

SUMMIT TOWNSHIP SUPERVISORS
Regular Business Meeting
Tuesday, January 21, 2014

Chairman Church called the regular business meeting of the Board of Supervisors to order at 6:00 p.m. following salute to the flag. Supervisors Agostine and Lee were present, as were, Zoning Administrator Hudak, Solicitor Sennett, Engineer Jonas, Secretary Yeast, and four interested persons.

CALL TO ORDER

Motion by Agostine, seconded by Lee, to approve the minutes of the 2014 Organization and Regular Business Meeting on January 6, 2014, as presented and reviewed by the Board of Supervisors.

1/6/2014 MINUTES

Vote: 3/0

Secretary Yeast reported receipt of notice of the PA Manufacturer's Association computer classes, and requested Board consideration to approve attendance for Regina Erbin to attend the Excel classes.

CORRESPONDENCE

- Excel
Computer
Classes

Motion by Agostine, seconded by Lee, to approve expenses for Regina Erbin to attend the Excel I and II computer classes offered by the PA Manufacturer's Association.

Vote: 3/0

Motion by Agostine, seconded by Lee, to approve the December 2013 Treasurer's Report as presented and reviewed by the Board of Supervisors (1,130,419.78)

DEC. 2013 TREAS.
REPORT

Vote: 3/0

Supervisor Agostine reported that the Board held an Executive Session today at 3:30 p.m. to discuss a personnel matter.

EXECUTIVE
SESSION

Zoning Officer Hudak reported that the Heatron, Inc. Amended Land Development Plan (LDP) is a 5,000 sq. ft. addition to be utilized for manufacturing expansion. It has been reviewed and recommended for approval by both Erie County Planning and the Summit Township Planning Commission.

HEATRON AMD.
LDP

Motion by Agostine, seconded by Lee, to approve the Heatron, Inc. Amended LDP for 8135 Nathan Circle, Parcel ID No. (40) 17-73-19.04.

Vote: 3/0

Zoning Officer Hudak reported that the BT Erie Hotel, LP has requested release of their Sidewalk Bond. Engineer Jonas reported that after inspection he has found several deficiencies. The first handicap ramp has a slope requiring a level landing, there are cross slopes exceeding 2%, grading is incomplete causing a safety hazard near the rain garden, and detectable warning surfaces have been damaged by snow plows, and incorrectly located within the curb ramp.

BT ERIE HOTEL, LP
SIDEWALK BOND

Supervisor Agostine responded that this many deficiencies do not warrant release of any portion of the BT Erie Hotel, LP Sidewalk Bond. Supervisor Church agreed. No action was taken.

Solicitor Sennett reported that the Cable Franchise Agreement is pending. His firm is using negotiations for another municipality as a template.

Solicitor Sennett reported that he has submitted to the Board a letter detailing his legal advice in regard to tax collector compensation. Solicitor Sennett was given Board permission to read his letter for the record, (copy attached) with an overall conclusion that compensation per parcel is \$3.65 for the entire Tax Collector term.

SOLICITOR

- Cable
Franchise
- Tax Collector
Commission

SUMMIT TOWNSHIP SUPERVISORS

Regular Business Meeting

Tuesday, January 21, 2014

Page 2 of 3

Supervisor Church explained that his original intention was to increase the per parcel amount by 4% per year of the 4-year term, but understands that this was not the intent of Supervisors Agostine and Coon. Discussion ensued. Agostine confirmed that she had no confusion in making the original motion. The Fort LeBouef School District was originally referenced as giving the Tax Collector a 7% increase, which was also for the entire term. Agostine further maintained that due to the "tax forgiveness" program, the tax collector handles much less money.

Atty. Sennett confirmed that the Board could change the tax collector commission, but it would not go into effect until the next four year term (2018).

Joe Kuzma, 8550 Old French Road, suggested the Board consider increasing the Street Light Assessment Commission.

Engineer Jonas reported that he is in the process of verifying the Railroad Right-of-Way for the Footmill Road cul-de-sac, and needs a location approved.

Agostine responded that she had recently met with Tom Lewis of Waste Management who informed her that a level, treeless area on the east side of Footmill, just south of the Railroad tracks is a preferred location. Mr. Lewis added that if the Board approves this location, Waste Management will be responsible to pay for the engineering and construction of the cul-de-sac.

Motion by Agostine, seconded by Lee, to locate the Footmill Road cul-de-sac south of the Railroad tracks.

Supervisor Church expressed his opposition to the entire process of closing this portion of Footmill Road, and further questioned leaving approximately 1000' with a cul-de-sac for Township maintenance in the future.

Jim Chojnacki, 9481 Old French Road, questioned why the Board is allowing Waste Management to dictate the treatment of a Township Road.

Church responded that Waste Management is not dictating any treatment of Footmill Road. Agostine expressed offense that inference to something illegal was done, the Railroad is complicating details of the Waste Management Agreement, but shifting the location of the cul-de-sac removes the Railroad from the picture.

Vote: 2/1

Agostine – Yes

Lee – Yes

Church – No

Engineer Jonas reported that he is waiting for the weather to improve to attain survey information regarding the Zwilling Road project.

Engineer Jonas reported that the Hamot Road culvert design is complete, and would like to meet with the Road Foreman and Roadmaster for review prior to submission to the Army Corp. of Engineers.

Supervisor Church expressed his opposition that, per the Agreement with Waste Management, costs for the straightening of Zwilling Road at Footmill will be entirely borne by the Township.

ENGINEER

- Footmill Road cul-de-sac
- Zwilling Road Survey
- Hamot Road Culvert

SUMMIT TOWNSHIP SUPERVISORS

Regular Business Meeting

Tuesday, January 21, 2014

Page 3 of 3

Joe Kuzma, 8550 Old French Road, expressed his agreement with Supervisor Church.

Gary Pace, 900 Townhall Road, asked if Waste Management will have access to the cul-de-sac from the closed portion of Footmill Road. Agostine responded, yes.

Supervisor Church requested Atty. Sennett confirm who owns and is responsible for this portion of Footmill Road, should the road be barricaded.

Atty. Sennett read Section 3 of the Agreement that explains the steps required to vacate that portion of Footmill Road i.e. transfer of deeds both from Summit Township and Waste Management, and until such time, no vacation can occur.

Supervisor Church expressed concern for the safety of the intersection of Zwilling Road and Route 97, maintaining that it will receive more traffic once that portion of Footmill Road is officially closed.

Motion by Lee, seconded by Agostine, to review and research safety concerns at the intersection of Zwilling Road and Route 97.

Vote: 3/0

There was no public input

With no further business to come before the Board, motion by Agostine, seconded by Lee, to adjourn the meeting at 6:43 p.m.

Vote: 3/0

Respectfully submitted,

Christene S. Yeast
Recording Secretary
01/27/2014

SUPERVISORS:

- Zwilling Road
- Rt. 97/Zwilling Road Inters.

PUBLIC INPUT

ADJOURNMENT