

Regular Meeting

August 25, 2020

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 7:00 p.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, Matthew Waldinger and Sheryl Williams.

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 Room 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 August 11, 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 \$352,291.33, a Sinking Fund Account bill in the amount of \$6,362.62, and Sewer Revenue Fund bills totaling \$53,244.49.

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 Change Order #3 to the Lindy Paving Contract in the amount of \$6,150.00 to rebuild three (3) ramps on Clinton Street that no longer meet specifications. Treasurer Mark Zaksheske noted that this will leave \$8,850.00 in Reserve for Curb Compliance.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to approve a 5-year All Inclusive Copier Maintenance Agreement with Hagan Business Machines, Inc. for a 2020 Kyocera Color Copier in the Fleet Maintenance Office.

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 Pre Mark Striping from Enis-Flint Inc. for Caughey Road at a cost of \$7,309.44. Mr. Snyder explained that Caughey Road is a high traffic area, and this material melts into the road and is more durable than regular traffic paint.

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 authorize the purchase of six (6) "Yield to Pedestrians in Crosswalk" signs and bases for U.S. Municipal under COSTARS contract #025-019, at a total cost of \$1,776.00.

On recommendation of Public Works Director Gary Snyder and IT Manager John Fleming, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to authorize

the purchase of an Asset Management License from Centralsquare.com at a cost of \$6,000.00, which will allow the Sewer Department camera trucks and the GIS program to interface.

A Public Hearing was held on the following Land Development Plan:

ERIE INTERNATIONAL AIRPORT REHABILITATE AND EXPAND TERMINAL APRON. Land Development Plan. A land development plan to show the rehabilitation and expansion of the terminal apron and associated stormwater management facilities located at 4411 West 12th Street, east of the intersection of Asbury Road, in the Erie Municipal Airport Tract. **Index 147-004.**

Planning and Development Director Matthew Waldinger reported that at the August 4, 2020 regular meeting of the Planning Commission, Approval was recommended with the requirement that the dimensions of the existing building and setback requirements be included on the drawing. Mr. Waldinger stated that the engineer has submitted the dimensions and the Planning Commission has no concerns.

Derek Martin, Erie Airport Authority Director, explained that this project will accommodate larger aircraft, and includes a stormwater retention system and is a \$1 M investment. No one else spoke either in favor of or in opposition to the land development plan.

On recommendation of Mr. Waldinger, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve the Erie International Airport Rehabilitate and Expand Terminal Apron Land Development Plan.

A Public Hearing was held on an Intermunicipal Liquor License Transfer from the City of Erie into Millcreek Township:

Paul Rankin, Country Fair, Inc. explained that Country Fair, Inc. is requesting to transfer a restaurant liquor license currently titled to Ray's Last Stop, Inc. in the City of Erie to their retail facility located at 2617 West 26th Street, Erie, PA 16506. He stated that due to customer demand, many Country Fair stores are now offering beer and wine for takeout. No one else spoke either in favor of or in opposition to the liquor license transfer. Chairman Bock declared the public hearing closed.

On motion by Mr. Morgan, seconded by Mr. Ouellet, it was carried by unanimous roll call vote to adopt Resolution 2020-R-49; A Resolution of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania, Approving the Inter-Municipal Transfer of Pennsylvania Restaurant Liquor License No. R-15045 into the Township of Millcreek from the City of Erie.

On recommendation of Chief Heidt and IT Manager Kris Filson, it was moved by Mr. Ouellet, seconded by Mr. Morgan, and carried by unanimous roll call vote to adopt Resolution 2020-R-50; 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 26, 2020 – September 8, 2020.

On motion by Mr. Ouellet, seconded by Mr. Morgan, it was carried by unanimous roll call vote to adopt Resolution 2020-R-51; A Resolution to approve the Financial Statements and Independent Auditor's Report of the Erie Area Council of Governments for the Calendar Year Ending December 31, 2019.

Planning and Development Director Matthew Waldinger explained that the Township would like to seek funding for a traffic study for State Routes 505 and 97, an 80/20 Federal Highway Fund Matching Grant, through the Metropolitan Planning Organization (MPO). On recommendation of Mr. Waldinger,

it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to adopt Resolution 2020-R-52; A Resolution of the Township of Millcreek, Erie County, Pennsylvania establishing an intermunicipal agreement with the County of Erie for the provision of a traffic circulation study in Millcreek Township.

On recommendation of Mr. Waldinger, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve a Cooperation Agreement Between Millcreek Township and the County of Erie for a Millcreek Township Traffic Circulation Study, and to authorize Chairman Bock to sign it.

Treasurer Mark Zaksheske reported that \$1.4 million received from the sale of the Millcreek Township Water Authority could be earning higher interest if moved into a different investment account. On recommendation of Mr. Zaksheske, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to transfer the MTWA funds in the amount of \$1.4 million to a First National Bank investment account.

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 appoint Project Engineer Emma George as the designated contact person for the Wilkins Run DEP Permit, and to authorize Ms. George to sign any documents relating to this permit.

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 a Sidewalk Deferral request for Premier Surgery Center – Project 2020, LLC, Developer. Mr. Waldinger noted that the sidewalk deferral is for Zimmerly Road only.

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 a Stormwater Management Plan and Maintenance Agreement request for MCH CORPORATION OFF-SITE PARKING – MCH Corporation, Developer, as all requirements have been satisfied. Mr. Waldinger noted that the off-site parking is located at 54th and Peach Streets.

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 a Stormwater Management Plan and Maintenance Agreement request for GREENLEAF CORPORATION AIRPORT HANGAR – Erie Regional Airport Authority, Developer, as all requirements have been satisfied.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to approve an Exclusion from Land Development request for Bayfront Nephrology Inc. and DaVita Dialysis Inc. Addition – 2563 W. 8th Street, as it meets the requirements for exclusion.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to approve an Exclusion from Land Development request for Kneib Dentistry Addition – 3325 W. 26th Street, as it meets the requirements for exclusion.

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 2020 CDBG Agreement with Erie County, with County compensation not to exceed \$30,000.00, and to authorize Chairman Bock to sign the agreement.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve the sale of a parcel at 3434 West 11th Street

from the County Repository for Unsold Properties.

Mr. Morgan explained that an item on the agenda regarding a personnel scheduling request did not require action and could be accommodated administratively.

Mr. Bock reported that the Board met in Executive Session with Solicitor Mark Shaw on August 13 and 20, 2020 to discuss legal matters.

John Pulice - 3789 Timbercrest Court, Dick Coursey - 3758 Timbercrest Court, and Tony Sewell - 3838 Woodcrest Court, of the Timberwood Home Owner's Association (HOA), requested more room for emergency and service vehicles to enter their subdivision. They stated that a plow damaged a light at the entrance two years ago and their HOA would like to be compensated for the damage, and that many residents have frequent curb and lawn damage because delivery trucks drive over them.

With no further business to come before the Board or any other citizens to be heard, on motion by Mr. Ouellet, seconded by Mr. Morgan, the meeting was adjourned at 8:02 p.m.

Sheryl A. Williams
Township Secretary

Approved: September 8, 2020

James S. Bock _____

John E. Morgan _____

Daniel P. Ouellet _____