergency Management Coordinator**

Deputy Emergency Management Coordinator Milt Rudy reported that he attended the June 14<sup>th</sup> Volunteer Fair to recruit POD volunteers and that he will be present at the Oxford Apple Fest. Tom Shar is exploring ways to improve outreach for POD volunteers.

**Oxford Area Recreation Authority**

June Report: Two (2) pitch hit and run winners advanced past the sectionals; will hold haunted park event, fall festival, and "Kids to Park" day; will lay out location for dog park; working on possible vendor fair; neighbor of Oaks Road parcel concerned about possible criminal activities in parking area - OARA will bring this to attention of Oxford Borough Police Chief.

**OLD BUSINESS**

**Peacedale Court**

Al Jezyk stated that he spoke with the Township Solicitor about title insurance.

**NEW BUSINESS**

**Armstrong Cable – Helping Dogs for Veterans**

Jim George stated that Armstrong Cable is trying to pair veterans with helping dogs.

**Township Building Deck/Ramp**

Al Jezyk will patch the Township Building deck/ramp.

**Armstrong Cable**

Estate Walters stated that Armstrong Cable working on Baker Drive and he will call to confirm what they are doing. Estate stated that he Township is not part of PA One-Call and only has stormwater infrastructure. Estate advised residents to call him if they see any digging on roads.

Public Comment: Milt Rudy asked if there is an implied easement.

Estate Walters stated that there is an easement.

**PUBLIC COMMENT**

No further public comment.

Meeting adjourned at 8:30 PM.

Respectfully Submitted,

Terri Kukoda  
Secretary/ Treasurer