

Regular Meeting

August 11, 2020

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:30 a.m. by Chairman James Bock in the Assembly Room of the Millcreek Township Municipal Building. Present were James Bock, John Morgan, Daniel Ouellet, Mark Zaksheske, Mark Shaw, Esq., Gary Snyder and Matthew Waldinger. Sheryl Williams attended remotely.

Following the Pledge to the Flag, Mr. Bock announced that due to the current Coronavirus pandemic, the regular meetings of the Millcreek Township Board of Supervisors will be held in the Assembly of the Millcreek Township Municipal Building, and the meetings are being televised live online via the following web address: <https://www.facebook.com/MillcreekOEM>. The public will be able to participate in the public comment portions of the meeting by phoning in to 833-1111 ext. 380. The Board of Supervisors will keep the comment period open until it receives no further telephone calls.

Mr. Bock further noted that the meeting is being recorded by WQLN and will be broadcast on Spectrum Channel 1024 and on YouTube.com, with closed captioning available.

Mr. Bock called for Public Comment on Agenda items other than development or rezoning applications. No comments were offered.

On motion by Mr. Morgan, seconded by Mr. Ouellet, it was carried by unanimous roll call vote to approve the minutes from the July 28, 2020 Regular Meeting.

On motion by Mr. Morgan, seconded by Mr. Ouellet, it was carried by unanimous roll call vote to approve payment of General Fund bills in the amount of \$268,355.85, and Sewer Revenue Fund bills totaling \$60,732.48.

On recommendation of Public Works Director Gary Snyder, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the purchase of Metal Mats and Frames for the Front Entrance of the Municipal Building from Material Distributors, Inc. in the amount of \$8,950.00.

On recommendation of Public Works Director Gary Snyder, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the purchase of a Graco V5900 walk behind line painter from Sherwin Williams Paint Co. for \$8,474.17 under COSTARS contract #008-100.

Mr. Ouellet reported that quotations were solicited and received by Recycling Coordinator Jessica Stutzman for a grinder for the Millfair Compost Center as follows: Morbark - \$667,559.00, Stephenson Equipment (SEI) - \$564,745.80, Rotochopper - \$553,099.00. On recommendation of Ms. Stutzman, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to award the contract to Rotochopper, Inc. for the purchase of an FP66 Wheeled Grinder, COSTARS ID 0000519560, with funding to be supplied from DEP 902 grants from years 2018, 2020, and 2022.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the completion of the irrigation communication system at Erie Golf Course by Irrigation Technical Service Company at a total cost of \$7,978.50.

On recommendation of Chief Heidt and IT Manager Kris Filson, it was moved by Mr. Bock, seconded by Mr. Ouellet, and carried by unanimous roll call vote to adopt Resolution 2020-R-47; A Resolution pursuant to Resolution 2015-R-20 and the Municipal Records Manual to approve Proposed Disposition

of certain Township records. This authorizes the disposal of MPD DashCam videos that have reached the end of their 180-day retention period from August 12-25, 2020.

Solicitor Mark Shaw explained that the following resolution is regarding the conduction of Judicial Tax Sales of properties against which delinquent taxes are due and owing. It was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to adopt Resolution 2020-R-48; A Resolution of the Taxing District to Approve an Agreement Among the County of Erie, Erie County Tax Claim Bureau and the Law Firm of Macdonald, Illig, Jones and Britton LLP.

Planning and Development Director Matthew Waldinger explained that part of the renovation of the future Dunkin Donuts at 5624 Peach Street, owned by Baldwin Brothers, Inc., includes minor work in the PennDOT right-of-way, (connecting to the PennDOT stormwater system), and the Township is responsible for improvements in the right-of-way as co-applicant for the Highway Occupancy Permit through PennDOT. The agreement requires a \$10,000 escrow that will be held in perpetuity to cover any costs associated with the improvement. On recommendation of Mr. Waldinger, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to approve an Indemnity Agreement for Application for Highway Occupancy Permit Concerning Subsurface Storm Water Facilities regarding 5624 Peach Street (Dunkin Donuts) – Baldwin Brothers, Developer.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to partially approve a LERTA application for 22.8% of 4102 West Ridge Road, the specific portion of the parcel that is located within the LERTA area, and to authorize the Planning and Development Department to further complete the application process with the other participating entities.

Solicitor Mark Shaw reported that the owners of 5053 Sir Hue Drive wish to build a deck and pool on their property and have applied for a variance from the Zoning Hearing Board. The Zoning Hearing Board is requiring that the owners sign a release of all claims, demands, and actions against Millcreek Township should there be any future damage to their property due to flooding, erosion and all other similar events due to Walnut Creek. On recommendation of Mr. Shaw, it was moved by Mr. Bock, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve an Erosion and Floodplain General Release between William Scott and Cynthia A. Redinger and Millcreek Township.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to approve the CDBG CARES Act Funding Agreement with the U.S. Department of Housing and Urban Development, and that the Chairman be authorized to sign the agreement.

On recommendation of Chief Scott Heidt and Solicitor Mark Shaw, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to approve an Amendment to the Agreement Between Millcreek Police Department and Erie County Department of Health for additional Tobacco Enforcement.

Mr. Bock reported that the Board met in Executive Session with Solicitor Mark Shaw on July 31, 2020 and August 6, 2020 to discuss legal matters.

With no further business to come before the Board or any citizens to be heard, on motion by Mr. Ouellet, seconded by Mr. Morgan, the meeting was adjourned at 9:56 a.m.

Sheryl A. Williams
Township Secretary

Approved: August 25, 2020

James S. Bock _____

John E. Morgan _____

Daniel P. Ouellet _____