

HEARING OF McKEAN TOWNSHIP SUPERVISORS

CALL TO ORDER

A hearing of the Board of Supervisors was called to order by Chair Janice Dennis at 7:00 p.m. on November 1, 2018 as previously publicized and took place at the McKean Township Municipal Bldg.

ROLL CALL

Members present were Janice Dennis, Brian Cooper and Ronald Bole. The hearing was being taped by the Board and the Edinboro News.

PURPOSE OF HEARING

The purpose of the hearing was for the consideration of the Agricultural Security Area with proposed modifications, deletions and additions, amendments which were proposed during the review period, and recommendations proposed by the Agricultural Security Area Advisory Committee, the McKean Township Planning Commission, and the Erie County Department of Planning.

ASAAC, PLANNING COMISION, ECDP REVIEWS

The Agricultural Security Area Advisory Committee submitted recommendations to the Board after their review at a meeting held August 14, 2018. The Committee recommended to agree to all the properties currently in the approved ASA with some of the property owner's change of name and recommended approval of all the additions to the ASA as presented.

The Planning Commission submitted recommendations to the Board after their review at a meeting held August 16, 2018. The Commission recommended the approval all the parcels wishing to remain in the ASA, recommended to add parcels 31-2-24-3 (Kathryn A. Smith), 31-2-4-20 (Kathryn A. Smith), 31-7-44-5.03 (Leon F. Wasielewski, Elda Wasielewski, Lee A. Wasielewski) and 31-17-67-5 (Frank Dachtyl, Karen L. Dachtyl), and recommended not to include parcels 31-10-27-51 (James W. McLaughlin), 31-11-50-9.05 (James Neuburger) and 31-3-7-18 (Thomas Brooks, Susan G. Brooks) to the ASA due to their close proximity to residential development and the lack of consistency with the McKean Township Comprehensive Plan.

The Erie County Department of Planning submitted recommendations after their review in a letter dated August 3, 2018. Based on their review, six of the parcels that are proposed for inclusion in the ASA appear to be located in areas designated for low density residential development by the McKean Area Comprehensive Plan. This includes four parcels fronting on West Road identified as 31-11-49-8 and 31-11-49-9.01 (Victor Lewis, Alliene Lewis), 31-11-49-2 (Michael Rand), 31-2-3-2 (Byron Schuetz,, Vera Bowen, Jane Hickey), and 31-10-27-51 (James W. McLaughlin).

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WRITTEN COMMENTS

A letter was received from James W. McLaughlin dated October 30, 2018 requesting that the Board consider the recommendation of the Agricultural Advisory Committee as they have firsthand knowledge of benefits of the ASA.

PUBLIC COMMENTS

James Neuburger, 8763 Neuburger Road

Mr. Neuburger asked for the recommendations from the Planning Commission and the Erie County Department of Planning be repeated.

Hubert Taylor, Schaeffer Road

Mr. Taylor asked if the township had a map of the ASA.

James McLaughlin, 8661 Baron Road

Mr. McLaughlin asked if the three boards were advisory boards or if they were decision-making boards.

ADJOURNMENT

With no objections, the hearing adjourned at 7:10 p.m.

Respectfully submitted,

Janice T. Dennis, Secretary

REGULAR MEETING OF McKEAN TOWNSHIP SUPERVISORS

CALL TO ORDER

A regular meeting of the Board of Supervisors was called to order by Chair Janice Dennis at 7:30 p.m. on November 1, 2018 as previously publicized and took place at the McKean Township Municipal Bldg.

ROLL CALL

Members present were Janice Dennis, Brian Cooper, and Ronald Bole. The meeting was taped by the Board and the Edinboro News.

CITIZEN COMMENT – AGENDA

Mr. Don Mosier, representing the McKean Snowriders Club gave a presentation requesting that the BOS consider opening township roads to ATV's and UTV's. It was noted that these vehicles would have to be licensed, registered, and insured in order to travel on local roads under Title 75 of the Vehicle Code. There were concerns noted by the Supervisors and it was recommended that they either conduct a survey or possibly have a referendum placed on the ballot to see how the majority of the residents felt regarding having township roads legally designated for this use.

MINUTES

Brian Cooper moved to approve minutes of the October 4, 2018 meeting and the minutes of the October 18, 2018 budget workshop, second by Ron Bole and passed by majority roll call vote with Jan Dennis abstaining.

TREASURER REPORT

Ron Bole moved to approve the Treasurer Report of October 31, 2018 subject to audit and approve payment of bills from the Treasurer Report of October 31, 2018, second by Brian Cooper and passed by unanimous roll call vote.

REPORTS OF BOARDS, COMMISSION, COMMITTEES

Planning Commission—minutes of October 18, 2018 meeting were noted.

Brian Cooper moved to approve the final subdivision plans of Rosemarie and James Hutchison for a minor subdivision on Reichert Road, second by Jan Dennis and passed by majority roll call vote with Ron Bole abstaining. Jan Dennis reported that an excess interest distribution amount of \$8,290 will be awarded to McKean Township from the PA Municipal Retirement System due to McKean Township's account most recent funded ration was below 95%.

REPORTS OF OFFICERS

Ron Bole reported on the Freightliner truck snow tire issue, and Brian reported that the township is finished with the stormwater project on Mayfair Drive and they will be finished with the Maplecrest stormwater project and Van Camp Road bridge project as soon as weather permits.

CORRESPONDENCE

Charter Communications—Upcoming Changes in pricing

MacDonald Illig Attorneys—Petition of the Erie County Tax Claim Bureau of Sale of Real Estate at Public Sale

Gannett Fleming, Inc.—Bridge Inspection Report for Old 99 Bridge Tributary over Lamson Run.

UNFINISHED BUSINESS

It was noted that the Board felt that properties owned by James McLaughlin, Thomas and Susan Brooks, and one parcel owned by James Neuburger between Peffer and Neuburger Roads should not be considered in the ASA due to the fact that these properties are located in a designated “Suburban Use Growth Area” and are not consistent with the township’s Comprehensive Plan.

Brian Cooper moved to re-enroll and add the following properties:

Victor & Alliene Lewis, Property Index No. 11-49-8, 12-49-14, 12-52-4, 11-49-9.01

William J. Pennock, Property Index No. 22-75-1

Carol Pennock, Property Index No. 18-68-5

Timothy J. Mientkiewicz, Property Index No. 7-43-2, 6-38-10, 7-43-4

Edward & Joan Hess, Property Index No. 16-60-6.04

Kathryn A. Smith, Property Index No. 2-19-1, 10-24-2, 2-24-3, 2-4-20

Byron Scheutz, Vera Bowen, Jane Hickey, Property Index No. 2-3-2, 2-4-3

Michael Houghton, Susan Ekeland, Christene Marie Kitson, James Houghton, Property Index No. 18-68-11, 22-74-5

Richard Kosienski, Property Index No. 22-74-9, 18-68-9, 18-68-9.02

Darla Rae McDermott, Property Index No. 22-75-2, 22-74-7

Byron & June Schuetz, Property Index No. 2-4-4.04, 2-4-3.01

Catherine Dlugolenski, Property Index No. 15-59-9, 15-59-10.02

Jacob R. Farley, Property Index No. 15-59-8.01, 15-59-8

Stephen & William Danylko, Property Index No. 18-69-4, 18-68-13

Norma k. Haibach-Suroviec & Matthew Haibach-Suroviec, Property Index No. 16-60-2

David & Patricia Jassak, Property Index No. 17-66-7.01, 17-66-7.02

Lloyd & Janet Hess, Property Index No. 7-43-13.04

Paul Szymanowski, Property Index No. 17-66-1.02

Jason Goodwill, Property Index No. 6-38-11, 7-44-5

Terry Kilburn and Kahty Harrison, Property Index No. 12-49-13, 12-53-1

William M. & Teri M. Dillen, Property Index No. 11-50-4

Adam P. & Patsy J. Dzeskewicz, Property Index No. 22-74-8.05, 18-69-7

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Shirley Flak, Property Index No. 22-74-2
James W. & Barbara A. Neuburger, Index No. 11-49-16.04, 11-49-16.02, 11-50-3, 11-50-3.02
Lee & Lisa M. Wasielewski, Property Index No. 6-38-14.01, 7-44-4, 6-38-14
Ronald F. & Christina E. Dzeskewicz, Property Index No. 22-74-8.03
William J. & Christine A. Moski, Property Index No. 18-69-5.01
Antalek Farm Family Ltd Partners, Property Index No. 10-24-13, 11-22-11.01
Daniel & Dolores Renick, Property Index No. 17-66-1
Daniel L. & Sandra L. Presogna, Property Index No. 18-69-5
James M. & Barbara A. Bentze, Property Index No. 15-59-5.01
Colleen L. Smith, Property Index No. 2-19-1.01, 2-19-1.02
Robert J. McLaughlin, Property Index No. 11-49-7
Michael Rand, Property Index No. 11-49-2
Leon F. Wasielewski, Elda Wasielewski, Lee A. Wasielewski, Property Index No. 7-44-17.08, 7-44-5.03
Frank & Karen L. Dachtyl, Property Index No. 17-67-5

And remove the following parcels due to the fact that they do not appear to be consistent with the township's comprehensive plan as they appear to be located in a designated "Suburban Use Growth Area":

James W. McLaughlin, Property Index No. 10-27-51
Thomas and Susan Brooks, Property Index No. 3-7-18
James Neuburger, Property Index No. 11-50-9.05

Motion was second by Ron Bole and passed by unanimous roll call vote.

Jan Dennis moved to enact the following resolution:

RESOLUTION NO. 1461

MODIFICATION TO THE AGRICULTURAL SECURITY AREA WITHIN THE TOWNSHIP OF McKEAN, ERIE COUNTY, PENNSYLVANIA

WHEREAS, pursuant to Act 149 of 1988 (Public Law 1202), known as the "Agricultural Area Security Law", as amended, certain owners of real property situated in McKean Township, Erie County, Pennsylvania, have proposed additions, modifications, and deletions to the Agricultural Security Area which was previously created under Resolution No. 693 on October 25, 1990 and modified under Resolution No. 1287 on September 1, 2011.

WHEREAS, the McKean Township Board of Supervisors received said proposals on July 29, 2019 (due to the notification of the 30-day public comment period for the seven year review process);

WHEREAS, the McKean Township Board of Supervisors duly referred the said proposal to the McKean Township Planning Commission, the Agricultural Security Area Advisory Committee, and the Erie County Department of Planning for review as required by law; and

WHEREAS, the McKean Township Planning Commission, the Agricultural Security Area Advisory Committee, and the Erie County Department of Planning presented certain recommendations to the McKean Township Board of Supervisors with respect to the proposed additions, modifications, and deletions to the Agricultural Security Area; and

WHEREAS, the McKean Township Board of Supervisors received certain additions, modifications, and deletions to the Agricultural Security Area whereby certain owners of real property

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situated in McKean Township requested that their properties be added, modified, or deleted to the Agricultural Security Area; and

WHEREAS, pursuant to Act 149 of 1988, as amended, on November 1, 2018, the McKean Township Board of Supervisors conducted a duly advertised hearing relative to the Agricultural Security Area, the additions, modifications, and deletions thereto, and the recommendations thereto from the McKean Township Planning Commission, the Agricultural Security Area Advisory Committee, and the Erie County Department of Planning; and

WHEREAS, ALL PROCEDURES AND REQUIREMENTS OF Act 149 of 1988 have been met and satisfied; and

WHEREAS, Act 149 of 1988, as amended, grants to the McKean Township Board of Supervisors the authority to adopt or reject the said proposal or any modifications thereto that they deem appropriate;

NOW, THEREFORE, BE IT RESOLVED AND ENACTED, and it is hereby resolved and enacted, by the Board of Supervisors of McKean Township, Erie County, Pennsylvania that to the extent set forth below, the said proposal and modifications thereto are hereby adopted; and

BE IT FURTHER RESOLVED AND ENACTED, and it is hereby resolved and enacted, that the said Agricultural Security Area shall include an aggregate total of 3,240.27 acres which is comprised of the designated properties listed and described on the attached document entitled “DESCRIPTION OF McKEAN TOWNSHIP AGRICULTURAL SECURITY AREA”, which by this reference is incorporated herein and made part of this resolution as if fully set forth;

BE IT FURTHER RESOLVED AND ENACTED, and it is hereby resolved and enacted, that in addition to the periodic reviews of the said Agricultural Security Area set forth in Act 149 of 1988, the said Agricultural Security Area may be reviewed in the third year thereafter, PROVIDED HOWEVER, that during the reviewing year, an owner or owners of viable agricultural land (as defined in Act 149 of 1988) submits to the McKean Township Board of Supervisors a proposal to modify the said Agricultural Security Area by the inclusion of said owner’s or owners’ land therein.

Enacted this 1st day of November, 2018
By the Board of Supervisors

Janice T. Dennis, Chair

Brian P. Cooper, Supervisor

Ronald T. Bole, Supervisor

ATTEST:

Janice T. Dennis, Secretary

Motion was second by Ron Bole and passed by unanimous roll call vote.

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Brian Cooper moved to advertise that the proposed 2019 Budget is available for public inspection and that the proposed 2019 Budget shall be considered for final adoption at the Supervisors meeting scheduled on December 6, 2018, second by Ron Bole and passed by unanimous roll call vote.

NEW BUSINESS

Ron Bole moved that McKean Township enter into an agreement with the County of Erie for the sale of dog licenses for year 2019, second by Brian Cooper and passed by unanimous roll call vote.

Brian Cooper moved to approve the 2019 WECEMA Budget as presented at a cost to McKean Township of \$1.021 per capita per year, second by Ron Bole and passed by unanimous roll call vote.

Brian Cooper moved that the Secretary and Clerk are authorized to attend the ECAMA Dinner, second by Ron Bole and passed by unanimous roll call vote.

PUBLIC PARTICIPATION

None

ADJOURNMENT

With no objections, the meeting adjourned at 8:05 p.m.

Respectfully submitted,

Janice T. Dennis, Secretary