

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 7:00 p.m. by Chairman John Groh in the Assembly Room of the Millcreek Township Municipal Building. Present were Mark Zaksheske, John Groh, John Morgan, James Bock, Mark Shaw, Esq., Matthew Waldinger, Gary Snyder, Sheryl Williams and Student Ambassador Shane Karnes.

Mr. Groh called for public comment on agenda items other than development or rezoning applications. No public comment was received.

It was moved by Mr. Morgan, seconded by Mr. Bock and carried by unanimous roll call vote to approve the minutes from the January 7, 2019 Annual Organizational and Regular Meetings.

It was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to approve payment of the General Fund bills in the amount of \$1,034,048.85, and Sewer Revenue Fund bills in the amount of \$199,447.96.

Planning and Development Director Matthew Waldinger reported that a 24" pipe that conveys flow between 5144 and 5126 Wolf Run Drive has experienced some deformity and is in need of reinforcement or replacement. Engineering staff have deemed it safer to line the pipe rather than replace it. On recommendation of Township Engineer Anne Sokol, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to contract Insight Pipe Contracting, LLC to line the pipe at a cost of \$19,594.00.

Public Works Director Gary Snyder reported that the Township has several vehicles which are out of service and have been previously advertised for sale. On recommendation of Mr. Snyder, it was moved by Mr. Morgan, seconded by Mr. Bock, and carried by unanimous roll call vote to sell a 1999 F250 Ford Pickup Truck to E. Willy Sickert for \$1900.00.

A Public Hearing was held on Land Development and Subdivision Plans.

DOUGLAS W. and TAMARA R. BAGNONI. Small Subdivision. A small subdivision plan to show the creation of two new lots, both lots being 155.96' x 150'. And a residual lot of 0.36 acres, located along the south line of Norcross Road and the east line of Chadwick Road, in Tract 333. Index 911-043.

Planning and Development Director Matthew Waldinger reported that at their regular meeting on January 8, 2019, the Planning Commission recommended denial, as the lot sizes would be too small and out of character for the rest of the neighborhood. The Planning Commission did state that subdividing the parcel into two lots rather than three would be a better configuration.

Doug Bagnoni, 4045 W. 14th Street, owner, stated that he would like to subdivide the property into three lots and was told that they do meet the requirements. Solicitor Mark Shaw advised that the proposed lot sizes do not comply with the Subdivision and Land Development Ordinance (SALDO) because they are out of character for the rest of the neighborhood, and the ordinance mandates that the Board cannot approve a plan if it does not meet compliance.

Mr. Waldinger noted that the average lot size in the neighborhood is 4.4 acres, and if subdivided, these lots would measure an average of only 1.4 acres. He added that some residents also expressed concern at the Planning Commission meeting about how the proposed lots would affect their wells. Discussion ensued regarding subdividing the parcel into two plots, but the Board felt that the lots would still be

significantly smaller than in the rest of the neighborhood. No one else spoke in favor of or in opposition to the plan.

On recommendation of Mr. Waldinger, it was moved by Mr. Morgan, seconded by Mr. Bock and carried by unanimous roll call vote to deny the Douglas W. and Tamara R. Bagnoni Small Division Plan.

TREE LINED CREATIONS, LLC. Small Subdivision. A small subdivision plan to show the creation of a 1.366 acre lot with a residual lot of 1.304 acres, located along the west line of Lake Pleasant Road and the north line of Arbuckle Road, in Tract 340. Index 917-010.

Planning and Development Director Matthew Waldinger reported that at their regular meeting on January 8, 2019, the Planning Commission recommended approval. Mike Sanford, 4721 Atlantic Avenue, stated that he prepared the plan which would divide one parcel into two equal lots of 1.3 acres. He added that there is an existing house on one of the lots. Mr. Waldinger reported that at the Planning Commission meeting one resident asked when public water would be installed in that area. No one else spoke in favor of or in opposition to the plan.

On recommendation of Mr. Waldinger, it was moved by Mr. Morgan, seconded by Mr. Bock and carried by unanimous roll call vote to approve the Tree Lined Creations, LLC Small Subdivision Plan.

IMPROVEMENTS TO THE BASEBALL AND SOFTBALL FIELDS OF THE DAVID P. HANLON COMMUNITY SPORTS COMPLEX. Land Development Plan. A land development plan to show the improvements to two baseball fields and the construction of a 45' x 112' pole building with associated stormwater facilities, located along the north line of West 38th Street and the east line of Caughey Road, in Tract 84. Index 388-020.

