

**ELK TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES
September 13, 2021**

The Board of Supervisors September meeting began at 7:00 PM at the Elk Township Building. The following Supervisors were present: Vice Chairman Estace Walters, Member Milton Rudy, and Township Solicitor Sam McMichael. Chairman Albert Jezyk Jr. was not present.

Addition(s) to Agenda Items

None

Public Comment

No public comment

ADMINISTRATIVE ACTION/PRESENTATIONS/CORRESPONDENCE

Executive Session w/Township Solicitor 9/13/21

Estace Walters announced that an Executive Session was held this evening with the Township Solicitor to discuss the Old Forge Road issues.

Attorney Andrew Bellwoar – Lesley’s Purchase of Tax Parcel 70-2-25.2 from Claypoole (Old Forge Road Easement Issue)

Attorney Andrew Bellwoar, representing the Lesleys, stated that the Lesleys have entered into an agreement with the Beilers for the existing driveway and have not cut trees or moved any dirt.

Milt Rudy asked if Attorney Bellwoar is asking for anything from the Township.

Attorney Bellwoar responded no, not at this time.

Attorney Sam Goodley, III Letter dtd 8/17/21 Re: Reuben S. and Sadie S. Beiler 836 Old Forge Road; Appeal from Notice of Violation (Old Forge Road Easement Issue)

Attorney Sam Goodley, representing the Beilers, stated that he is here to appeal the Notice of Violation and to request that it be withdrawn. Attorney Goodley also stated that he is not sure what is the violation.

Township Solicitor Sam McMichael stated that the Board of Supervisors is not the proper party to hear the appeal.

Attorney Bellwoar stated that he also doesn’t understand the violation.

Township Solicitor Sam McMichael stated that the Elk Township Subdivision and Land Development Ordinance identifies the number of additional users of a right-of-way, that the Township believes that it is a valid enforcement notice, and that is not the Township’s intent to stop people from using the right-of-way but that it is done properly.

Elk Township Enforcement Notice dated 5/19/21 to William Sterling, Tax Parcel 70-2-24, 1204 Old Forge Road (Status Update)

Township Solicitor Sam McMichael stated that the ways to approach the next step could be filing at the district court which means that the Township must have enough facts to prove the violation, or applying for a warrant for the Codes Enforcement Officer Scott Moran to enter the property to inspect.

Public Comment: George and Shawn Teaney, Michael Mancini, and Andy Delaney expressed concerns about the amount of people living at the property, the delivery of numerous large boxes to the property, and surveyors seen surveying the property.

Township Solicitor Sam McMichael stated that he needs more facts from Scott Moran and will continue to follow-up with Scott.

Kaolin RE Holdings Corporation Peat Moss Building Relocation - AECOM

Correspondence dated 8/25/21

Estate Walters stated that all conditions of the peat moss building relocation have been resolved and that the plan sheet has been signed and released for recordation.

2021/2022 Agreement for Snow Plowing and Ice Removal Between Elk Township and Carter & Sons Lawncare, Inc.

On a motion made by Estate Walters, seconded by Milt Rudy, the Board agreed to sign the 2021/2022 Agreement for Snow Plowing and Ice Removal Between Elk Township and Carter & Sons Lawncare, Inc. The vote was unanimous amongst Supervisors present.

Oxford Area Recreation Authority Letter dated 8/31/21- OARA Proposed Budget; Elk Township's 2022 Contribution

Estate Walters stated the Oxford Area Recreation Authority (OARA) is requesting that the Township match or exceed it's 2020 contribution. Estate stated that the only thing the Township was supposed to be contributing towards was maintenance. The Board will discuss OARA's request is at its 2020 budget work meeting.

Mason-Dixon/Arc Corner Heritage Interpretation and Connectivity Plan Letter of Commitment for a \$5,000 Contribution from Elk Township

Milt Rudy asked Mary Gruber if the purpose is to hire two (2) consultants and expressed concern about the criteria in Item 6 on Page 10 of the Project Evaluation Criteria.

Mary Gruber stated that the purpose is to hire two (2) consultants and the \$5,000 would be for putting the grant application together. Mary thinks it will depend on how big they want it to be – trail maps, kiosks, interpretive signs, etc.

On a motion made by Milt Rudy, seconded by Estate Walters, the Board agreed to submit a letter of commitment in support of London Britain Township's proposal to the Vision Partnership Program (VPP) for the Mason-Dixon/Arc Corner Heritage Interpretation and Connectivity Plan. The Board also agreed to contribute \$5,000 towards the project costs. The vote was unanimous amongst Supervisors present.

