

Regular Meeting

October 9, 2018

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:30 a.m. by Chairman John Morgan 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, Matthew Puz, Gary Snyder, Hannah French and Sheryl Williams.

Following the Pledge to the Flag, Mr. Morgan called for public comment on agenda items other than development or rezoning applications. No public comment was received.

It was moved by Mr. Groh, seconded by Mr. Bock, and carried by unanimous roll call vote to approve the minutes from the September 25, 2018 Regular Meeting.

It was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve payment of the General Fund bills in the amount of \$3,567,057.04, and Sewer Revenue bills in the amount of \$60,148.62.

Public Works Director Gary Snyder reported that quotations for the trimming of 24 trees on Echo Hill Drive were solicited by the Streets Department as follows: Leopold Tree Service - \$1,800, Dibble Tree Service - \$1,800, and Jefferson Tree Service - \$1,440. Mr. Morgan noted that action on this item was tabled from the September 25, 2018 meeting. On recommendation of Mr. Snyder, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to award the contract for tree trimming to Jefferson Tree Service for \$1,440.00

A Public Hearing was Held on a Petition Requesting a Change in Zoning Classification:

MARK J. AND SHARON GERLACH for property located at 4250 West Ridge Road, now zoned C-2 Commercial requesting a change to be I-1 Light Industrial. Index 406-042, County Index 33-044-229.0-024.

Zoning and Development Office Matt Puz, Jr. reported that at their regular meeting on September 4, 2018, the Planning Commission recommended approval in concurrence with the recommendation of the Erie County Planning Department. Jim Welka, 3200 West 32nd Street, representing the Gerlachs, reported that the property owners have been using the property in this fashion for over 20 years to screen and stock top soil and do not conduct any sales from this location. They have secured the appropriate permits, created a restoration plan, and are condensing their current operation to less than one acre. Mr. Morgan inquired about a residential property that is located on the parcel, and Mr. Welka confirmed this, stating that the operation takes place below and behind the house. Zoning and Development Officer Matthew Puz confirmed that non-conforming use would still be permitted under I-1 classification. No one else spoke in favor of or in opposition to the petition.

On recommendation of Mr. Puz, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll vote to approve the change in zoning classification for Mark J. and Sharon Gerlach, for property located at 4250 West Ridge Road, from C-2 to I-1 Light Industrial.

On motion by Mr. Groh, seconded by Mr. Bock, it was carried by unanimous roll call vote to adopt Resolution 2018-R-41; 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 Dash Cam videos after the mandatory 180 days through October 23, 2018.

Mr. Zaksheske explained that the next agenda item is regarding a reporting requirement of the ACA for all employers with more than 50 employees covered by health insurance. He reported that the cost will remain the same as in the previous agreement, with the only change being the name from BAI to HUB International. On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve the 1094-C and 1095-C Administration Agreement with HUB International.

Planning and Development Director Matthew Waldinger reported that the Township received a Stormwater Maintenance Agreement Request on the appropriate form, approved by GPI and the developer has agreed to maintain the system. Solicitor Shaw noted that the agreement stipulates there must be an inspection twice per year and after a significant run-off event, and the owner is obligated to correct any problems. On recommendation of Mr. Waldinger, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve a Stormwater Maintenance and Management Agreement for Townhomes At 26th Street – NLA Real Estate Holdings, LLC, Developer.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve an Agreement with Erie County Planning Department for Administration of Millcreek Township’s FY 2018 HUD CDBG Program.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve an Agreement with Erie Center on Health & Aging (Lifeworks Erie) in the amount of \$10,000 of CDBG funds for health screenings, vaccinations and educational services, and to amend the wording of the agreement to reflect the current terms.

On request of Millcreek Township School District, it was moved by Mr. Groh and seconded by Mr. Bock to authorize the opening of the north gate at McDowell High School, the placement of “No Parking” signs on Caughey Road, and MPD presence at the Homecoming Parade on Friday, October 12, 2018. Motion carried by unanimous roll call vote.

Mr. Groh presented the September Building Construction report as follows, which is available on the Township website and also in the Zoning Office.

<u>September 2018:</u>	Total Residential Structures	\$ 952,128.00
	Total Non-residential Structures	<u>315,550.00</u>
		\$ 1,267,678.00
	Zoning Permits Issued	29
	Zoning Permit Fees	\$ 2,050.00

On request of Parks and Recreation Director Ashley Marsteller, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to authorize Ms. Marsteller to attend the invitation-only 2018 Recreation & Conservation Leadership Summit on December 5-6, 2018 in State College, PA, with no cost to the Township other than travel expense of approximately \$50.00.

Mr. Morgan reported that the Board met in Executive Session with Solicitor Mark Shaw on September 26 and 27, 2018, and on October 1 and 4, 2018 to discuss legal and personnel matters.

Mr. Morgan announced the Township's annual Halloween Trick-or-Treat hours, which will be held on Wednesday, October 31, 2018 from 6:00 – 8:00 p.m.

On recommendation of Chief Heidt, it was moved by Mr. Bock, seconded by Mr. Groh and carried by unanimous roll call vote to authorize permission for Patrolmen Drozdowski and Kranz to attend Standard Field Sobriety Testing training in North East, PA from November 7-9, 2018, at no cost to the Township.

On recommendation of Chief Heidt, it was moved by Mr. Bock, seconded by Mr. Groh and carried by unanimous roll call vote to authorize the use of West Ridge Fire Department Fire Police on October 13, 2018 to assist with pedestrian traffic for the MYAA Cross Country Meet at Brown's Farm.

Student Ambassador Hannah French reported that in addition to the Homecoming Parade on Friday, October 12th, the Football team will be playing Austintown Fitch High School. ACT testing will be held on October 27th, and donations are welcome for the National Honor Society's "Trail for a Cause" at the David P. Hanlon Community Sports Complex on October 28th, with proceeds going to "Spirits of Children."

Solicitor Mark Shaw reported that Knox Law Firm has asked permission to represent a client in negotiations with the Township regarding an issue on Wolf Run Drive, and the firm also represents the Township in other matters. Mr. Shaw said he does not see a problem, as long as conflicts do not arise later which would interfere with this matter. Therefore, on recommendation of Mr. Shaw, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve a Conflict Waiver for Atty. Timothy Zieziula.

Mr. Shaw reported that the process of closing the Millcreek Township Sewer Authority is proceeding, and defeasement of the bonds will take place soon.

Open Records Officer Sheryl Williams reported that for the month of September there were twenty Right-to-Know requests, the majority being commercial requests, requiring 37.5 hours of response preparation time. Two requests were granted, two were denied, and sixteen were partially denied.

Dave Tarbell, 3315 Caughey Road, reported that the water main break on Sunday left Caughey Road a mess, and requested that it be cleaned before the Homecoming Parade. Public Works Director Gary Snyder responded that he will send a crew to clean the street.

There being no other citizens to be heard or any further business to come before the Board, it was moved by Mr. Groh and seconded by Mr. Bock to adjourn the meeting at 10:00 a.m.

Sheryl A. Williams
Township Secretary

Approved: October 23, 2018

John E. Morgan

John H. Groh

James S. Bock