

September 5, 2024

REGULAR MEETING OF McKEAN TOWNSHIP SUPERVISORS

CALL TO ORDER

A regular meeting of the Board of Supervisors was called to order on September 5, 2024 by Chair Jan Dennis at 7:30 p.m. as previously advertised and took place at the McKean Township Municipal Bldg.

ROLL CALL

Members present were Janice Dennis, Brian Cooper and Ronald Bole.

CITIZEN COMMENT—AGENDA

None

MINUTES

Brian Cooper moved to approve minutes of the August 1, 2024 meeting, second by Ron Bole and passed by unanimous roll call vote.

Brian Cooper moved to approve minutes of the August 20, 2024 hearing, second by Jan Dennis and passed by majority roll call vote with Ron Bole abstaining.

TREASURER REPORT

Ron Bole moved to approve the Treasurer Report of August 31, 2024 and approve payment of bills from the Treasurer Report of August 31, 2024, second by Brian Cooper and passed by unanimous roll call vote.

REPORTS OF BOARDS, COMMISSIONS, COMMITTEES

Planning Commission minutes of August 15, 2024 were noted.

Jan Dennis moved to approve the Final Plans of the Subdivision of Lands of Peter F. Zmijewski for a minor subdivision on Skinner Road, second by Ron Bole and passed by unanimous roll call vote.

REPORTS OF OFFICERS

Brian Cooper reported that the roads are being swept from the tar and chipping road project.

CORRESPONDENCE

Mike Murnock—snowmobile roads

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UNFINISHED BUSINESS

None

NEW BUSINESS

Jan Dennis moved to enact the following resolution:

RESOLUTION NO. 1633

A Resolution to acknowledge the Financial Statements and Independent Auditor's Report of the Erie Area Council of Governments for the Calendar Year Ending December 31, 2023

WHEREAS, McKean Township is a member of the Erie Area Council of Governments (EACOG); and

WHEREAS, the EACOG has obtained the Financial Statements and Independent Auditor's Report of its financial activities during the 2023 calendar year which was reviewed by the delegates at the General Assembly meeting on August 21, 2024, and

WHEREAS, the McKean Township Board of Supervisors has reviewed the proposed Financial Statements and Independent Auditor's Report and finds it to be in good order.

IT IS HEREBY RESOLVED, by the McKean Township Board of Supervisors, Erie County, Pennsylvania that the Financial Statements and Independent Auditor's Report for the calendar year ending December 31, 2023, as presented by Buseck Barger Bleil & Company are acknowledged by McKean Township.

**Enacted this 5th day of September, 2024
By the McKean Township Supervisors**

Janice T. Dennis, Chair

Brian P. Cooper, Supervisor

Ronald T. Bole, Supervisor

ATTEST:

Janice T. Dennis, Secretary

Motion by Brian Cooper and passed by unanimous roll call vote.

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Brian Cooper moved to submit a letter to Gannett Fleming Transystems regarding their correspondence as it pertains to Old Route 99 over Lamson Run Bridge inspection report that the Old Route 99 T-480 bridge over Lamson will be replaced sometime in late 2024 or 2025, second by Ron Bole and passed by unanimous roll call vote.

Ron Bole moved that the township provide equipment and personnel to work at the West County Recycling facility, second by Brian Cooper and passed by unanimous roll call vote.

Janice Dennis, Chief Administrative Officer of the Township's Pension certified that the Minimum Municipal Obligation of the McKean Township Pension Plan for 2025 is \$66,567.00.

Ron Bole moved to set and advertise the 2025 Budget Workshop to take place October 10, 2024 at 3:00 p.m., second by Brian Cooper and passed by unanimous roll call vote.

Jan Dennis moved that the Secretary and Treasurer are authorized to attend the ECAMA Meeting, second by Ron Bole and passed by unanimous roll call vote.

Jan Dennis moved to enact the following resolution:

RESOLUTION NO. 1634

A Resolution of the Township of McKean, Erie County, Pennsylvania, amending the "Policies of the Township of McKean" for the execution of legislative, executive and administrative powers pursuant to the provisions of the Second Class Township Code.

WHEREAS, the Township of McKean, Erie County, Commonwealth of Pennsylvania (the "Township") is a municipal corporation duly organized and existing under the laws of the Commonwealth of Pennsylvania as a Township of the Second Class having its principal business office at 9231 Edinboro Road, P.O. Box 62, McKean, Pennsylvania, 16426; and

WHEREAS, pursuant to the Second Class Township Code, 53 P.S., §65 101 *et seq.* (the "Code") the Board of Supervisors of the Township is charged with the general governance of the Township; and

WHEREAS, by Resolution Number 971, adopted on May 3, 2001 and thereafter amended by Resolution Number 976, adopted on December 6, 2001, amended by Resolution No. 999, adopted on May 16, 2002, amended by Resolution No. 1003, adopted on November 7, 2002, amended by Resolution No. 1009, adopted on December 31, 2002, amended by Resolution No. 1043, adopted on December 4, 2003, amended by Resolution No. 1055 adopted on March 4, 2004, amended by Resolution No. 1059 adopted on June 3, 2004, amended by Resolution No. 1094 adopted on March 3, 2005, amended by Resolution No. 1097, adopted on June 2, 2005, amended by Resolution No. 1135 adopted on November 2, 2006, amended by Resolution No. 1150, adopted on February 1, 2007, amended by Resolution No. 1153 adopted March 15, 2007, amended by Resolution No. 1179, adopted on March 6, 2008, amended by Resolution No. 1201, adopted November 24, 2008, amended by Resolution No. 1211, adopted January 5, 2009, amended by Resolution No. 1221 adopted May 7, 2009, amended by Resolution No. 1248, adopted on March 3, 2010, amended by Resolution No. 1283 on May 5, 2011, amended by Resolution No. 1320 on May 16, 2013, amended by Resolution No. 1331 on December 3, 2013, amended by Resolution No. 1334 adopted November 7, 2013, amended by Resolution No. 1353 on July 17, 2014, amended by Resolution No. 1421

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on January 3, 2017, amended by Resolution 1423 on February 1, 2017, amended by Resolution No. 1594 on January 3, 2023; the Board of Supervisors of the Township established "Policies of the Township of McKean" for the general governance of the Township, for the execution of legislative, executive and administrative powers, and for the maintenance of township-owned equipment and facilities; and

WHEREAS, the Board of Supervisors intends and desires to exercise its power and discharge its responsibility by amending the said "Policies of the Township of McKean" according to this Resolution

NOW THEREFORE, BE IT RESOLVED AND ENACTED, and it is hereby resolved and enacted by and through the action of the duly elected Board of Supervisors of the Township of McKean, Erie County, Commonwealth of Pennsylvania, taken at a duly convened public meeting, as follows:

Add the following new policy statement as follows:

29. LST (Local Service Tax)

The township shall pay to the Middleboro Fire and Rescue fund the township's portion of the LST tax (\$47.00) for the express purpose of providing paid staff for fire and EMS service.

**Enacted this 5th day of September, 2024
By the McKean Township 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.

Brian Cooper moved to enact the following resolution:

RESOLUTION NO. 1635

A Resolution of the Township of McKean, Commonwealth of Pennsylvania, authorizing the submission of an application to the Pennsylvania Department of Community and Economic Development for funding through the Community Development Block Grant (CDBG) Program, as authorized under the Housing and Community Development Act (42 USC 5301 and 24 CFR Part 570), and further certifying compliance with the requirements of said program.

