

Regular Meeting

August 27, 2019

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 Morgan, John Groh, James Bock, Mark Shaw, Esq., Matthew Waldinger, Gary Snyder, Caleb Dixon and Sheryl Williams.

Following the Pledge to the Flag, Mr. Groh reminded everyone that the meeting is being recorded by WQLN and will be broadcast on Spectrum Channel 1025 and YouTube.com with closed captioning available.

Mr. Groh called for public comment on agenda items other than development or rezoning application hearings. No public comment was offered.

On motion by Mr. Morgan, seconded by Mr. Bock, it was carried by unanimous roll call vote to approve the minutes from the August 13, 2019 Regular Meeting.

On motion by Mr. Morgan, seconded by Mr. Bock, it was carried by unanimous roll call vote to approve payment of General Fund bills in the amount of \$566,861.01, Sewer Revenue Fund bills in the amount of \$93,675.45 and a Performance and Surety Bond Account bill in the amount of \$136,392.30.

A presentation on the 2020 United States Census was given by Sean Silman of the Philadelphia Regional Census Center, and Michelle Jaggi, Erie County Census Coordinator. Residents are strongly encouraged to register online, by touch tone phone, or by filling out and mailing the traditional census form. Mr. Silman emphasized that approximately \$6.75 million in funding is based on census data, and the data is protected and will not be shared.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Morgan, seconded by Mr. Bock and carried by unanimous roll call vote to approve two Capital Budget Amendments that will use funds previously designated for a new backhoe for the purchase of a Sewer Bureau Pickup Truck, Camera Truck and software for the camera system, leaving \$42,577.00 in Reserve.

On recommendation of Public Works Director Gary Snyder, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to purchase a 2020 Chevrolet Silverado 2500HD WD pickup truck for the Sewer Department from Hallman Chevrolet, previously approved at the August 13, 2019 meeting for \$36,900.00, at a corrected cost of \$41,265.00, under COSTARS contract #025-109, and this is a budgeted item.

On recommendation of Public Works Director Gary Snyder, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to purchase Software for the Sewer Bureau Camera Truck and Integration into the Township's Lucity software for \$34,760.00, under COSTARS contract #25-039.

Public Works Director Gary Snyder reported that quotations were solicited and received for the replacement of several driveway aprons on Tamarac Drive and 40th Street due to storm sewer construction, as follows: Montagna Concrete – No Quote, CMS Construction - \$8,600.00, and Maya Brothers, Inc. - \$25,100.00. On recommendation of Mr. Snyder, it was moved by Mr. Morgan, seconded by Mr. Bock and carried by unanimous roll call vote to award the contract to CMS Construction for \$8,600.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Morgan, seconded by Mr. Bock, and carried by unanimous roll call vote to approve Change Order #1 in the amount of - \$600.00 for McLallen Construction to complete the Conrad Road Culvert Replacement Project, reducing the final contract amount to \$57,522.50.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Morgan, seconded by Mr. Bock, and carried by unanimous roll call vote to approve Change Order #2 in the amount of \$4,100.00 for Amendola Development to complete the Millcreek Township Municipal Building ADA Project, bringing the final contract amount to \$21,798.50. This will ensure compliant transition to the existing sidewalk on West 26th Street,

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Bock, seconded by Mr. Morgan, and carried by unanimous roll call vote to authorize Amendola Development to install three compliant ADA parking spaces and two access aisles at MIHS at a cost of \$11,050.00, with a guarantee that the project will be completed by the start of the school year.

On recommendation of Public Works Director Gary Snyder, it was moved by Mr. Bock, seconded by Mr. Morgan, and carried by unanimous roll call vote to approve Change Order #1 in the amount of \$60,000 for Lindy Paving to complete a section of Wolf Road from Asbury Road west to West Lake Road for the 2019 Milling and Paving Project WEST.