Planning and Development Director Matthew Waldinger reported that at their regular meeting on January 8, 2019, the Planning Commission recommended Approval. Mike Sanford, 4721 Atlantic Avenue, appeared on behalf of the plan. Mr. Waldinger noted that at the Planning Commission meeting, some public concerns were expressed regarding water runoff and foul balls landing in a resident's yard. Mr. Morgan asked MTSD Finance and Operations Director Aaron O'Toole, who was in the audience, to please make note of the foul ball issues, and Mr. O'Toole replied that the school district will look into it.

On recommendation of Mr. Waldinger, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the Improvements to the Baseball and Softball Fields of the David P. Hanlon Community Sports Complex Land Development Plan.

Planning and Development Director Matthew Waldinger reported Community Country Day School is proposing a 2,798 square feet addition with 1974 square feet of the existing building to be demolished, for a net increase of 824 square feet, and meets the requirements to be excluded from the Land Development Plan process. Solicitor Mark Shaw confirmed that the ordinance provides for this and no vote is needed for this type of request.

On motion by Mr. Bock, seconded by Mr. Morgan, it was carried by unanimous roll call vote to adopt Resolution 2019-R-6; A Resolution pursuant to Resolution 2015-R-20 and the Municipal Records Manual to approve proposed disposition of certain Township records. This authorizes

disposal of police DashCam videos after the mandatory 180 days from January 8, 2019 to February 12, 2019, payroll and accounting records that have met record retention requirements. and the disposition of police records that have been electronically scanned and saved.

Mr. Morgan reported that the Township has completed the first phase of the Early Intervention Program, incorporated it into its comprehensive plan, *Embrace Millcreek*, and is now eligible to apply for Phase II. Total project costs to implement Phase I recommendations for updating financial software and the SALDO ordinance are estimated at \$400,000, and the Township is applying for a matching grant of \$200,000. Mr. Groh clarified that the Township is taking these preventative measures to ensure future financial stability.

On motion by Mr. Morgan, seconded by Mr. Bock, it was carried by unanimous roll call vote to adopt Resolution 2019-R-7; A Resolution to Authorize Submission of a Grant Application to Pennsylvania DCED to Fund the First Subsequent Implementation Phase of the Adopted Millcreek Township Early Intervention Program Plan.

Solicitor Mark Shaw explained that in 2018 the Board enacted a Noise Ordinance and requested exemption from PLCB noise enforcement regulations. A PLCB hearing was held and the Township was granted a temporary waiver for one year. Mr. Shaw stated that the Township must request another waiver and hearing.

On motion by Mr. Bock, seconded by Mr. Morgan, it was carried by unanimous roll call vote to adopt Resolution 2019-R-8; A Resolution of Millcreek Township Board of Supervisors pursuant to Section 493.1(b) of the Pennsylvania Liquor Code requesting exemption from Section 493(34) of the Pennsylvania Liquor Code.

Treasurer Mark Zaksheske reported that the Township would like to obtain purchasing cards for each department utilizing the Pennsylvania Local Government Investment Trust (PLGIT) P-Card Program. He explained that purchases are limited to \$500.00 each and can be restricted by the type of purchase as well.

On recommendation by Mr. Zaksheske, it was moved by Mr. Bock, seconded by Mr. Morgan, and carried by unanimous roll call vote to approve the PLGIT P-Card Program application and BMO E-Purchasing Solutions Corporate MasterCard Program Member Account Agreement.

Solicitor Mark Shaw reported that another railroad license held by MTSA must be transferred to the Township, and has requested that the \$1,000 fee be waived. On recommendation by Mr. Shaw, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to authorize Planning and Development Director Matt Waldinger to sign the agreement with Genessee & Wyoming Railroad Services, Inc., and to approve payment of the \$1000.00 fee if it is not waived.

Mr. Shaw stated that the property owner of 4194 Stone Creek Drive has failed to remedy a stormwater management issue within the required time frame, but wishes to resolve the matter amicably with the Township rather than going through court system. On recommendation of Mr. Shaw, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to approve a Settlement Agreement between Millcreek Township and David and Cheryl Chrzanowski.

On recommendation of Zoning and Planning Officer Matthew Puz, Jr., it was moved by Mr. Morgan, seconded by Mr. Bock and carried by unanimous roll call vote to release First National Bank of Pennsylvania Letter of Credit #2522 in the amount of \$236,000.00 for F & S Tool, Inc. – S & F Realty Partners, Developers, as all requirements have been met.

On recommendation of Zoning and Planning Officer Matthew Puz, Jr., it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to release JPMorgan Chase Bank N.A. Letter of Credit #TFTS-954009 in the amount of \$20,529.08 for First Energy Storage Building – First Energy, Developer, as all requirements have been met.

