

**ELK TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
MARCH 6, 2017**

The Elk Township Board of Supervisors March 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**

**Lieutenant Richard D'Ambrosio, Station Commander, PA State Police**

PA State Police Lieutenant Richard D'Ambrosio presented the quarterly activity report and provided an overview of activity in the Township.

Estace Walters stated that the PA State Police are always very helpful with road issues and go above and beyond.

The Board expressed thanks and appreciation to the PA State Police for all its help.

**Resolution No. 2017-01 General Fee Schedule**

Al Jezyk stated that the General Fee Schedule includes a few minor changes to administrative fees and escrows for subdivision and stormwater management plans.

Public Comment: Donna Ellingsen asked what items are being changed.

Al Jezyk stated that the 10% administrative fee for preliminary/final subdivision plans and stormwater management plans is being replaced with a per lot fee, and the escrow for Stormwater Management Plans is being increased from \$500 to \$1,000.

On a motion made by Estace Walters, seconded by Jim George, the Board adopted Resolution No. 2017-01 General Fee Schedule. The vote was unanimous.

**Resolution No. 2017-02 Addition of Parcel #70-3-46.1 (du Pont Foundation) to the Elk Township Agricultural Security Area**

Al Jezyk read aloud Resolution No. 2017-02 adding du Pont Foundation Parcel #70-3-46.1 to the Elk Township Agricultural Security Area.

Public Comment: Milt Rudy asked what an agricultural security area is.

Al Jezyk stated that the agricultural security area helps protect farms.

Estace Walters stated that parcels must be in the Township agricultural security area to sell conservation easements.

On a motion made by Jim George, seconded by Estace Walters, the Board adopted Resolution No. 2017-02 Addition of Parcel #70-3-46.1 (du Pont Foundation) to the Elk Township Agricultural Security Area. The vote was unanimous.

**Peacedale Court – Harlan Construction Estimate dated 3//6/17**

Al Jezyk stated that Harlan Construction has estimated \$4,500 for Peacedale Court repairs. The Board will follow-up with the Township Solicitor.

**George Robert Gregg & Carolyn Mildred Gregg Two Lot Preliminary Subdivision Plan – Concord Land Planners Correspondences dated 2/24/17**

Al Jezyk stated that Concord Land Planners has advised that there is an issue with dedication of the right-of-way due to a conservation easement. Township Engineer Stan Corbett will review and advise.

**TLC Acquisition of 182 Acre Patricia du Pont Foundation Property – Township Correspondence dated 2/27/17**

Al Jezyk read aloud Township correspondence to The Land Conservancy (TLC) dated February 27, 2017 expressing support for TLC's acquisition of the Patricia du Pont Foundation 182 acre property.

Public Comment: Donna Ellingsen asked what the Township would get and what is the plan for the property.

Estate Walters stated that TLC's plan is a nature conservancy open to the public.

Jim George stated that the Board will get more specifics as TLC proceeds.

**Executive Session 3/20/17**

Al Jezyk announced that the Board held an Executive Session tonight with Scott Moran to discuss an animal ordinance.

**Board of Supervisor's April Meeting**

Al Jezyk stated that the Board's April meeting will be held on Tuesday, April 4, 2017.

**STAFF REPORTS**

**Secretary's Report**

On a motion made by Estate Walters, seconded by Jim George, the February 6, 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 March, 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. Estate Walters abstained from the vote.

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

**Tax Collector**

January/February 2017: \$0

**Trail Coordinator**

No report.

Estate Walters stated that people are still parking on the side where there is no parking.

### **Planning Commission**

February Meeting Minutes: PC reviewed TOJO Mushroom plan and request that Township Engineer review the plan with the PC to explain technical aspect, and the original plan review list of steps/expectations should be reviewed alongside the current plan.

### **Zoning Hearing Board**

Al Jezyk read aloud the Public Hearing Notice for the Zoning Hearing on the Application of James Whitesel for a variance to permit the construction of a new residential driveway that does not comply with minimum site distance requirements. The Zoning Hearing is scheduled for Monday, March 27, 2017 at the Elk Township Building.

### **Building/Zoning Report**

December 2016/January 2017: No zoning/occupancy/demolition/sign permits issued; one (1) building permit issued; two (2) complaints received.

February 2017: No zoning/building/occupancy/demolition/sign permits issued; one (1) complaint received.

Public Comment: Milt Rudy asked how to file a complaint.

Al Jezyk stated that a complaint form is available on the Township's website.

Public Comment: Brenda Harris expressed concern about a neighbor's outdoor burning.

Al Jezyk stated that the Board will come back to that issue.

### **Roadmaster**

Roadmaster Estace Walters reported that he fixed a sign on Hickory Hill Road; cut a tree off of Camp Bonsul Road; Snyder & Sons cut trees on Camp Bonsul Road; Dave Harlan gave us an estimate to repair Peacedale Court; and Jim did more work on the house after waterline was run.

Al Jezyk and Estace Walters thanked Jim George for working on the rental house.

Public Comment: John Groce asked about the annual roadside cleanup.

The Board agreed to schedule the annual roadside cleanup for Saturday, April 22<sup>nd</sup>.

### **Historic Commission**

No report.

### **Emergency Management Coordinator**

Nothing new to report.

### **Oxford Area Recreation Authority**

February Report: Planning to run Halloween Haunted Park for two weekends; will hold a pitch hit and run competition; had preliminary discussions of wine/brewery event; proceeding with plans for dog park; discussing possible planning grant for indoor sports park.

### **OLD BUSINESS**

Public Comment: Brenda Harris asked if anything has been done about the Strickersville Road property.

Al Jezyk stated that Scott Moran is getting ready to send letters to the property owner.

Jim George suggested that Brenda call the Chester County Health Department and provided Brenda with the contact's name and phone number. Jim stated that Scott Moran will review this with the Township Solicitor and there is a nuisance ordinance with a fine if the property isn't cleaned up.

Estate Walters stated that the Township tries to do things diplomatically first, which is why it has taken longer. The Township will now go directly to the landowner and we'll see things move now.

Jim George suggested that Brenda call the Chester County Health Department when she sees anything. The Township can't call the Chester County Health Department on her behalf.

Public Comment: Greg Miller asked about a dog ordinance.

Al Jezyk stated that the Board discussed this and is having a hard time justifying this type of ordinance. The Board hopes that neighbors will get along and Al suggested that Greg document when there is barking.

Estate Walters stated that the Board discussed this with Scott Moran and this type of ordinance is difficult to enforce.

Jim George stated that there is probably a slim chance of enacting this type of ordinance and the State enforces the Dog Law. Jim provided Greg with the Dog Warden's name and phone number.

Public Comment: Beth Evans stated that when she first moved here, there was non-stop dog barking at night and that people should try to be good neighbors.

Estate Walters stated that they usually try that and have been successful.

Jim George stated that measurement and enforcement is always an issue but if this continues, the Board may have to do something about it.

Al Jezyk stated that the Board sympathizes with anyone having this problem.

Jim George stated that the Board will continue to look at the issue and will look at enforcement.

Public Comment: Greg Miller stated that one of the sample ordinance includes enforcement.

Jim George stated that if the Board puts this in place, it must be enforceable and the Board is still looking into this.

Al Jezyk stated that the dog barking issue is a problem.

Estate Walters stated that the Board recognizes that this is a problem.

**NEW BUSINESS**

No new business.

**PUBLIC COMMENT**

No further public comment.

Meeting Adjourned at 8:10 PM.

Respectfully Submitted,

Terri Kukoda  
Secretary/ Treasurer