Consideration of Land Division and Subdivision Plans

A Public Hearing was held on the following Small Subdivision Plans:

JEFFREY MANUCCI. Small Subdivision. A small subdivision plan to show the creation of a 10'x164.62' lot that is to become an integral part of tax parcel ID (33) 126-55-237, located along the south line of Dominic Drive and east of Love Road in Tract 351. Index 602-077.

Planning and Development Director Matthew Waldinger reported that at the regular meeting on June 4, 2019, the Planning Commission recommended approval with the following: Requirement – The 10'x164.62' lot is to become an integral part of tax parcel ID (33) 126-55-237; Modification – Reduce the lot frontage to 65' and 85' from the required 100' frontage in the RR District.

Jeffrey Manucci, property owner, speaking on his own behalf, stated that he had purchased two parcels and would like to extend the parcel on the east 10' to the west. Mr. Waldinger relayed that the Planning Commission had no concerns.

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 Jeffrey Manucci Small Subdivision, with the Requirement that he 10'x164.62' lot is to become an integral part of tax parcel ID (33) 126-55-237, and the Modification that the lot frontage be reduced to 65' and 85' from the required 100' frontage in the RR District.

TREE LINED RECREATIONS, LLC. Small Subdivision. A small subdivision plan to show the creation of a 29,676 square foot lot. The residual lot will be 27,144 square feet. The subdivision is along the west line of Lake Pleasant Road and north of Arbuckle Road in Tract 340. Index 917-010.

Planning and Development Director Matthew Waldinger reported that at the regular meeting on June 4, 2019, the Planning Commission recommended approval with no conditions.

Mike Sanford, Sanford Surveying and Engineering, 4721 Atlantic Avenue, explained that this is a minor subdivision, and the developer wishes to create one new lot with frontage on Lake Pleasant Road. He reported that PennDOT has issued a permit for a driveway, and the lot has public sewer and an individual water source. Mr. Waldinger relayed that the Planning Commission had no concerns.

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 Recreations, LLC Small Subdivision.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to enact Ordinance 2019-15; An Ordinance of the Township of Millcreek, Erie County, Pennsylvania prohibiting parking or standing of vehicles along the south side of Chilton Court from the intersection of Montpelier Avenue to 240' East of the intersection of Montpelier Avenue. Mr. Shaw stated this is needed due to overflow parking that occurs from the adjacent brewpub and will ensure safe passage for Chilton court residents.

