

**ELK TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
April 5, 2021**

The Board of Supervisors April meeting began at 7:00 PM at the Elk Township Building. 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

John Goodall, Brandywine Conservancy; Melanie Ryan, Open Space Committee; Grant Application for the 162-acre Martin Tract

John Goodall of the Brandywine Conservancy provided an overview of the 162-acre Martin tract across from the Springlawn Trail parking lot. The appraisal of the property will be done by April 14th and the conservancy will compile the grant application for submittal to the Department of Conservation and Natural Resources (DCNR). The conservancy will request grant funding of \$750,000, which is one-half of the estimated 1.5 million estimated property's value. The conservancy is requesting that the Township agree to be the grant applicant and agree to acquire temporary ownership followed by the State acquiring the property forever. The conservancy will acquire the additional funding from the County, State, and some private sources.

Open Space Committee Member Melanie Ryan stated that the watershed association is very positive and willing to put up \$5,000 to \$10,000.

Milt Rudy asked if any other organizations would be willing to provide support and what would the parameters be for use.

John Goodall responded that the primary use would be ecological but there could be secondary uses, and that private funding sources are \$300,000.

Estace Walters asked what if Mr. Martin asks for more.

John Goodall explained that the appraisal is done through Beiler-Campbell, which is authorized by DCNR. The conservancy is looking for a commitment for the grant application and nothing is final until contract signing. There is no charge for the grant application, but it needs to be finished by April 10th for submittal by April 16th.

Estace Walters stated that there have been concerns about hunting in the area.

Albert Jezyk stated that he would have no objection to the Township being the applicant, acquiring the property and immediately passing over to the State.

The Board expressed concerns about parking and travelling through Coventry Green. Milt Rudy asked if people would have access through or park in the Coventry Green cul-de-sac.

John Goodall responded that the Township could choose to have an access point for Coventry Green residents only, but parking would be at the Springlawn Trail parking lot.

Public Comment: Suzanne Dougherty asked if there are any costs to transfer the property to the State.

John Goodall responded that there is no cost to transfer from a municipality to the State, and the Conservancy is looking for funding to cover other closing costs.

On a motion made by Albert Jezyk, seconded by Estace Walters, the Board agreed to commit up to \$450,000 of the Elk Township open space funds for the use of acquiring Tax Parcel 70-4-31, comprised of approximately 162.7 acres owned by Martin Six Associates LP; and agreed to be the interim owner of the property until it is passed onto PA Department of Conservation & Natural Resources Bureau of State Parks. The motion was unanimous.

Resolution No. 2021-07 Application for DCNR-C2P2 Acquisition Grant – Tax Parcel 27-4-31 163.7 Acres Martin Six Associates Owner

On a motion made by Albert Jezyk, seconded by Estace Walters, the Board adopted Resolution No. 2021-07 resolving to apply for the DCNR-C2P2 acquisition grant to help fund the purchase of Tax Parcel 70-4-31 comprised of approximately 162.7 acres and owned by Martin Six Associates LP. The motion was unanimous.

Chester County Agricultural Programs Coordinator Geoff Shellington's email dated 2/12/21 Re: 2021 Agricultural Preservation Applicants

On a motion made by Estace Walters, seconded by Albert Jezyk, the Board agreed to commit open space funds towards the County's purchase of the Kathleen Anderson Tax Parcel 70-5-17 (16.0 acres) and the Henry Yoder Tax Parcels 70-4-33.2D & 70-4-33.2D (29.76 acres). The vote was unanimous.

Public Notice - Board of Auditors Approval of 2020 Municipal Annual Audit & Financial Report of Elk Township

Albert Jezyk stated that the Board of Auditor's have approved the final 2020 Municipal Annual Audit and Financial Report of Elk Township. The audit/report is available on the Township's website and copies may be obtained by contacting the Township Secretary.

John D. Coldiron's Waiver Request Letter for the Stephen Stoltzfus Simplified Stormwater Management Site Plan; AECOM Waiver Request Review Letter dated 3/11/21

Albert Jezyk stated that the applicant is requesting a waiver to allow the modified stormwater requirements for small projects and that the Township Engineer has no objections to the waiver request.

On a motion made by Albert Jezyk, seconded by Estace Walters, the Board granted the request for a waiver of Section 106.D. of the Elk Township Stormwater Management Ordinance and use of the "Simplified Approach to Stormwater Management for Small Projects" as provided in Appendix A to address the requirements of the Stormwater Management Ordinance. The vote was unanimous.

Sewage Facilities Planning Module for Stephen L. and Annie E. Stoltzfus; AECOM Letter dated 4/1/21

Albert Jezyk stated that there are still a few remaining issues to be addressed for the Stoltzfus sewage facilities planning module.

Jon H. Cowart, Jr. and Kimberly McGowan-Cowart "Stormwater Management Plan and NPDES Permit Plan" dated 6/28/19 last revised 3/22/21; AECOM Review Letter dated 3/17/21

Albert Jezyk stated that the Township Engineer has advised that all previous review comments have been addressed except for a few legal/procedure items.

