ELK TOWNSHIP

BOARD OF SUPERVISORS

**MEETING MINUTES**

**September 12, 2016**

The Elk Township Board of Supervisors September 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

Donna Ellingsen stated that she didn’t recall taking a vote on Reisler Road, and asked if Ordinance No. 2016-02 is for the County.

Al Jezyk stated that Ordinance No. 2016-02 is for the Oxford Region Multimunicipal Comprehensive Plan.

# ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

# Executive Session 9/12/16 w/Gwen Lacy, Esquire, Executive Director, The Land Conservancy for Southern Chester County

Al Jezyk stated that the Executive Session scheduled for tonight was not held.

**Resolution No. 2016-07 Accepting the Addition of Parcel Number 70-4-51 to the Elk Township Agricultural Security Area**

On a motion made by Jim George, seconded by Estace Walters, the Board adopted Resolution No. 2016-07 accepting the addition of Parcel Number 70-4-51 to the Elk Township Agricultural Security Area. The vote was unanimous.

**Lancaster Home Builders Lot 1 & Lot 3 Stormwater Best Management Practices (BMP’s) and Conveyances Operation & Maintenance Agreements**

The Board agreed to table this issue until the Stormwater Management Plans are approved.

**Elk Township Ordinance No. 2016-02 Authorizing the Board of Supervisors to Enter into an Amended Intergovernmental Cooperation Agreement Between the Borough of Oxford and the Townships of Elk, Lower Oxford, Upper Oxford, West Nottingham, and East Nottingham, Chester County, Pennsylvania for the Purpose of Implementing the Policies of the Oxford Region Multimunicipal Comprehensive Plan and Other Commitments and Benefits Under the Terms of the Agreement; Public Hearing 8/24/16**

Al Jezyk stated that a public hearing for Ordinance No. 2016-02 was held on August 24, 2016 at the Lower Oxford Township Building. The ordinance was enacted at the public meeting held after the public hearing. The ordinance amends the Intergovernmental Cooperation Agreement by adding West Nottingham Township.

**Draft Ordinance of Elk Township, Chester County, Pennsylvania, Amending the Elk Township Zoning Ordinance of July 2002, as Amended, and the Elk Township Subdivision and Land Development Ordinance of August 2007, as Amended**

On a motion made by Jim George, seconded by Estace Walters, the Board authorized the Township Solicitor to send the draft ordinance amendment to the County for review. The vote was unanimous.

**Draft Ordinance Authorizing an Intergovernmental Agreement between East Nottingham, Elk, and West Nottingham Townships for the Purpose of Cable Franchise Negotiations with Armstrong Cable**

Estace Walters stated that he is not sure if the Township should participate in joint negotiations on the cable franchise agreement. Estace stated that the franchise fee is 5% and the main concern is getting cable to more residents.

Jim George stated that Sam McMichael has already started negotiations and he’s not sure if the Township will get a better deal with joint negotiations.

Al Jezyk stated that he doesn’t feel that it would be very beneficial to have joint negotiations.

The Board agreed to not participate in joint negotiations for the renewal of the Armstrong Cable Franchise Agreement.

**1st Resource Bank Letter dtd 8/29/16 Re: Fair Hill Estates Letter of Credit; AECOM Letter dated 8/31/16 Re: Fair Hill Estates**

Al Jezyk stated that the Township has received notification that the Fair Hill Estates road dedication letter of credit will expire in ninety (90) days. Stan Corbett has inspected the road and has identified a few items to be addressed by the developer.

**2016/2017 Applications/Permits to Hunt in the Chrome Barrens Conservancy**

On a motion made by Jim George, seconded by Estace Walters, the Board approved thirty-five (35) 2016/2017 permits to hunt in the Chrome Barrens Conservancy. The vote was unanimous.

**Melanie Ryan; Draft Resolution in Support of a Citizens Commission for Legislative Redistricting and Congressional Reappointment**

Melanie Ryan asked that the Board consider adopting a resolution in support of a Citizens Commission for Legislative Redistricting and Congressional Reappointment. Melanie explained that the commission would be statewide, non-partisan and created to assist in redistricting.

Estace Walters asked what makes the commission independent.

Melanie stated that participants could be citizens from any party.

Jim George stated that the Board would take this under advisement and asked Melanie to keep the Board informed.

Al Jezyk stated that the Board would look into this issue.

**Chester County’s Comprehensive Plan Update Potential Stakeholder Meeting Dates**

Al Jezyk stated that the County has released potential stakeholder meeting dates starting with Tuesday, September 13, 2016.

**Proposal for the Creation or Modification of an Agricultural Security Area Patricia Dupont Foundation Parcel No. 70-3-46.1**

Al Jezyk stated that the Township has received a proposal for the creation/modification of the Agricultural Security Area for the Patricia Dupont Foundation Tax Parcel no. 70-3-46.1. The proposal has been forwarded to the Township Planning Commission for review and may be adopted after 180 days.

**TJA (TOJO Mushrooms) Concept Sketch Plan**

Al Jezyk stated that the Township Solicitor has reviewed the TJA (TOJO Mushrooms) Concept Sketch Plan and has advised that the applicant may submit a revised preliminary plan.

**Christian L. and Fannie K. Fisher Final Minor Subdivision Plan; Regester Associates, Inc. Letter dated 8/31/16**

Al Jezyk stated that the Township has received the revised final minor subdivision plan for Christian L. and Fannie K. Fisher. The revised plan has been forwarded to the Township Engineer for review.

**2016/2017 Snow Plowing/Ice Removal Equipment Rental Bid Notice; Special Meeting to Award Bids; Snow Plowing/Ice Removal Agreement**

Al Jezyk stated that the Township Solicitor has provided a draft snow plowing/ice removal agreement. The Board agreed to revise one item on the agreement and to add that the Township reserves the right to require GPS units.

Public Comment: Donna Ellingsen asked about the GPS units.

Jim George stated that the Board may want to track time with GPS units.

**George Robert Gregg & Carolyn Mildred Gregg Two Lot Subdivision Preliminary Plan Dated 8/19/14 Latest Revision 7/15/16; Concord Land Planners & Surveyors, Inc. Letter dated 7/18/16; SALDO Waiver Requests**

Al Jezyk stated that the Township has received the revised preliminary plan for the George Robert Gregg & Carolyn Mildred Gregg Two Lot Subdivision. The applicant has requested three (3) waivers from the Subdivision and Land Development Ordinance and the Township Engineer has no objections to the waiver requests.

Public Comment: Donna Ellingsen asked what are the waivers requested.

Al Jezyk read aloud the three (3) waivers being requested.

On a motion made by Jim George, seconded by Estace Walters, the Board approved the following waivers from the Elk Township Subdivision and Land Development Ordinance: Sections 401.C.2 and 401.C.3 (only show natural and man-made features for Lot #2); Section 401.C.2f (only show existing vegetation for Lot #2); Sections 507.b.1 and 507.B.2 (no improvements to Rogers Road). The vote was unanimous.

**Peacedale Court**

Al Jezyk stated that the Board is trying to proceed with the dedication of Peacedale Court. The Township Engineer is inspecting the road condition and the Township Solicitor is reviewing dedication documents. The developer will need to submit the original deed of dedication and title insurance.

**Elk Township Letter of Support for NFWF Chesapeake Bay Stewardship Fund Technical Capacity Grant for Stormwater Management**

Al Jezyk stated that the Township Engineer is researching a grant that would cover most costs for preparing the MS4 permitting data. The Board expressed concern about whether this is the same grant as the Oxford Multimunicipal Planning Commission.

Public Comment: Melanie Ryan asked what this grant is for.

Al Jezyk stated that the grant would cover MS4 permitting costs.

Estace Walters stated that it would cost about $1,000 to prepare the grant application.

Jim George stated that an issue might be whether there is a low chance of getting the grant.

Al Jezyk stated that he will follow-up with Stan Corbett.

On a motion made by Al Jezyk, seconded by Jim George, the Board agreed to support the Oxford Multimunicipal Planning Commission’s grant application. The vote was unanimous.

# STAFF REPORTS

**Secretary’s Report**

On a motion made by Jim George, seconded by Estace Walters, the August 1, 2016 Board of Supervisors Meeting Minutes were approved. The vote was unanimous.

**Treasurer’s Report**

On a motion made by Estace Walters, seconded by Jim George, the Bills to be Paid for September, with the 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 Payroll was approved. Estace Walters abstained from the vote.

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

**Tax Collector**

August 2016: $157.18

# Trails Coordinator

No report.

Jim George stated that he removed a stump from the Springlawn Road trail.

# Planning Commission

August Planning Commission Minutes: PC’s reviewed the agricultural security area proposal for the former Patsy DuPont farm.

# Zoning Hearing Board

No action.

**Building/Zoning Report**

June/July/August 2016 Report: Six (6) Zoning Permits and eight (8) Building Permits issued.

**Roadmaster**

Roadmaster Estace Walters reported that he got the truck inspected/repaired, picked up trash, cold patched holes on Hickory Hill Road, cut back some trees, received a request to put more 35 mph signs on Barren Road, Dave Harlan paved a few things, and Chris Weaver did some mowing.

Public Comment: Jim Groce **(?)** asked who does Route 472.

Estace Walters stated that Route 472 is the State’s responsibility.

**Historic Commission**

# No report.

**Emergency Management Coordinator**

Emergency Management Coordinator Stephen Roberts presented the September 2017 EMC Report to the Board. OXREM had an emergency preparedness table at the September First Friday. Steve and Milt Rudy will speak about personal emergency preparedness to the Oxford Chamber of Commerce on September 12th and will present the same information to the public at the Oxford Public Library on September 14th. OXREM will conduct a training session and orientation for POD volunteers and interested residents on November 29th at the Penn’s Grove School.

**Oxford Area Recreation Authority (OARA)**

Estace Walters stated that he and Scott are still picking up trash at the park.

# OLD BUSINESS

**Township Building/Post Office**

Al Jezyk stated that the costs for stoning the parking lot behind the post office would be $4,200 to $5,000.

On a motion made by Estace Walters, seconded by Jim George, the Board agreed to have Raymond Ramberger stone the parking lot behind the post office for $4,200 to $5,000. The vote was unanimous.

Al Jezyk stated that the Board is still looking to do a new ramp for the Township building.

Jim George will follow-up with the contractor to get drawings.

**102 Brick Meeting House Road**

Jim George stated that the lawn was cut and that Scott Moran faxed a letter to the owner of 102 Brick Meeting House Road.

# NEW BUSINESS

No new business.

## PUBLIC COMMENT

Jim Groce expressed concern and frustration about the Amish farm next to his property. Jim stated that the farmer is putting down pieces of plastic that aren’t picked up and blow all over his property, and that the farmer is spraying something foul smelling.

Estace Walters stated that Jim may have to follow-up with the County.

Jim George stated that he will follow-up with Scott Moran.

Meeting Adjourned at 8:20 PM.

Respectfully Submitted,

Terri Kukoda

Secretary/ Treasurer