On recommendation of Information Technology Manager Kris Filson, it was moved by Mr. Bock, seconded by Mr. Morgan, and carried by unanimous roll call vote to adopt Resolution 2019-R-42; 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 that have reached the end of their retention period after the mandatory 180 days from August 27, 2019 – September 9, 2019.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to adopt Resolution 2019-R-43; A Resolution to accept the Millcreek Township Sewer Authority's Certificate of Termination and to Authorize Its Filing and Recording So as to Terminate the Authority's Existence. Mr. Shaw stated this is the last step in dissolving the Millcreek Township Sewer Authority.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Morgan, seconded by Mr. Bock, and carried by unanimous roll call vote to adopt Resolution 2019-R-44; A Resolution to amend and restate regulations establishing amounts of fees and deposits required/allowed under state law and various Township code provisions.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to adopt Resolution 2019-R-45; A Resolution Approving the Creation of the Millcreek Township Emergency Response Team and the Policies and Standard Operating Guidelines Applicable Thereto. Mr. Shaw explained that this resolution establishes policy and guidelines for employees who serve as volunteer firefighters responding to emergency calls while they are working for the Township during regular working hours.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to adopt Resolution 2019-R-46; A Resolution Approving the Recommended Vision for the Provision of Fire and Emergency Services in Millcreek Township and Directing the Fire Commission to Create a Plan to Implement the Vision and Make Recommendations Regarding the Appropriate Levels of Emergency Services in Millcreek Township.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to adopt Resolution 2019-R-47; A Resolution to accept as public streets of the Township of Millcreek: NORTH WAYSIDE DRIVE from eastern subdivision line to centerline of cul-de-sac; SOUTH WAYSIDE DRIVE from eastern subdivision line to centerline of North Wayside Drive.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to adopt Resolution 2019-R-48, with the correction of the spelling of Shermer Road; A Resolution Recognizing that a Portion of Golf Club Road Is a Public Road and Accepting the Portion of Golf Club Road and Old Zuck Road that Was Constructed by the Pennsylvania Department of Transportation When Interstate 79 Was Constructed. Mr. Shaw explained that after research was conducted, these were found to be public roads, and this would allow the Township to seek liquid fuels funds for these sections of the roads.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Morgan, seconded by Mr. Bock and carried by unanimous roll call vote to adopt Resolution 2019-R-49; A Resolution confirming for purposes of recording and receipt by Millcreek Township of liquid fuels tax revenues those Resolutions of the Millcreek Township Board of Supervisors accepting completion of public streets and recognizing additional public streets during the period commencing August 30, 2017 and ending August 27, 2019.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the release of Northwest Bank Letter of Credit #8305003892 in the amount of \$14,250.00 for The Hammocks at Millcreek – RWF Millcreek II, LLC, Developer, as it has been replaced with a Letter of Credit in the amount of \$14,250.00 from M and T Bank.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Morgan, seconded by Mr. Bock and carried by unanimous roll call vote to approve the release of Key Bank Check #027828179 in the amount of \$4,146.00 for a street cut deposit regarding The David Hanlon Complex at Caughey Road – George Althof, Inc., Developer, as the required 24 month warranty period has passed and the repair has been inspected and approved.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Morgan, seconded by Mr. Bock and carried by unanimous roll call vote to approve a sidewalk deferral request for 3719 West 32nd Street – Neal and Sally S. Potter, Developer, as there are no other sidewalks in the area.

On recommendation of Human Resource Manager Diane Lyons, it was moved by Mr. Morgan, seconded by Mr. Bock, and carried by unanimous roll call vote to hire Elizabeth Beres as a Substitute Crossing Guard, retroactive to August 26, 2019, at \$25.00 per hour.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Mr. Groh, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the hiring of the following part-time employees for the Fall Season:

NAME	POSITION	RATE	HIRE DATE
MIHS POOL			
Leona Carlson	Aquatic Director	\$13.00	
Kathleen Magoon	Water Ex. Supervisor	\$10.50	
Kristen Owens	Pool Supervisor/WSI	\$10.50	
Laurel Kurtic	Guard	\$ 9.00	
Emily Kehl	WSI	\$ 9.50	
Karen Link	WSI	\$ 9.50	
Annie DiFrank	WSI	\$ 9.50	
Jordan Nuzback	Guard	\$ 8.45	
Emily Kehl	Asst. Pool Supervisor/WSI	\$10.00	
Eve Wareham	Guard	\$ 7.95	Rate Change
Sydney McGarry	WSI	\$ 9.50	Rate Change
Sophie Beilharz	WSI	\$ 9.50	Rate Change
Kate Baker	Guard	\$ 8.45	