On a motion made by Estace Walters, seconded by Albert Jezyk, the Board approved the Jon H. Cowart, Jr., and Kimberly McGowan-Cowart “Stormwater Management Plan and NPDES Permit Plan” dated June 28, 2019 last revised March 22, 2021. The motion was conditioned upon resolution of the legal/procedural requirements, and payment of any required Township fees, as noted on AECOM correspondence dated March 17, 2021. The vote was unanimous.

Stormwater Best Management Practices (BMP's) and Conveyance Operation and Maintenance Agreement between Jon H. Cowart & Kimberly McGowan-Cowart and Elk Township

On a motion made by Estace Walters, seconded by Milt Rudy, the Board agreed to sign the Stormwater Best Management Practices (BMP's) and Conveyance Operation and Maintenance Agreement between Jon H. Cowart & Kimberly McGowan-Cowart and Elk Township. The vote was unanimous.

Open Space Committee Appointments of Mark Plaughter, Karen Root, Melanie Ryan, Kevin Warren for 4-year Terms

On a motion made by Albert Jezyk, seconded by Estace Walters, the Board appointed Mark Plaughter, Karen Root, Melanie Ryan, and Kevin Warren to the Open Space Committee for 4-year terms. The vote was unanimous.

STAFF REPORTS

Secretary's Report

On a motion made by Estace Walters, seconded by Milt Rudy, the Board of Supervisors March 1, 2021 Meeting Minutes were approved. The vote was unanimous.

Treasurer's Report

On a motion made by Estace Walters, seconded by Milt Rudy, the Bills to be Paid for April were approved except for Roadmaster. The vote was unanimous.

On a motion made by Albert Jezyk, seconded by Milt Rudy, the bill to be paid for Roadmaster was approved. Estace Walters abstained from the vote.

Tax Collector

March 2021: \$8,064.09

Planning Commission

March Minutes: No new business.

Zoning Hearing Board

No action.

Zoning/Building Reports

Zoning Permits Issued: 5

Building Permits Issued: 5

Complaints: 1 (continuation - 1204 Old Forge Road for boarding house continuation)

Roadmaster

Roadmaster Estace Walters reported the following: he picked up trash on Hickory Hill Road on the Maryland side of the bridge; he cold patched several potholes including a big one at Reisler Road and Media Road; he will have Dave Harlan patch some potholes; he got a call from a

resident about stormwater washing out, but it was not in the Township's right-of-way; he will ride the roads.

Public Comment: Lin Klein expressed concern about mud coming down onto Elk Mills Road and Hickory Hill Road.

Estate Walters will follow up with Scott Moran.

Clean-up day is scheduled for Saturday, April 17th at 8:00 am.

Emergency Management Coordinator

Deputy Emergency Management Coordinator Milt Rudy reported that he checked with Scott Freese about two possible nominees for Emergency Management Coordinator. David Flagel said no, and he has not heard back from Harold Walls yet. Milt will follow-up with Harold Walls.

Oxford Area Recreation Authority

March Report: Special meeting held to approve contract to repair playing fields after severe turfing damage; will hold a work day Sat. April 10th to repair turfing damage; not the first incidence of vandalism at the park; working to upgrade security; additional fencing may be next step; do not have funds in budget for that in 2021 and would appreciate ideas and possibly contributions; application for PECO grant to create a trail on the Oaks Road site was turned down; applying for Dockstader grant to begin a trail and natural playground; thanks to Lower Oxford for re-grading driveway at the park to eliminate potholes; there will be no Pitch Hit Run or Kids to Park this spring; on April 16th and 17th OMI will hold a drive in movie at the park.

Trails Report

No report.

Open Space Committee

Albert Jezyk thanked Kevin Warren and Karen Root for stepping up to serve on the Open Space Committee.

OLD BUSINESS

Township Building Repairs/Maintenance

Milt Rudy stated that the contractor has looked at a bunch of stuff including the ceiling in the upstairs storage room and roof inspection. Milt has not heard back from the contractor yet but will continue to follow.

Albert Jezyk stated that there may be a problem with the drainage field, the tank for the house needs grading and may need a new lid, and all three tanks may need to be pumped. Albert will follow-up with Brian Carter about the grading and with Mr. St. John about the tanks/lids/seals.

NEW BUSINESS

Countywide Watershed Plan

Albert Jezyk stated that the Oxford Regional Planning Commission needs a support letter for grant funding to review and update the countywide watershed plan.

On a motion made by Estate Walters, seconded by Milt Rudy, the Board agreed to provide a letter in support for grant funding to review and update the countywide watershed plan. The vote was unanimous.

Township Building Parking Lot – Temporary Usage by Old Stone Cider Barn

The Board agreed to permit the Old Stone Cider Barn to temporarily use the Township parking lot for overflow parking until their parking lot expansion is completed and as long as the Township is listed as an additional named insured on the Old Stone Cider Barn's liability policy. Mark Gruber has agreed to do that and will provide a Certificate of Insurance.

PUBLIC COMMENT

Lin Klein asked about the status of the parking lot for The Land Conservancy.

Albert Jezyk stated that the stormwater management plan review is pending.

Meeting Adjourned at 8:05 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer