

Regular Meeting

October 23, 2018

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 7:00 p.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, Gary Snyder, Shane Karnes 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 October 9, 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 \$740,227.46, and Sewer Revenue bills in the amount of \$270,598.24.

Treasurer Mark Zaksheske presented the 3rd Quarter Financial Report, stating that revenue is ahead of budget overall, and all expenses except Salaries and Legal Fees are under budget as well. He reported that there are \$1.4 million in non-committed funds in the Capital Budget due to the delay of several projects this year. There were no questions from the Board or the audience.

On recommendation of Matthew Waldinger, Director of Planning and Development, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve a Capital Budget Transfer for the Old Perry Highway Culvert Replacement project in the amount of \$11,500 for the installation of guide rail.

Also on recommendation of Mr. Waldinger, it was moved by Mr. Groh and seconded by Mr. Morgan to approve a Capital Budget Transfer for the Tamarack Drive Storm Sewer Replacement Project in the amount of \$101,126.00 to fund this unbudgeted project. Discussion ensued between the Supervisors with Mr. Groh and Mr. Morgan opining that the project should be completed this year if funds are available. Mr. Bock disagreed, stating that he feels the Township's workforce could complete the project and that it could wait until next spring. Motion carried 2-1 with Mr. Bock voting no.

On recommendation of Public Works Direct Gary Snyder, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve a Capital Budget Transfer in the amount of \$5,289.86 for the Fleet Maintenance Department to purchase a Diagnostic Machine and an Air Compressor/Generator.

On recommendation of Chief Scott Heidt, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve a Capital Budget Transfer in the amount of \$106,457.13 to purchase radio replacements, Barrett rifles and Honor Guard equipment.

On recommendation of Planning and Development Director Matthew Waldinger and Township Engineer Anne Sokol, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve Change Order #1 for the Old Perry Highway Culvert Replacement Project in the amount of \$11,500 for the installation of guide rail, bringing the total contracted cost of the project by Mayer Bros. Construction to \$74,484.54.

On recommendation of Mr. Waldinger and Township Engineer Anne Sokol, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve Change Order #1

for the Millcreek Township Sidewalk Accessibility Project to reduce the amount of the contract with Russell Standard Corporation by \$126,900 to a new total of \$180,950.00, which will reduce the number of ramps being installed to 54 to stay within the budget.

Mr. Snyder reported that the Township solicited and received quotations for a new Diagnostic Machine for the Fleet Maintenance Department as follows: Snap On - \$5,860.14, Texa Diagnostics - \$6,695, and Texa Diagnostics - \$7,995. 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 to Snap On for \$5,860.14.

Mr. Snyder reported that the Township solicited and received quotations for a new Air Compressor/Generator for the Fleet Maintenance service vehicle as follows: Madara Equipment - \$3,250, Global Industrial - \$5,111 and Grainger - \$5,994. 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 to Madara Equipment for \$3,250.

Mr. Groh reported that the Township solicited but received only one quotation for a new Air Compressor for the Millfair Compost Center as follows: Ingersoll Rand - \$2,392.00 On recommendation of Public Services Director Judy Zelina and Mr. Groh, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to award the contract to Ingersoll Rand for \$2,392.00.

Planning and Development Director Matthew Waldinger reported that quotations were solicited and received for the Erie Golf Course ADA Project for the addition of four ADA compliant parking spaces as follows: Maya Bros. Construction - \$9,000, Amendola Development – No Bid, Vavala Concrete – No Bid. On recommendation of Mr. Waldinger and Township Engineer Anne Sokol, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to award the contract to Maya Bros. Construction for \$9,000.

Mr. Waldinger reported that quotations were solicited and received for the Wolf Run Drive Emergency Storm Sewer Replacement Project as follows: Chivers Construction - \$143,704.00, Ray Showman Jr. Excavating – \$476,275.30, Konzel Construction, Inc. - \$237,900.00, ARS Absolute Reclamation Services – No Bid.

Mr. Morgan reported the projected costs as submitted by Township Engineer Anne Sokol as follows:

Construction (Chivers)	\$143,704.00
Inspection (CEC)	25,900.00
Pump service to re-route water	<u>32,429.00</u>
	202,032.70
15% Contingency fee	30,305.00
Restoration to properties	16,600.00
Design – not to exceed	<u>51,000.00</u>
Approximate total cost	\$ 300,000.00

On recommendation of Mr. Waldinger and Township Engineer Anne Sokol, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to award the contract to Chivers Construction for \$143,704.00, to authorize the Township to borrow up to \$300,000 from the Erie County Redevelopment Authority for a municipal loan, and to authorize Mr. Morgan to execute the appropriate documents for this emergency unbudgeted expense.

Treasurer Mark Zaksheske announced that Requests for Proposals for Auditing Services were solicited and received, and opened on October 19, 2018 as follows: Buseck, Barger, Bleil & Co. - \$19,500 Township, \$5000 Sewer Revenue, Felix & Gloekler - \$11,000 Township, Zelekofske Axelrod LLC - \$17,995 - 2018, \$18,245 - 2019, \$18,495 – 2020. Mr. Zaksheske will make a recommendation at the next meeting on November 13, 2018.

On motion by Mr. Groh, seconded by Mr. Bock, it was carried by unanimous roll call vote to adopt Resolution 2018-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 Dash Cam videos after the mandatory 180 days through November 13, 2018.

Mr. Groh explained that the mailbox policy the Township has had in place for many years is in need of updating, and the new policy will increase the reimbursement for a resident's damaged mailbox to \$75.00, to be installed by the owner, providing all criteria are met. On motion by Mr. Groh, seconded by Mr. Bock, it was carried by unanimous roll call vote to adopt Resolution 2018-R-43; A Resolution adopting an Administrative Policy regarding Proper Installation and Damage Claims to Mailboxes placed in Township Right-of-Ways.

Solicitor Mark Shaw explained that due to the need to repair the storm sewer at 5144 Wolf Run Drive, several easements and agreements need to be executed to complete the work and to allow the Township access to the properties to complete the repairs.

On recommendation of Mr. Shaw, the following agreements were approved by unanimous roll call vote on separate motions by Mr. Groh and seconded by Mr. Bock:

Easement Agreement: 5051 Wolf Road and Millcreek Township
Easement Agreement: 5144 Wolf Road and Millcreek Township
Easement Agreement: 5126 Wolf Road and Millcreek Township
Landscaping Agreement: 5126 Wolf Road and Millcreek Township
Civil & Environmental Consultants (CEC): Quality Assurance Services - \$25,900.00
Chivers Construction: Construction and Authorization for Mr. Morgan to execute Agreement, once finalized.

On recommendation of Mr. Shaw, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to authorize Mr. Morgan to sign a Conflict of Interest Waiver for the Macdonald Illig Jones & Britton law firm to represent the Redevelopment Authority of the County of Erie as well as Millcreek Township in a proposed municipal loan for the Wolf Run Drive Storm Sewer Repair.

On recommendation of Planning and Development Director Matthew Waldinger and Township Engineer Anne Sokol, it was moved by Mr. Groh and seconded by Mr. Bock to approve the release of the Letter of Credit in the amount of \$1,500.00 from Marquette Savings Bank, Check #166782, for DUFALA RESIDENCE – Greg and Katie Dufala, Developer, as all requirements have been satisfied; and additionally that the Township keep \$1,462 to satisfy the developer's fund, with the remaining balance of \$37.40 to be released to the developer. Motion carried by unanimous roll call vote.

On recommendation of Planning and Development Director Matthew Waldinger and Township Engineer Anne Sokol, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to deny the release of Letter of Credit #2522 in the amount of \$236,000.00 from First National Bank of Pennsylvania for F & S TOOL, INC. – S & F Realty Partners, Developer, as a letter of reasonable conformity has not been received for the required improvements for the stormwater management facilities.

On recommendation of Planning and Development Director Matthew Waldinger and Township Engineer Anne Sokol, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to deny the release of Letter of Credit #2767 in the amount of \$13,200.00 from First National Bank of Pennsylvania for KOLESNICHENKO RESIDENCE – Diamond Design Construction, Inc., Developer, as a letter of reasonable conformity has not been received for the required improvements for the stormwater management facilities.

On recommendation of Planning and Development Director Matthew Waldinger and Planning and Zoning Officer Matthew Puz, Jr., it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve a Sidewalk Deferral Agreement for 5507 Perkins Street – Qiaoxing Zhu and Chunhua Liu, Developer. Mr. Waldinger reported that the application was completed on the Township approved form and there are no sidewalks in the area. Motion carried by unanimous roll call vote.

Solicitor Mark Shaw reported that on their October 18th meeting, the Fire Commission approved the following recommendation to the Board of Supervisors: “That the Township create a 5 member Task Force with the goal of assisting the township with creating a clear future vision for the provision of fire and emergency services in Millcreek Township.” Mr. Groh stated he was in favor of the recommendation, stating that such a Task Force can help the Township decide whether to continue with a volunteer firefighter system or to form one fire company. Mr. Bock said he was not prepared to vote yet, and Mr. Morgan opined that it is unclear what the Fire Commission intends the Task Force to do, as they already have a sub-committee for this. Mr. Shaw recommended the Board further discuss the details of forming a Task Force before taking action on the matter.

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 employment of the following part-time aquatics instructors and lifeguards for the fall season, effective October 25, 2018:

NAME	POSITION	HOURLY RATE
Leona Carlson	Aquatic Director	\$13.00
Hope Nuzback	WSI/Lifeguard	\$ 9.50
Jordan Nuzback	Lifeguard	\$ 7.95 (Rate Change)
Olivia Sanders	Lifeguard	\$ 8.45
Laurel Kurtic	Lifeguard	\$ 8.45
Celia Fortebraccio	WSI/Lifeguard	\$ 9.50 (Rate Change)
Emma Louie	WSI/Lifeguard	\$ 9.50 (Rate Change)
Aiden Fickenworth	Lifeguard	\$ 7.95 (Rate Change)
Kristin Owens	WSI/Lifeguard	\$10.00
Annie DiFrank	WSI/Lifeguard	\$ 9.50
Christian Fortin	Lifeguard	\$ 8.45
Maggie Fortin	Lifeguard	\$ 8.45
Emily Kehl	WSI/Lifeguard	\$ 9.50 (Rate Change)
Maggie Radu	WSI/Lifeguard	\$ 9.50
Karen Link	WSI/Lifeguard	\$10.50
Brayden Carpinello	Lifeguard	\$ 8.45 (Rate Change)
Steven Owens	WSI/Lifeguard (sub)	\$ 9.50
Erich Fuhman	Lifeguard	\$ 7.95 (Rate Change)
Katherine Baker	Lifeguard	\$ 7.95 (Rate Change)
Sofia Beilharz	Lifeguard	\$ 7.95 (Rate Change)
Marty Kaverman	Lifeguard	\$ 7.95 (Rate Change)
Sydney McGarry	Lifeguard	\$ 7.95 (Rate Change)
Sofia Tirpak	Lifeguard	\$ 7.95 (Rate Change)
Leah Prischak	Lifeguard	\$ 8.45
Kathleen Magoon	Water Exercise Supervisor	\$10.50

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 authorize Township Engineer Anne Sokol and Inspector Robert Donikowski to attend a Construction Cost Estimating class on November 16, 2018 at the Ambassador Conference Center at a total cost of \$558.00.

Mr. Morgan reported that the Board met in Executive Session with Solicitor Mark Shaw on October 11 and 18, 2018 to discuss legal and personnel matters.

Mr. Bock reported there were no requests from Chief Scott Heidt.

It was moved by Mr. Bock, seconded by Mr. Groh and carried by unanimous roll call vote to authorize proclamations for two members of the West Ridge Fire Department in celebration of their 50 years of service. The firefighters, Milford Jones and Louis Becker, will be honored on October 26, 2018, at which time the proclamations will be made.

Mr. Bock announced that National Prescription Drug Take Back Day is October 27, 2018 from 10:00 a.m. to 2:00 p.m. at the Township Building.

Student Ambassador Shane Karnes reported that "Trail for a Cause" will be held at Gus Anderson Field on October 28, 2018 from 6:00 – 8:30 p.m. For a \$1.00 donation, children will be able to collect candy and all proceeds will be donated to "Spirit of Children." Mr. Karnes announced that the McDowell football team will play the Erie City Royals at 7:00 p.m. on Friday evening, and college academic testing will take place on December 1st - SAT, and Dec. 8th – ACT.

Lewis Penna, Retired McDowell Principal, thanked the Board for all they do for the Township.

Neil Churchill, 640 Young Road, asked about proper police procedure regarding a recent incident at Kmart West. Mr. Bock advised him to follow the court procedure he was given.

James Rosenbaum, Deputy Fire Chief of West Ridge Fire Department and President of the Fire Chiefs Association, addressed the Board regarding staffing issue concerns among the Township's volunteer fire departments. He reported that the operating model for the past 80 years has failed due to increasing population and more 2-parent working families, while the call volume has tripled. He thanked the Supervisors for their recent offer to allow the fire departments to purchase fuel through the Township at bulk fuel prices, and to have the Township provide mechanical service to their emergency vehicles, and encouraged more collaboration with the Supervisors. He would like to see the Township work toward using a mixture of career volunteer and part-time firefighters, supplemented by paid per diem employees, and cited other Pennsylvania municipalities who are having success with this model.

The Board and Mr. Rosenbaum discussed the possibility of a county regional initiative as well as merging the Township's fire departments, and Mr. Rosenbaum said the realization cannot be denied at this point. He reported that the Fire Commission's Operations sub-committee is ready to lead the Task Force to explore the Township's options, and encouraged all involved to work together to find the right solution for the Township with the least amount of financial impact.

Mr. Groh reminded everyone to vote on Election Day, November 6, 2018.

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 8:35 p.m.

Sheryl A. Williams
Township Secretary

Approved: November 13, 2018

John E. Morgan

John H. Groh

James S. Bock