NAME	POSITION	RATE	HIRE DATE
Erich Fuhrman	Guard	\$ 8.45	
Nellie Fallon	Guard	\$ 8.45	
Olivia Sanders	Guard	\$ 8.45	
Emma Sanders	Guard	\$ 7.95	Rate Change
Michael Rahner	Guard	\$ 8.45	
Brayden Carpinello	Guard	\$ 8.45	
Anthony Cuzzola	Guard	\$ 7.95	Rate Change
Aidan Fickenworth	Guard	\$ 8.45	
Jadyn Danylko	Guard	\$ 7.95	Rate Change
Chloe Heeter	Guard	\$ 7.95	Rate Change
Emily Moore	Guard	\$ 7.95	Rate Change
Robbie Maholic	Guard	\$ 8.45	
Leah Prischak	Guard	\$ 8.45	
CHILDREN'S PROGRAMS			
Samantha Howard	Youth Dance Supervisor	\$10.50	
ADULT FITNESS			
Haley Haggerty	Supervisor Adult Dance	\$10.50	
Charlotte Haggerty	Supervisor Adult Dance	\$10.50	
Karle Lyons	Supervisor Tabata	\$10.50	
Dave Wayman	Supervisor Tai Chi	\$10.50	
Kathy Wayman	Supervisor Qi Gong	\$10.50	
Laurie Gualtier-King	Supervisor Aerobics	\$10.50	
Susan McCall	Supervisor Zumba	\$10.50	
Shannon Eggleston	Supervisor Piloslide	\$10.50	
Nylene Baney	Supervisor Body Sculpt	\$10.50	
Nancy Rovin	Yoga (sub)	\$10.50	
Kathy Smith	Supervisor Yoga	\$10.50	
Jeanne Espy	Supervisor Yoga	\$10.50	
ADULT LIESURE			
Jim Oldham	Supervisor Mahjong	\$10.50	
Laura Oldham	Supervisor Mahjong	\$10.50	
Darlene Bennett	Supervisor Art	\$10.50	
Lauren Ertgard	Supervisor Knitting	\$10.50	
Charles Elliott	Supervisor Seat Weave	\$10.50	
Mark Coursey	Supervisor Grilling	\$10.50	
Alberta DeCrease	Supervisor Art (Sub)	\$10.00	
BARN SUPERVISOR			
Evelyn Bossar		\$ 9.50	
Charles Elliott		\$ 9.50	
Susan Shickler		\$ 9.50	
Lauren Ertsgard		\$ 9.50	
VOLUNTEERS			
Joe Logue	Tuite		
Carl Werner	QiGong		
Amy Easley	QiGong		
Mary Desmone	Tai Chi		
Carol Stitzinger	Tai Chi		
Bonita Faulkner	Mahjong		
Susan Moore	Knitting		
Tom Womack	Model Airplane		
William Brown	Community Band		
Chet Vendetti	Open Gym-JS Wilson		
Xingang Wang	Badminton		
JJ Zhang	Badminton		

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Bock, seconded by Mr. Morgan and carried by unanimous roll call vote to authorize Mr. Waldinger to attend the Pennsylvania Chapter of the American Planning Association Conference on October 20-22, 2019 in Reading, PA at a cost of \$950.00, and with use of a Township vehicle.

Mr. Groh asked Mr. Waldinger if there have been any updates on the Chick-fil-A franchise on West 12th Street, to which he replied that the Township is continuing to work with Chick-fil-A on a regular basis and things are progressing slowly.

Mr. Groh reported that the Board met in Executive Session with Solicitor Mark Shaw on August 22, 2019 to discuss legal matters, and with Labor Solicitor Richard Perhacs on August 26, 2019 regarding police negotiations.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Morgan and seconded by Mr. Bock to approve a Settlement Agreement with Kevin M. Martin regarding demolition of a property located at 5144 Lexington Avenue that is in danger of collapse in exchange for withdrawing Property Maintenance Code violations. No public comment was received. Motion carried by unanimous roll call vote.

Gerald Servidio, 1720 West Gore Road, thanked the police department for placing an officer in his neighborhood to monitor excessive speed, and asked if there is an ordinance that could be used to get people to slow down. Mr. Servidio suggested that two stop signs be added, to which Mr. Bock replied that engineering studies must be done before installing stop signs. He also stated that currently the Township cannot use radar to monitor speed, which limits police officers in catching speed offenders.

With no further business to come before the Board or any citizens to be heard, it was moved by Mr. Morgan and seconded by Mr. Bock to adjourn the meeting at 8:15 p.m.

Sheryl A. Williams
Township Secretary

Approved: September 10, 2019

John H. Groh _____

John E. Morgan _____

James S. Bock _____