Planning and Development Director Matthew Waldinger presented the Year 2018 Building Construction report as follows, which is available on the Township website and also in the Zoning Office.

<u>Year 2018:</u>	Total Residential Structures	\$ 7,662,172.00
	Total Non-residential Structures	<u>6,782,988.00</u>
		\$14,445,160.00
	Zoning Permits Issued	223
	Zoning Permit Fees	\$ 42,350.00

On recommendation of Zoning and Planning Officer Matthew Puz, Jr., it was moved by Mr. Morgan, seconded by Mr. Bock, and carried by unanimous roll call vote to authorize Sebastian Puda, Julie Maggio and Mr. Puz to attend the PA Construction Codes Academy “Codes for Seasonal Recreation” course in Meadville on February 27, 2019 at a cost of \$375.00, with use of a Township vehicle for Mr. Puda and Ms. Maggio, and for mileage reimbursement for Mr. Puz from Erie to Meadville.

On recommendation of Human Resource Manager Diane Lyons, it was moved by Mr. Morgan and seconded by Mr. Bock to hire Kyle Kunz as a Police Dispatcher at an hourly rate of \$11.33, effective January 24, 2019. Motion carried by unanimous roll call vote.

On recommendation of Human Resource Manager Diane Lyons, it was moved by Mr. Morgan and seconded by Mr. Bock to grant a 2% salary increase to Township Engineer Anne Sokol, P.E. for assuming responsibility of the Sanitary Sewer Program Manager and Sanitary Sewer Technical Manager, effective January 1, 2019. Motion carried by unanimous roll call vote.

On recommendation of Human Resource Manager Diane Lyons, it was moved by Mr. Morgan and seconded by Mr. Bock to grant a 2% salary increase to Planning and Development Director Matthew Waldinger, for assuming directorial responsibility of the Sanitary Sewer Program, effective January 1, 2019. Motion carried by unanimous roll call vote.

Mr. Groh reported that the Board met in Executive Session with Solicitor Mark Shaw on January 10 and 17, 2019 to discuss legal and personnel matters.

On recommendation by Chief Heidt, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the following requests:

Permission for Ptlm. Buckner to attend Interdiction training in Streetsboro, OH from July 8-10, 2019 at a total estimated cost of \$1165.25 for registration, lodging, fuel and meals, and with use of a Township vehicle.

Permission for four Tactical Team officers to attend the Ohio Tactical Officers Training Conference in Sandusky, OH from June 3-7, 2019 at a total estimated cost of \$3748.00 for registration, lodging, fuel and meals, and with use of a Township vehicle, with most of the training costs to be reimbursed by the Northwest PA Emergency Response Group.

Permission for Sgt. Hauber and Chief Heidt to attend the PA Law Enforcement Accreditation Training Conference in Harrisburg, PA from March 25-27, 2019 at a total estimated cost of \$997.50 for registration, lodging, fuel and meals, and with use of a Township vehicle.

Permission for Det. Presnar to attend Drug Enforcement Training in Fort Indiantown Gap, PA from May 5-11, 2019 at a total estimated cost of \$356.25 for fuel and meals, and with use of a Township vehicle. Registration and lodging are free of charge.

Permission for Capt. Mook to attend Command Leadership Training in Pittsburgh, PA from March 18-22, 2019 at a total estimated cost of \$1652.00 for registration, lodging, fuel and meals, and with use of a Township vehicle.

Student Ambassador Shane Karnes reported that the McDowell Boys Basketball team defeated Cathedral Prep 45-44 on January 11th, and this week they will play the Erie Royals. He announced that the Speech and Debate Team will compete in Atlanta this weekend, and the Mock Trial Team will participate in the state qualification tournament next week at the Erie County Courthouse.

There were no citizens to be heard.

Mr. Groh commended the Streets Department and PennDOT for keeping the roads clear after the weekend snow storm, and asked residents to please be patient, as the Township has 210 miles of roads to be plowed with 17 plow trucks. He also reminded residents that snow removal regulations are in effect during snow events and vehicles should not be parked on the streets so they can be plowed properly.

Mr. Morgan thanked Public Works Director Gary Snyder and the Streets Department for doing a great job keeping the roads open.

With no further business to come before the Board, it was moved by Mr. Morgan and seconded by Mr. Bock to adjourn the meeting at 7:55 p.m.

Sheryl A. Williams
Township Secretary

Approved: February 12, 2019

John H. Groh

John E. Morgan

James S. Bock