The Board thanked Mary Gruber for providing information about the project.

2022 Budget Work Meeting (tentatively 10/20 or 10/27; date/time to be determined)

This agenda item will be discussed during the October meeting.

PA Department of Environmental Protection Correspondence dated 9/8/21; Technical Review of the Sewage Facilities Planning Module for Stephen L. and Annie E. Stoltzfus Project (technical deficiencies identified)

Estate Walters stated that the Pennsylvania Department of Environmental Protection has identified technical deficiencies in the Stoltzfus Sewage Facilities Planning Module and the applicant will need to address the deficiencies.

STAFF REPORTS

Secretary's Report

On a motion made by Milt Rudy, seconded by Estace Walters, the Board of Supervisors' August 2, 2021, Meeting Minutes were approved. The vote was unanimous amongst Supervisors present.

Treasurer's Report

On a motion made by Estace Walters, seconded by Milt Rudy, the Bills to be Paid for September were approved. The vote was unanimous amongst Supervisors present.

Tax Collector

August 2021: \$164.39

Planning Commission

August Minutes: No new business.

Zoning Hearing Board

The August 24, 2021, zoning hearing for the Application for Variance from Harvey and Jennifer Arter for Parcel #70-3-41.7 located at 1949 Barren Road has been postponed to September 27, 2021, at 7:00 pm.

DeDominicis, Renato DE vs. Elk Township Zoning Hearing Board (Appeal of Zoning Hearing Board's Decision) - The Common Pleas Court has issued Order remanding the matter to Elk Township Zoning Hearing Board. The Zoning Hearing Board Solicitor will schedule the hearing.

Zoning/Building Report August 2021

No report.

Roadmaster

Roadmaster Estace Walters reported the following: he picked up a sign that was left on Hickory Hill Road; cut up a tree that fell onto Hickory Hill and got it off the road, Chris came back later and got rid of all the chunks; he talked to various agencies during the storm to let them know what was going on; Brian shut down Camp Bonsul Road and cleaned up the washout on Hickory Hill Rd; he got a few calls about why our side of State Road is not being done and explained that New London takes care of their State Roads and we are at the mercy of the state; got a call about 472 and King Row Rd - Matt Chapman has been mowing it, Estace will talk to him; Chris mowed throughout the Township and the trail; Chris picked up a boat that was left on Hickory Hill Rd and took it to SECCRA; called Dave Harlan about fixing the trail; we need to get going on a project; received several calls about the covered bridge that was destroyed on Camp Bonsul Road, John Lawrence was there to look at the site but the county has no plans that he knows of yet on when to install another bridge; we need to keep an eye on trees on Camp Bonsul Road because there is no way out if a tree falls across the road; and he talked to the State about Media Road and Reisler Road, it is a State issue.

Trails Report

Estace Walters reported that someone defaced the concrete at the trail and Pal Durborow has repainted the concrete. The Board will investigate whether the Game Commission can install a trail camera.

Emergency Management Coordinator

Acting Emergency Management Coordinator Milt Rudy reported that the Township has received PEMA and FEMA notices that disaster assistance is available. Applicants will need to call

FEMA's disaster assistance number. Milt will post the notice at the Township Building and Post Office.

Oxford Area Recreation Authority

OARA September Report: OARA has begun preparations for Halloween Haunted Park event scheduled for October 8th and October 9th; OARA is adding a new event with food truck vendors set for October 16th; OARA's goal is to increase fundraisers to build a reserve toward development of Oaks Road parcel; as more information becomes available about the use of American Rescue Plan funds, please keep the park in mind.

Veteran Memorial Opportunity: OARA has an opportunity to have a memorial bronze statue placed near the flagpole at the park on Locust Street honoring fallen members of our military; the non-profit organization Mount America is raising funds to donate to the statue at the park; OARA is asking if Supervisors would be interested in contributing \$1,000 or a smaller donation.

Open Space Committee

Open Space Committee Member Melanie Ryan stated that in response to Brandywine Conservancy's report, she will send letters advising interested property owners to call the County Agricultural Board.

Estate Walters stated that the Board needs to look at future use of open space funds.

OLD BUSINESS

No old business.

NEW BUSINESS

No new business.

PUBLIC COMMENT

Andy Delaney expressed concerns about large stones washing down on Old Forge Road below the speed humps.

Estate Walters will meet with Dave Harlan to look at the drainage.

Meeting Adjourned at 8:45 PM.

Respectfully Submitted,

Terri Kukoda
Secretary/ Treasurer