

**ELK TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES
February 3, 2020**

The Elk Township Board of Supervisors February 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 Milton Rudy.

Public Comment

No public comment

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Lieutenant Palmer, PA State Police Avondale Barracks

Lieutenant Palmer of the PA State Police Avondale Barracks provided an overview of activity in the Township. Lieutenant Palmer stated that the State Police will do property checks if residents let them know when on vacation.

Public Comment: Pal Durborow stated that people are running the 3-way stop sign during rush hour; Mary Gruber and other residents expressed concern about a vicious dog that has bitten someone.

Estace Walters expressed concern about the Barren Road Trail parking lot.

Lieutenant Palmer stated that the State Police will keep these concerns in mind when patrolling Elk Township. Lieutenant Palmer then had further discussion with residents concerned about the vicious dog.

Reaffirmation of Appointments of Chairman Albert Jezyk Jr., Vice Chairman Estace Walters, Roadmaster and Assistant Roadmasters

Albert Jezyk stated that Milt Rudy was not sworn in at the beginning of the Reorganization Meeting. The Board reaffirmed the following appointments:

On a motion made by Estace Walters, seconded by Milt Rudy, Albert Jezyk was appointed Chairman. The vote was unanimous.

On a Motion made by Albert Jezyk, seconded by Milt Rudy, Estace Walters was appointed Vice Chairman. The vote was unanimous.

On a motion made by Albert Jezyk, seconded by Milt Rudy, Estace Walters was appointed Roadmaster. The vote was unanimous.

On a motion made by Estace Walters, seconded by Milt Rudy, Albert Jezyk was appointed Assistant Roadmaster. The vote was unanimous.

On a motion made by Albert Jezyk, seconded by Estace Walters, Milt Rudy was appointed as Assistant Roadmaster. The vote was unanimous.

Appointment of Alternate Zoning Hearing Board Solicitor (for when there is a conflict for the ZHB Attorney) – Andrew Rau, Unruh Turner Burke & Frees

On a motion made by Albert Jezyk, seconded by Milt Rudy, the Board appointed Andrew Rau of Unruh, Turner, Burke & Frees LLP as Alternate Zoning Hearing Board Solicitor for when there is a conflict for the Zoning Hearing Board Solicitor. The vote was unanimous.

Fair Districts PA

Melanie Ryan stated that the Supervisors previously had hesitations about adopting the Fair Districts PA resolution. Melanie introduced Fair Districts PA volunteers Rich Schwante and Patricia Rooney.

Rich Schwante and Patricia Rooney provided an overview of the history and activities of Fair Districts PA. Fair Districts PA is a non-partisan non-profit citizen led organization comprised of concerned volunteers within Pennsylvania. Fair Districts PA is asking municipalities to adopt a resolution supporting an independent citizens commission for legislative and congressional redistricting.

Resolution No. 2020-04 A Resolution in Support of a Citizens Commission for Legislative and Congressional Redistricting

On a motion made by Albert Jezyk, seconded by Milt Rudy, the Board agreed to vote on the adoption of Resolution No. 2020-04 A Resolution in Support of a Citizens Commission for Legislative and Congressional Redistricting. There was one (1) yay vote (Albert Jezyk) and two (2) nay votes (Estace Walters and Milt Rudy). The vote did not pass.

TOJO Mushrooms/Kaolin Final Land Development Plan (Residents' Questions/Concerns)

Albert Jezyk stated that ToJo Mushrooms is no longer the owner of the property. Kaolin RE Holdings Corporation is the new owner of the property.

Estace Walters stated that the project will have state of the art technology, the spent soil must be taken out every week, and the developer did water studies.

Albert Jezyk stated that a traffic study wasn't required for the Final Plan.

Estace Walters stated that the newspaper article quoting 500 new jobs was incorrect. There will not be 500 new jobs at the mushroom facility.

Milt Rudy suggested that the Board ask the new owners to attend a meeting. Estace Walters will contact the new owner.

Township Solicitor Correspondence dated 1/15/2020 to Chester County Planning Commission Re: Stormwater Management Amendment

Albert Jezyk stated that the Township Solicitor sent the proposed Stormwater Management Amendment to the Chester County Planning Commission for review.

AECOM Correspondence dated 1/20/20; Ragan Engineering Correspondence dated 12/23/19 – Cowart Stormwater Management Plan

Albert Jezyk stated that the Cowart Stormwater Management Plan review is still in process.

Concord Land Planners & Surveyors, Inc. Correspondence dated 10/28/19 – Request for Waiver of Plan Processing & Reviews for Rick L. Leibold Add On Plan East Nottingham & Elk Townships

Albert Jezyk stated that the applicant has requested a waiver of plan processing and review by Elk Township. The Board agreed to table the waiver request for next month.

Bernardon Correspondence dated 1/28/20 – Proposal for Professional Design Services Elk Township Building Accessibility Alterations

Albert Jezyk stated that the Board would like to remodel part of the kitchen area into an office. Paul Sgroi of Bernardon has provided a proposal for professional design services with an estimated fee range of \$1,800.00 to \$2,400.00.

Public Comment: Mark Gruber asked if there will still be a commercial kitchen; Donna Ellingsen asked what happens to the upstairs.

Albert Jezyk responded that Jim Whitesel confirmed that the church will not use the hall anymore, and that nothing will happen to the upstairs.

Estate Walters stated that the upstairs office was not ADA accessible. The new office will be ADA accessible.

On a motion made by Estate Walters, seconded by Milt Rudy, the Board agreed to sign the Bernardon Proposal for Professional Design Services. The vote was unanimous.

STAFF REPORTS

Secretary's Report

On a motion made by Estate Walters, seconded by Milt Rudy, the January 6, 2020 Board of Supervisors Reorganization Meeting Minutes were approved. The vote was unanimous.

Treasurer's Report

On a motion made by Albert Jezyk, seconded by Estate Walters, the Bills to be Paid for February were approved. The vote was unanimous.

Tax Collector

January 2020: \$0.00

Planning Commission

January Minutes: PC reviewed the plan and application for a special exception for the 20' x 50' garage.

Zoning Hearing Board

Public Notice: Renato DeDominicis Zoning Hearing scheduled for February 11, 2020 at 7:00 PM.

Building/Zoning Report

No reports.

Public Comment: Jennifer Mason stated that she received an e-mail from Scott Moran that the owner cutting down trees on his property is not in violation.

Dougherty Drive cul-de-sac property line markers: Milt Rudy stated that the Township is not aware of anything happening on the property behind the Dougherty Drive cul-de-sac.

Roadmaster

Roadmaster Estate Walters reported that Brian salted a few times.

Public Comment: Donna Ellingsen expressed concern about trees that might break at the Route 841 and Chesterville Road intersection; Jennifer Mason expressed concern about it being hard to see at her intersection of Route 472 and State Road.

Estate Walters stated that he called Penn-DOT about the trees. Estate will call PennDOT again about the trees and about the intersection.

Emergency Management Coordinator

Deputy Emergency Management Coordinator Milt Rudy reported that there are new ChesCo Emergency Planning Coordinators; municipal officials training was held on February 1st; Medic 94 will probably use call volume and population to determine funding needs, but may include millage too; will address bylaws updates at next OXREM meeting; and the radios are still in the works.

Albert Jezyk stated that final vote was about \$800.00 more for Elk Township, and that some larger Townships aren't paying full funding.

Oxford Area Recreation Authority

January Report: No report.

TRAILS REPORT

No report.

OLD BUSINESS

No old business.

NEW BUSINESS

Woodland Protection/Classification Map

Albert Jezyk stated that at the last regional planning commission meeting, John Thilacker of Brandywine Conservancy was proposing to look at the municipalities' ordinances for woodland protection. The first phase would be to map out all woodlands in the Oxford regional area. The cost for a woodland protection map would be \$756 and the cost of a more detailed woodland classification map would be \$2,160. These costs would be divided by the number of municipalities that participate (maximum of 6).

On a motion made by Albert Jezyk, seconded by Estate Walters, the Board agreed to contribute to the more detailed woodland classification map. The vote was conditioned upon at least four (4) of the six (6) municipalities participating. The vote was unanimous.

PUBLIC COMMENT

Milt Rudy asked if the mushroom facility would generate tax revenue.

Albert Jezyk responded that the building will generate tax revenue.

Jennifer Mason asked when will the mushroom facility be started.

Estate Walters responded that he's not sure but probably this year.

Mary Gruber presented the Board with a photo of the dog bite.

Estate Walters stated that the County Commissioners have sent a letter to Homeland Security that our County should not be a refugee resettlement. Estate suggested that Elk Township consider also sending such a letter.

Milt Rudy stated that the Township must opt-in if it wishes to be in the refugee resettlement program.

Meeting Adjourned at 8:40 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer