**Waterford Township Supervisors**

**Regular Business Meeting**

**Wednesday, March 6, 2019**

The regular business meeting of the Board of Supervisors was called to order by Chairman Coffin at 7 p.m., followed by the Pledge of Allegiance.

Chairman Coffin presided over the meeting with supervisors Malinowski and Senger in attendance. Also present were Roadmaster Kevin Cromwell, Secretary/Treasurer Sharon Risjan, Leslie Brace, Marilyn Evans, Larry Thompson, Bill Phillips, Steve Troyer, Brian Mitchell, Robert Blakeslee, Rod Sorenson, Mike Oberlander, LeeAnn Ormsbee, and other interested individuals.

**PUBLIC COMMENT**1. Leslie (Buck) Brace – Present for approval of subdivision on Sharp Road. Chairman advised that, since we do not currently have a Planning Commission, that the plan was forwarded to Erie County Planning who has approved it. Mr. Brace also asked if we have any new Planning members. Chairman responded that we don’t as yet, but would very much like to have a complete board. Mr. Brace responded that Doug Brace would be willing to serve. Mike Oberlander also indicated that he would be willing to serve. Chairman thanked Mr. Brace and Mr. Oberlander.

**APPROVAL OF MINUTES**

**Motion by Senger, seconded by Malinowski, to approve the minutes of the February 20, 2019, Regular Business Meeting, as presented. Motion carried 3/0.**

**ROADMASTER’S REPORT**

* We have been dealing with snow and ice nearly every day but all is going well.
* Work continues in the shop; repairing vehicles.
* Had a couple of trees down during the recent ice event.
* Kevin has been shopping around for a new pickup. After extensive comparisons, he would like to purchase a Ford F150 extended cab with an 8’ bed. CoStars Ford F150, 2WD, V6, EcoBoost w/turbo, with no running boards, hitch or bedliner is $26,250. With running boards, hitch and bedliner $27,650. Has vinyl floor, vinyl seats, gray. 4X4 would be a V8 at a cost of $30,625. The 2WD we have has been more than adequate. Comes out of Hondru from Lancaster. They deliver when the truck comes in.

**ZONING REPORT** –

Marilyn advised that the Board has a copy of her report.

* Property on Donation Road (Anne Hull) – The paperwork Ms. Hull said she sent to the Township was never received. Today she dropped off a folder full of materials. She had indicated to Marilyn that the property was resurveyed and that she had met with Josh from Erie County about the septic, and that she has to have it tested. Chairman suggested Marilyn review the material and talk to the solicitor.
* Trask Road – Supervisor Senger had asked her to look into this property which he was informed was a non-building garden area. Marilyn responded that Josh has approved it for septic, and she could find nothing indicating it was a non-build garden area.
* Rube Road – Josh at the health department indicated to her that only one property got a septic permit. He does not know what the others are doing. Supervisor Malinowski said it is not his job to look into these matters. He just brought this up because he feels Marilyn is not doing her job. He had assumed this was a business area but it is not. Chairman feels there is a confusion about the job description. He believes her job, if there is a complaint, she is to look into it. There should be someone’s name on a complaint and then we can proceed with it. The last few months we are doing people’s personal work. He is not sure the zoning officer is an enforcement officer. Solicitor said the zoning officer can be the enforcement officer. If she receives a complaint, and if there is a violation, she must send out an enforcement notice. If it was constructed after that, was the Township aware of it. Once the enforcement notice goes out, if that notice has a date by which an appeal can be made to the zoning hearing board, Marilyn must process it. If it is untimely, and the appeal is tardy, we cannot accept it. There is a good method to process it through the district justice. Discussion ensued on the difference between a code enforcement officer and the zoning officer. At the January meeting, if we feel a need, we should fill a position for enforcement, but now, these are Marilyn’s tasks. If there are other things for her to do, they need to be stated in writing. Supervisor Malinowski stated that he is not looking for trouble, but when it comes to you, we should take care of it and fix those problems. Regarding the Ann Hull issue on Donation Road, this was initially an emergency situation where her home burned and someone donated a home to replace it. Supervisors gave her some leeway and then she decided not to live there. That whole area on Donation road has problems. Resident LeeAnn Ormsbee agreed, and admitted that her own property has zoning issues. Chairman feels that Ms. Ormsbee has “sour grapes” because she did not get the zoning officer job. Ms. Ormsbee said she did not want that job. Malinowski indicated another house built down on Old State Road. There are two residents on that property. Marilyn responded that was before she became zoning officer, and does not know how it happened. Malinowski stated that we need to know if these properties have proper septic. Marilyn responded that if the system has been used within the last year, they are allowed to use it. If not, it needs current approval. Marilyn indicated she has two complaints on Donation Road she is checking into now. Discussion opened on whether or not there is legal rights for her to go on to private property. Solicitor will follow the directive of supervisors and do what they want him to do. Chairman wants to do what is good for the people. Some of these problems are brought on by the people themselves. The County comes in after our zoning does. They do an assessment to make sure it is working. We have investigated every complaint and make a decision. Marilyn stated that the County will only investigate if there is a complaint that sewage is coming out of the ground. Malinowski stated that we did have a complaint on Sharp Road where a landscaping business is. When she was told not to give out a conditional use, the owner told her where his business is located in Erie. Regarding Sornberg, we weren’t sure at first what he was going to do with the building. When more information came from him, he voluntarily took that back. The Mike Hall situation – complaint that there was a business going on at that place. He brought this to the Township himself. Chairman said you need to get along with the neighbors. Extensive discussion ensued on various issues in the Township. Chairman stated, again, that we should investigate every complaint we receive.

**SOLICITOR'S REPORT**

* Ferraro Property – There is an order and judgement giving him 20 days to move the vehicles. We anticipate that won’t happen so we will move to the next step where an order will be served by the Sheriff.
* Russell Standard Corporation – He has heard nothing from Mr. Trout. Something will be done by the end of March, and he wants Kevin there.
* Armstrong – Solicitor has heard nothing. Chairman asked if they are still working. Kevin said they have not been active recently.
* April 3, 2019, business meeting – He may not be able to be here. If he can’t be, he can send someone in his stead.

**OLD BUSINESS** –

**Pick Up Truck – Motion by Coffin, seconded by Senger, authorizing the purchase of a 2019 Ford F150, 2WD, at the CoStars price of $27,650.00. Vote: 3/0**

**Troyer Application for Water Service –** Sharon to get in touch with Dave Morrison and see when the Water/Sewer Authority meets. Chairman would like to run this application through them before making a decision.

**Nora Kreider SFTF Agreement – Motion by Senger, seconded by Malinowski, to sign the SFTF agreement with Nora Kreider. Vote: 3/0**

**Proposed Logging/Oil and Gas Ordinance** – Extensive discussion opened on this ordinance. Bruce explained what is in the agreement, and the requirements therein. He continued to explain that we are getting more and more tar and chip roads and we need to protect them. This ordinance was made up many years ago but never enacted. Roadmaster indicated that the bonding generally goes through an insurance company. Requirement is $12,500 per mile on hard surfaced roads, and $6,000 per mile on gravel roads. These rates are State mandated. There is no fee for the permit and there is a driveway fee if you put in a driveway. If it is during March April or May, you would have to bond the road. Discussion ensued on the required landing where trucks can get off the roadway. Some individuals present asked why we are just going after the locals and the gas well people. Kevin responded that there are many conscientious people that do right. Local people are mostly known and we can go to them and discuss the roadway. Chairman indicated that the loggers and the oil/gas well drillers are the two industries that do the most damage to our roads. Local people are going to work with us. We have the best roads we can, but they cannot hold up to the equipment and trucks. He will look into the cost of the landing so we have some information for the next meeting. This ordinance would help us to go after the individuals damaging our roads. Solicitor explained that there is some litigation going on that deals with oil and gas industries being discriminated against if there are other industries that are doing the same concerns.

