**WATERFORD TOWNSHIP SUPERVISORS**

**REGULAR BUSINESS MEETING**

**JULY 1, 2020**

The regular meeting of the Board of Supervisors was called to order by Chairman Kondzielski at 7:00 p.m. at the Waterford Township Municipal Building, followed by the Pledge of Allegiance.

Chairman Kondzielski presided over the meeting with supervisors Malinowski and Senger in attendance, as well as Roadmaster Brian Tinko, Sec’y/Treas. Sharon Risjan, Sylvia Skelton, Mr. and Mrs. Scarpitti, Zoning Officer Leeann Ormsbee, Solicitor George Joseph, and Larry Thompson.

**PUBLIC COMMENT**

* Scarpitti – Mr. and Mrs. Scarpitti were present to discuss their driveway (a portion of which is on Waterford Township property), and see if some sort of agreement can be made to allow them to continue using the driveway as it is. Solicitor said he had spoken to Scarpitta and a couple of issues were raised. The driveway has been there for a number of years and Scarpitti wanted to know if he could claim it. Under the law, he cannot. We have a survey and we have a fence ready to go up, but if they have a proposal they would like to bring to the supervisors, now is the time. Mr. Scarpitti opened discussion on the gray water coming onto their property. Chairman stated that we had our property surveyed and we are starting our storm water management again. We will have our system checked to see where the water is coming from and take care of it, and we are putting up a fence. Senger indicated that at the last meeting he had asked that we wait to put up a fence and put up no trespassing signs. Malinowski stated that when we told Mrs. Scarpitti she couldn’t park her truck in the parking lot anymore because it was a liability, she came into the Township building screaming at the employees. Then she told us to move our snow off of her property. We did. The best thing to do is to find the boundary line and make it right. If there is a problem with the gray water, we will take care of it. If there is any issue, we will take care of it. We are working on storm water management issues and have had our engineer looking into it. If the Township is doing something wrong, it will be fixed. Mr. and Mrs. Scarpitti asked if they could lease the property where the driveway is; or subdivide it off of the Township’s property. Senger said that, if we don’t want to subdivide, why don’t we do a lease agreement with them. Malinowski indicated that the long-term answer is to fix any problems and make them right. Kondzielski indicated that the solicitor will get a dialogue going with them. As far as the water problem, it stops with this administration. It will be taken care of. Senger wants us to allow them to use the driveway until a solution is accepted. Solicitor stated that a short-term solution would be a lease agreement while we work on a long-term solution. Malinowski indicated that the fence will show us where the line is and where we can plow our snow. We are willing to do what is right for the Township. We will pull the poles out and give them time to move the driveway. Sylvia Skelton stated that she had called the Township about the water across the road by the Township building but it had nothing to do with the Scarpitti issue. Roadmaster responded that the water washed debris across the catch basin and that was cleared away.

**MINUTES**

Senger did not want to approve the minutes because his suggestion that we not put the fence up and post the property instead was missing.

**Motion by Kondzielski, seconded by Malinowski, to approve the minutes of July 1, 2020, as presented. Vote: 2/1**

**ROADMASTER’S REPORT**

* Getting roads groomed for tar and chip.
* Talked to the State about Moore Road (east of Route 97). Brian spoke with Josh Montgomery about where the Township line ends at the bend. Josh will take care of this on the liquid fuels program. Brian indicated that they will use the bend as a turnaround for the trucks when they plow.
* Beavers are still a big problem. A trapper came out and talked to Brian. They would want $200-$300 per beaver to trap them. He is a certified wild life management professional.
* 2RC is all out of Phil Spotts’ pit. Still about 600T bank gravel and 2,000T 1B in there. The bank gravel will be out by the middle of the month.
* Back to the beaver situation, it was indicated that, after all these years we should be able to do something about the State allowing this to happen. Discussion ensued on what it takes to clear the dams.

**BID OPENING FOR EQUIPMENT and TRUCK PURCHASE**

Only one bid was received, that being from Stephenson Equipment, Inc.

