

SUMMIT TOWNSHIP SUPERVISORS
Regular Business Meeting
Monday, September 17, 2018

Chairman Lee called the regular business meeting of the Board of Supervisors to order at 4:30 p.m. following salute to the flag. Supervisors Welka and Davis were present, as were Solicitor Sennett, Zoning Administrator Miller, Engineer Jonas, Secretary Yeast, and two interested persons.	CALL TO ORDER
Motion by Welka, seconded by Davis, to approve the minutes of the Regular Business Meeting on September 4, 2018, as presented and reviewed by the Board of Supervisors. Vote: 3/0	9/4/2018 MINUTES
There was no correspondence.	CORRESPONDENCE
Motion by Davis, seconded by Welka, to approve the August 2018 Treasurer's Report as presented and reviewed by the Board of Supervisors (\$597,438.80 expensed). Vote: 3/0	AUG. 2018 TREAS. REPORT
Motion by Welka, seconded by Davis to set the Minimum Municipal Obligation (MMO) for the 2019 Employee Pension Plan at 1% increase over 2018. Vote: 3/0	2019 MMO
Motion by Welka, seconded by Davis, to execute the Storm Sewer Line Easement Agreement with Charles and Deborah Craig for property located at 8270 Perry Highway (40) 010-058.005. Vote: 3/0	STM.SWR. EASEMENT AGMT.
Zoning Administrator Miller requested Board consideration to attend the PA Chapter of the American Planning Association (APA) Annual Conference held in Erie, on October 14 - 16, 2018. He further explained that in order to receive the discounted price to attend, Summit Township would need to join the APA. The cost to join is \$102 per year and it would be a municipal membership. We would receive planning publications and notices relative to municipal planning.	APA ANNUAL CONFERENCE
Motion by Davis, seconded by Welka, to approve expenses for Zoning Administrator Miller to attend the PA Chapter APA Annual Convention and to further join the PA Chapter of APA. Vote: 3/0	
Engineer Jonas explained that the Memorandum of Understanding (MOU) with Erie County to help with implementation of requirements for the MS-4 permit expires on October 1, 2018. This MOU currently has a term of one year, and Jonas further requested adding a clause for automatic renewal.	ERIE COUNTY MOU RE: MS-4
Motion by Lee, seconded by Welka, to renew the MOU with Erie County for assistance with implementation of MS-4 requirements, and to further add a clause to the MOU for automatic renewal unless notice to terminate is received by either party. Vote: 3/0	
Solicitor Sennett explained that a liquor license transfer request requires a public hearing. Board questions and concerns can be addressed at the advertised hearing. Supervisor Lee expressed concern that a drinking establishment can be located within a movie theater.	LIQUOR LICENSE TRANSFER FROM AMITY TO CINEMARK THEATRE
Motion by Davis, seconded by Welka, to authorize advertisement for a public hearing on October 15, 2018 immediately preceding the Regular Business Meeting to hear input regarding the liquor license transfer from Amity Township to the Cinemark Theatre on Peach Street. Vote: 3/0	

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Zoning Administrator Miller reported that due to a failed septic system Joseph and Magdalene Balter have been going through the process for a Small Flow Treatment Facility (SFTF) Planning Module located at 845 Samick Drive. Miller has determined this submittal to be complete and in compliance with the Township's SFTF Ordinance. A \$1,000 escrow has been received and maintenance agreement wigned by the property owners has been submitted and recorded.

BALTER SMTF
PLANNING
MODULE RES.
#2018-19

Motion by Welka, seconded by Davis, to adopt Resolution #2018-19 for Component 3S SFTF Planning Module for 845 Samick Drive, Parcel ID No. 40-008-069.0-053.00.

Vote: 3/0

Zoning Administrator Miller reported that he had received a request to release the Sidewalk Bond for 2816 Dorn Road on September 7, 2018. Engineer Jonas inspected the site and found no deficiencies. Miller recommends release of this Sidewalk Bond in full.

2816 DORN ROAD
SIDEWALK BOND

Motion by Welka, seconded by Davis, to release the Sidewalk Bond for 2816 Dorn Road, Parcel ID No. 40-019-082.3-018.00 to Port Harbor Company in the amount of \$1,200.

Vote: 3/0

Zoning Administrator Miller reported that the Greenspace installation for Star Manufactured Homes was inspected on September 13, 2018. Miller recommends release of the Greenspace bond in full.

STAR HOMES
GREENSPACE
BOND

Motion by Welka, seconded by Davis, to release the Greenspace Bond for 8191 Peach Street, Parcel ID No. 40-005-071.0-004.00 (In-Part) to Star Manufactured Homes in the amount of \$2,013.

Vote: 3/0

Engineer Jonas reported that on September 13, 2018 he had inspected the Copperleaf Stormwater system. The current bond amount is \$332,607. Based on the amount of work remaining, Engineer Jonas recommends a reduction of \$91,649 leaving a balance of \$249,958.

COPPERLEAF
STORMWATER
BOND REDUCTION

Motion by Davis, seconded by Welka, to reduce the Copperleaf Development Stormwater Bond by \$91,649, leaving a balance of \$240,958.

Vote: 3/0

Zoning Administrator Miller reported that the McDonald's Corporation Land Development Plan (LDP) proposes incorporating (3) parcels into one. This LDP includes the demolition of the existing gas station and a high-rise sign. Miller confirmed the receipt of a Sidewalk Bond for a proposed sidewalk along Route 97. Changes to the parking configuration and the creation of a second access to Route 97 were reviewed. Miller added that the Greenspace Plan has already been approved by the Planning Commission. The McDonald's Corporation LDP has been reviewed and recommended for approval by both the Summit Township Planning Commission and Erie County Planning.

MCDONALD'S LDP

Motion by Davis, seconded by Welka, to approve the McDonald's Corp. LDP for 7855 Perry Highway, Parcel ID No. 40-012-046.0-003.04 (in part). Supervisor Lee expressed his support for the demolition of the abandoned gas station and the installation of sidewalks in this area.

Vote: 3/0

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Solicitor Sennett reported that they have been working with the Board and Zoning Administrator Miller regarding the revised Copperleaf Development Developer's Agreement and their Sidewalk Waiver. They have been working with Secretary Yeast regarding Charter Communications payment of their franchise fee in a timely manner. The Wegmans Tax Assessment appeal is resolved and a refund forwarded. Atty. Dave Mosier has been in contact with Secretary Yeast in regard to the Pension Plan document. Solicitor Sennett reported that a letter was forwarded to the Board regarding a recent court case that resulted in an exception of immunity for municipalities. Solicitor Sennett advised that it would be important to give notice to employees that a vehicle is considered "operating" even when parked.

Engineer Jonas reported that Russell Standard is continuing to complete the 2018 ADA curb ramp project, and McCormick Construction is tentatively scheduled to install the asphalt wearing course on Dorn Road on September 19, 2018.

There was no public input.

With no further business to come before the Board, motion by Davis, seconded by Welka, to adjourn the meeting at 4:53 p.m.

Vote: 3/0

Respectfully submitted,

Christene S. Yeast
Recording Secretary
09/21/2018

SOLICITOR:

- Copperleaf
- Charter Comm.
- Wegmans
- Employee Pension Plan
- Immunity

ENGINEER:

- ADA Ramps
- Dorn Road Paving

PUBLIC INPUT

ADJOURNMENT