**Motion by Senger, authorizing advertisement for public input and possible action at the April 3, 2019, regular business meeting.**

Supervisor Malinowski feels our Township trucks do more damage than the loggers, oil and gas companies and farmers. The big plows and chains damage the roads. We should start looking at what we are doing to our own roads also.

**Motion was seconded by Coffin. Vote: Coffin and Senger – yes; Malinowski – no.**

**NEW BUSINESS** –

**SPEED LIMIT ORDINANCE –** Chairman explained that the Township feels we should put speed limit signs up because people are complaining about increased speeds on roads that are tar and chipped. Kevin indicated that in his observations and traveling the roads, these speed limits seem to be the best numbers. Traveling on Bagdad to the sawmill he met 15 cars. That is a lot of traffic for a crooked, narrow road. Chairman indicated that if a road is NOT posted, it has a 55 MPH speed limit. That is a State law.

**Motion by Senger, seconded by Malinowski, authorizing to advertise for public input and action at the April 3, 2019, regular business meeting.**

**Vote: 3/0**

Brief discussion ensued on whether a traffic engineering study is needed. Kevin explained that he ran this by some people; some say to have an engineering study, some (State officials and individuals from other municipalities) say he can do it himself.

This issue was tabled to the next meeting for Solicitor Burroughs to look into.

Bruce explained that he wanted to get the least amount of cost into it, but we want to do it right, so we will look into it and may very well have to spend a lot of money. He thought that, if someone got a ticket for speeding on a posted road, and took it to the district justice, if the district justice asked if we had an ordinance we could say yes. If there is a good attorney that wants to know if the ordinance has had an engineering study, he would probably win; however, if they would just go on the fact that we do have an ordinance, we would win.

**CORRESPONDENCE –**

2019 Municipal Posted Bonded Road Workshop March 12, 2019

Summit Township Water Authority Act 14 Notification

Notice of Payment of Liquid Fuels for 2019

Notice of Payment of Turnback Maintenance for 2019

PSATS News Bulletin

FEMA Program Modifications

**RECEIPTS**:

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| --- | --- | --- | --- |
| 614950 | Berkheimer | Earned Income Tax | 5,962.05 |
| 614951 | Erie County Tax Claim | Delinquent Taxes | 1,295.05 |
| 614952 | Berkheimer | Earned Income Tax | 3,541.62 |
| 614953 | ECGRA | Gaming Revenue 4Q2018 | 37,457.46 |
| 614954 | Zoning Officer Marilyn Evans | February Zoning Permits | 86.00 |
| 614955 | Williamsfield Valley Veneer | Logging Inspection Fees | 100.00 |
| 614956 | Berkheimer | Earned Income Tax | 3,883.02 |
| 614957 | Berkheimer | Local Services Tax | 185.46 |
| 614958 | Berkheimer | Earned Income Tax | 1,899.10 |
| 614959 | ADP | Employee Uniform Contrib. | 80.00 |
| 614960 | ADP | Employee Insurance Contrib. | 344.83 |
| 614961 | Berkheimer | Earned Income Tax | 414.97 |
| 614962 | Commonwealth of PA | Niemeyer Bridge Invoice Reimb. | 21,891.42 |
| 614963 | Commonwealth of PA | 2019 Liquid Fuels & Turnback | 322,360.94 |
| 614964 | Nora Kreider | SFTF Maintenance Bond | 500.00 |
| 614965 | Beeman Estates | Sewer Usage | 63.26 |

**BILL PAYMENT LIST**: See attached

Payroll Period 02/09/19-02/22/19 Check Date: 02/27/2019

Checks & Direct Deposits: $ 8,233.62

Payroll Taxes: $ 3,230.23

Total: $ 11,463.85

**MOTION TO PAY BILLS**

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

**MOTION TO ADJOURN**

**Motion by Senger, seconded by Coffin, to adjourn the meeting at 8:06 p.m. Vote: 3/0**

Approved: Respectfully Submitted:

Bruce Coffin Date Sharon Risjan

Chairman Secretary