2019 Ford F550 Regular Cab Chassis $46,072.00 (CoStars Contract #025-298-1768)

Dump Body, plow, hydraulics and spreader $43,823.00 (CoStars Contract #025-021)

2010 Leeboy 8515B Paver $30,000.00 (pending inspection) sold as is

1998 Intersoll-Rand DD24 Roller $14,500 sold as is

**Motion by Kondzielski, seconded by Malinowski, to purchase all three units, as stated. Vote: 2/0 Senger, no**

**OLD BUSINESS**

* **Garrett Krol** – He wants to sell a parcel of land behind his house for $5,000. Solicitor advised that the Township would have to pay the recording fees for the deed, and the transfer taxes. Solicitor will do a quick sales agreement. It was noted that we have a Letter of Intent for the sale for Mr. Krol to sign. Discussion ensued on the pin placement on the property. Senger questioned, if the Township is going to purchase this property and incorporate a stormwater retention, should it be all one piece of property? Solicitor said it would be a simple matter to do a second deed to consolidate. If we have to do that, we can.

**Motion by Kondzielski, seconded by Malinowski, to purchase the property from Garrett Krol for $5,000, plus pay the transfer taxes and recording fees. Vote: 3/0**

**NEW BUSINESS**

**Darren Smith Gravel Pit** – Solicitor reported that Smith filed against the Township, scheduled in front of District Justice McGowan on July 23, 2020. Solicitor advised the DJ office that he intended to file a defense. Discussion ensued on the situation right now, where we are unable to find out how much material is down there because Smith will not allow us into the pit. Solicitor would like to enter a counter claim for unliquidated damages for gravel we cannot get out. Smith is claiming $6,000 in damages and solicitor does not see it. Malinowski stated that we should be taking the gravel out of there but we are having to buy 2RC at $6/ton where Smith’s gravel is $1.75/yard. Discussion ensued.

**Zoning Hearing Board Appointment -**

**Motion by Senger, seconded by Malinowski, to appoint Harry Rearick as an alternate member of the Waterford Township Zoning Hearing Board. Vote: 3/0**

**Township Complex Reopening -**

Kondzielski explained that the County is in green now but, because of the upcoming holiday, he proposed to keep the offices as they are for the time being and keep the door locked until possibly the next meeting. Solicitor noted that the State has issued an order regarding wearing masks in public.

Discussion reopened on the Scarpitti driveway issue. Malinowski noted that Mrs. Scarpitti said that Senger agreed to have her park her truck in the Township parking area. Senger responded that this is true that she could park along the fence. Brian Tinko advised that it will cost us to take the poles out now. It could also be a breach of contract if we don’t do this line. Kondzielski wants this taken care of as soon as possible and we will put up the fence. If we have issues with the water, we need to take care of it. Malinowski reiterated that we are not trying to get away from our problems. If there are problems, we will take care of them. We need to fix it the right way. We need to let them move their driveway and do it right. Solicitor will suggest to Mr. and Mrs. Scarpitti that they do it now. Senger suggested giving them 60 to 90 days; solicitor said he would say 60 and go to 90 if he pushes. After brief discussion, solicitor said he would go to the end of August.

**CORRESPONDENCE**

* PSATS News Bulletin
* Erie County Conservation – Dirt & Gravel training postponed until late July or August. – Brief discussion ensued. No action taken.

**RECEIPTS**:

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| 922557 | ADP | Employee health insurance contrib. | 321.13 |
| 922558 | Legacy Truck Centers | Refund of 2019 Expense | 122.85 |
| 922559 | Waterford Twp Sewer/Water | Reimbursement of Quinn invoice | 175.00 |
| 922560 | Berkheimer | EIT June 2020 | 1225.64 |
| 922561 | Berkheimer | EIT June 2020 | 823.05 |
| 922562 | Berkheimer | EIT June 2020 | 2372.59 |

**BILL PAYMENT LIST**: See attached

Payroll Period 06/13/20 – 06/26/2020; Check Date: 07/01/2020; Net payroll & taxes: $15,929.78

**Motion by Malinowski, seconded by Senger, to approve payment of the bills, as presented. Vote: 3/0**

LeeAnn opened brief discussion on opting in as regards building inspections. She said there is a resolution to join the shared UCC Board, and a $200 fee to join the ECATO. If there are other costs, they are shared.

**Motion by Senger, seconded by Kondzielski, to adjourn the meeting at 8:35 p.m. Vote: 3/0**

Approved Respectfully Submitted:

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Flory Kondzielski Date Sharon Risjan

Chairman Secretary