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WHEREAS, it is necessary and in the public interest that McKean Township, Pennsylvania, receive funds from the Commonwealth through the Department of Community and Economic Development in accordance with the Community Development Block Grant Program; and

WHEREAS, McKean Township has the legal authority and responsibility under Act 179 to apply for Community Development Block Grant funds; and

WHEREAS, McKean Township has undertaken a considerable citizen participation process including written invitation to municipalities, informational meetings, hearings and legal notices all of which culminated in the prioritization of projects and development of a Community Development Plan; and

WHEREAS, McKean Township is familiar with the requirements of the program as provided for in the Housing and Community Development Act (HCDA) and the Community Development Block Grant regulations; and

WHEREAS, McKean Township wishes to apply for said funds.

NOW, THEREFORE, BE IT RESOLVED by the Township of McKean that the Board of Supervisors is authorized to have prepared the necessary forms and documents to submit an application to the Department of Community and Economic Development for Community Development Block Grant funds for the purposes aforesaid; and

BE IT FURTHER RESOLVED, if CDBG funds are determined by the Pennsylvania Department of Community and Economic Development to be expended on ineligible program costs or do not meet a national objective, McKean Township agrees to repay the proportion deemed ineligible from non-federal sources.

BE IT FURTHER RESOLVED, that the Community Development Plan was developed in coordination with low and moderate individuals, interested organizations, non-profits and other interested parties through the citizen participation process and municipal information gathering is hereby adopted.

Enacted this 5th day of September, 2024
By the McKean Township Board of Supervisors

Janice T. Dennis, Chair

Brian P. Cooper, Supervisor

Ronald T. Bole, Supervisor

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ATTEST:

Tenderrlee Little, Assistant Secretary

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

Brian Cooper moved that McKean Township accepts full responsibility to identify any violation of the non-building lot criteria for the Request for Planning Waiver & Non-Building Declaration of a proposed subdivision of one lot for Peter Zmijewski, second by Ron Bole and passed by unanimous roll call vote.

Brian Cooper moved to enact the following resolution:

RESOLUTION NO. 1636

**RESOLUTION OF THE SUPERVISORS OF McKEAN TOWNSHIP,
ERIE COUNTY, PENNSYLVANIA (hereinafter “the municipality”)**

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, known as the “Pennsylvania Sewage Facilities Act”, as Amended, and the Rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS Daniel R. and Diane M. Wheeler has proposed a two parcel development of a parcel of land identified as 9570 Fry Road and described in the Sewage Facilities Planning Module, and proposes that such subdivision be served by a Small Flow Treatment Facility on each proposed lot.

WHEREAS, McKean Township finds that the subdivision described in the Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Supervisors of McKean Township hereby adopt and submit to the Department of Environmental Protection for its approval as a revision to the “Official Sewage Facilities Plan” of the municipality the above referenced Sewage Facilities Planning Module.

Enacted this 5th day of September, 2024
By the McKean Township Supervisors

Janice T. Dennis, Chair

Brian P. Cooper, Supervisor

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Ronald T. Bole, Supervisor

ATTEST:

Janice T. Dennis

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

Ron Bole moved to enact the following resolution:

RESOLUTION NO. 1637

SMALL FLOW TREATMENT SYSTEM FOR DANIEL R. AND DIANE M. WHEELER
The McKean Township Board of Supervisors reviewed and approved the Planning Module a small Flow Treatment System on each lot of a two lot subdivision for Daniel R. and Diane M. Wheeler at 9570 Fry Road in McKean Township.

Enacted this 5th day of September, 2024
By the McKean Township Supervisors

Janice T. Dennis, Chair

Brian P. Cooper, Supervisor

Ronald T. Bole, Supervisor

ATTEST:

Janice T. Dennis

Motion was second by Jan Dennis and passed by unanimous roll call vote.

Brian Cooper moved to authorize execution of the Transmittal Letter for Sewage Facilities Planning Module and the Maintenance Agreement Form for Daniel R. and Diane M. Wheeler, second by Ron Bole and passed by unanimous roll call vote.

PUBLIC PARTICIPATION

None

ADJOURNMENT

With no objections, the meeting adjourned at 7:43 p.m.
Janice T. Dennis, Secretary