

SUMMIT TOWNSHIP SUPERVISORS
Regular Business Meeting
Monday, March 18, 2019

Chairman Welka called the regular business meeting of the Board of Supervisors to order at 4:30 p.m. following salute to the flag. Supervisors Lee and Davis were present, as were Solicitor Christopher Sennett, Zoning Administrator Miller, Engineer Jonas, Secretary Yeast, and four interested people.	CALL TO ORDER
Motion by Lee, seconded by Davis, to approve the minutes of the Regular Business Meeting March 4, 2019, as presented and reviewed by the Board of Supervisors. Vote: 3/0	3/4/2019 MINUTES
There was no correspondence to report.	CORRESPONDENCE
Motion by Davis, seconded by Lee, to approve the February 2019 Treasurer's Report as presented and reviewed by the Board of Supervisors. (\$1,309,224.63 expensed) Vote: 3/0	FEB. 2019 TREAS. REPORT
Motion by Lee, seconded by Davis, to adopt Resolution #2019-09 providing for the disposition and destruction of specific records from 2009 and 2010 per the Retention and Disposition Schedule for Records of PA Municipalities. Vote: 3/0	RES. 2019-09 RECORDS DESTRUCTION
Motion by Davis, seconded by Lee, to adopt Resolution #2019-12 repealing and replacing Resolution #1996-10 regarding the sale of personal property. Solicitor Sennett explained that Resolution #1996-10 established procedures for selling property valued under \$1,000. The Second Class Township Code has since been amended increasing the maximum threshold to \$2,000. Resolution #2019-12 increases the threshold and accommodates any future amendments.	RES. 2019-12 SALE OF PERSONAL PROPERTY
Jim Chojnacki, 9481 Old French Road, confirmed that "personal property" refers to Township owned property. Supervisor Welka added that the Township is currently utilizing an on-line auction company, Municibid. Vote: 3/0	
Motion by Lee, seconded by Davis, to adopt Resolution #2019-13 for the exoneration of Delinquent Property Taxes per Lien Certificates provided by the Erie County Tax Claim Bureau. Vote: 3/0.	RES. #2019-13 EXONERATION OF TAXES
Motion by Davis, seconded by Lee, to authorize the advertisement of a public hearing to receive input regarding an inter-municipal transfer of a Restaurant Liquor License from the City of Erie to the Sheetz store on Perry Highway. The Public Hearing will be scheduled for April 1, 2019 at 6:00 pm immediately preceding the Regular Business Meeting. Vote: 3/0	AD AUTHORIZED FOR PUBLIC HEARING LIQUOR LICENSE TRANSFER
Motion by Lee, seconded by Davis, to approve the purchase of a Gasboy Islander Prime Fuel System from the Pump Doctor, Inc., through the National Joint Purchase Alliance (NJPA) Contract #022217-GVR in the amount of \$46,206.92. Vote: 3/0	FUEL SYSTEM PURCHASE APPROVED
Motion by Davis, seconded by Lee, to purchase a Contech Bridge and Foundation through Co-Stars Contract #4400013325 in the amount of \$91,800 for installation on Old French Road. Vote: 3/0	CONTECH BRIDGE & FOUNDATION

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Motion by Lee, seconded by Davis, to authorize advertisement for bid of construction of the Old French Road Bridge with bids to be received by May 3, 2019 and a possible award at the Regular Business Meeting on May 6, 2019.

Vote: 3/0

AD AUTHORIZED
FOR OLD FR. ROAD
BRIDGE
CONSTRUCTION

Motion by Lee, seconded by Davis, to authorize advertise of sale of a Beuthling Roller (Equipment #16), and a Massey Ferguson Tractor (Equipment #19) utilizing the on-line auction Muncibid.

SALE OF
EQUIPMENT USING
MUNICIPAL

Jim Chojnacki, 9481 Old French Road, expressed concern for selling equipment that leaks oil. Chairman Welka assured Mr. Chojnacki that full disclosure of equipment defects will be included with the description.

Vote: 3/0

Motion by Davis, seconded by Lee, to hire Darrell Sayers on April 1, 2019 at a rate of \$25 per hour.

Vote: 2/1

Welka – Yes

Davis – Yes

Lee – No

DARRELL SAYERS
HIRED

Motion by Lee, seconded by Davis, to hire Kim Diemert as seasonal labor for the parks at a rate of \$13.50 per hour.

Vote: 3/0

KIM DIEMERT
HIRED

Motion by Davis, seconded by Lee, to hire Caleb Dahn as seasonal labor for the parks at a rate of \$10 per hour.

Vote: 3/0

CALEB DAHN
HIRED

Motion by Lee, seconded by Davis, to hire Joseph Malinowski as seasonal labor for the garage at a rate of \$13 per hour.

Vote: 3/0

JOE MALINOWSKI
HIRED

Zoning Administrator Miller reported that the BT Erie Casino, LLC (Sheetz) Amended Land Development Plan (LDP) has been reviewed and recommended for approval by both Erie County Planning and the Summit Township Planning Commission. The Plan entails the construction of a 433 square foot addition on the front of the Sheets facility. No stormwater or greenspace plans were required. Miller further recommends approval.

SHEETZ AMD LDP

Motion by Lee, seconded by Davis, to approve the BT Erie Casino, LLC Amended Land Development Plan for 8180 Perry Highway, Parcel ID No. 40-010-056.0-015.00

Vote: 3/0

Zoning Administrator Miller reported that the Henry J. Zawistoski Subdivision Plan is the result of the adjacent property owners, Michael and Dawn Pinter, working to correct a zoning violation consisting of the construction of an illegal deck. Miller explained that the Pinter's were originally denied a zoning permit to construct a rear deck due to a lack of rear yard setback, and they constructed the deck without a permit. The Pinter's then applied for a variance in an attempt to correct the zoning violation, but the variance was denied by the Zoning Hearing Board as it was determined that there wasn't a physical hardship and the owners knowingly disregarded the zoning laws. Their only recourse at this point was to purchase enough property to accommodate the set-back or demolish the deck. Miller reported that the Zawistoski Subdivision Plan has been

ZAWISTOSKI
SUBDIVISION

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reviewed and recommended for approval by both Erie County Planning and the Summit Township Planning Commission, and he further recommends approval.

Motion by Davis, seconded by Lee, to approve the Henry J. Zawistoski Subdivision Plan for 8221 Hamot Road, Parcel ID No's. 40-017-073.0-023.00 and 023.07.

Vote: 3/0

Zoning Administrator Miller reported that the Brent & Robin Yaple Subdivision Plan is the result of the property owners working to correct a zoning violation consisting of the construction of an illegal accessory structure on a vacant parcel. Miller explained that the neighboring resident was originally denied a zoning permit to construct a shed on the Yaple's property due to a lack of a principal structure, and the shed was subsequently constructed without a permit. Their options of recourse at this point was to demolish the shed, move the shed onto the neighbor's property or sell enough property to the neighbor to accommodate the shed. Miller reported that the Yaple Subdivision Plan has been reviewed and recommended for approval by both Erie County Planning and the Summit Township Planning Commission, and he further recommends approval.

YAPLE
SUBDIVISION

Motion by Lee, seconded by Davis, to approve the Brent and Robin Yaple Subdivision Plan for Parcel ID No's. 40-006-020.0-002.00 and 002.01.

Vote: 3/0

Zoning Administrator Miller reported that the TRU by Hilton Land Development Plan (LDP) was submitted in 2016 and recommended for approval by both Erie County Planning and the Summit Township Planning Commission. There has been no action on this development since August 2016, and an approved stormwater plan, signed maintenance agreement and stormwater bond has never been provided by the developer. A letter was sent on February 14th requesting the outstanding items to be provided by March 14th in order to proceed, with no response. Miller recommends denial of the TRU by Hilton LDP.

TRU BY HILTON
LDP DENIED

Motion by Davis, seconded by Lee, to deny the TRU by Hilton LDP for Parcel ID No.40-016-072.0-004.02.

Vote: 3/0

Zoning Administrator Miller reported that per inspection by Engineer Jonas, the Askins Enterprises, LLC stormwater system lacks sufficient vegetative cover and that ten percent (10%) of the original Letter of Credit, which calculates to \$3,995, should be withheld. Askins has provided a check in the amount of \$3,995, and asks to release the original Letter of Credit. Miller recommends this action.

ASKINS STMWTR
BOND REDUCED

Motion by Lee, seconded by Davis to release the Askins Enterprises, LLC Letter of Credit and reduce the Stormwater Bond to \$3,995 for Parcel ID No. 40-019-083.0-010.03

Vote: 3/0

Zoning Administrator Miller reported that per inspection by Engineer Jonas, the Interstate Mitsubishi stormwater system has not been constructed in accordance with the design plans. Specifically, the rip-rap aprons have not been constructed according to design and the rain gardens aren't operating properly. Jonas recommended reducing the Interstate Mitsubishi Stormwater Bond by \$59,309 retaining \$8,000, and Miller supports this action.

INTERSTATE
MITSUBISHI
STORMWATER
BOND

Motion by Davis, seconded by Lee, to reduce the Interstate Mitsubishi Stormwater Bond to \$8,000.

Vote: 3/0

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Solicitor Sennett had nothing to report.

SOLICITOR

Engineer Jonas explained that with the approval by the Board for the purchase of the pre-fab bridge and foundation, it eliminates some uncertainty in regard to construction, saving money, and decreasing the amount of time the road will be closed. Engineer Jonas confirmed the specifications will be amended prior to advertisement.

ENGINEER:

- Old Fr. Rd. Bridge
- Stmwtr. Mgmt. Ord.

Engineer Jonas reported that the Work Session with the Board to discuss revisions to the Summit Township Stormwater Management Ordinance was productive. He hopes to have a final draft ready for public comment before June 2019.

Supervisor Lee commended Engineer Jonas for keeping the Township ahead of average regarding stormwater issues.

SUPERVISORS

Supervisor Welka reported that the road crew has begun winter clean-up on the roads; sweeping, and repairing snowplow damage.

Joe Kuzma, 8550 Old French Road, asked why there is a difference in pay rates for the seasonal hires. Supervisor Welka responded that Caleb Dahn is a high school student while Kim Diemert is an older adult with qualifications that entitle her to a higher pay rate. Supervisor Davis added that Ms. Diemert came highly recommended, and was not interested in employment at \$10/hour. Utilizing a more experienced, responsible adult to maintain Picnicana will reduce complaints. Davis further explained that Joe Malinowski is a returning worker that will mostly be dedicated to the road crew, but will provide assistance for the parks when needed.

PUBLIC INPUT

Paul Kuzma, 5881 Parson Road, asked if these positions were advertised. The Board responded, no, all were recommended by "word of mouth".

Jim Chojnacki, 9481 Old French Road, suggested advertising in the Township Newsletter.

Supervisor Welka announced that the Summit Township Water Authority may be looking to hire.

Zoning Administrator Miller reported that the Township has advertised at all the regional universities for a GIS and stormwater technician intern to replace Sam Bayuzick who is leaving the Township at the end of April.

With no further business to come before the Board, motion by Davis, seconded by Lee, to adjourn the meeting at 5:11 p.m.

ADJOURNMENT

Vote: 3/0

Respectfully submitted,

Christene S. Yeast
Recording Secretary
03/20/2019