

## Regular Meeting

February 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 Mark Zaksheske, John Morgan, James Bock, Daniel Ouellet, Mark Shaw, Esq., Matthew Waldinger, Gary Snyder, Nina DiPlacido and Sheryl Williams.

Following the Pledge to the Flag, Mr. Bock announced that the meeting is being recorded by WQLN and will be broadcast on Spectrum Channel 1024 and YouTube.com with closed captioning available.

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

On motion by Mr. Ouellet, seconded by Mr. Morgan, it was carried by unanimous roll call vote to approve the minutes from the February 11, 2020 Regular Meeting and February 20, 2020 Special Public Meeting.

On motion by Mr. Ouellet, seconded by Mr. Morgan, it was carried by unanimous roll call vote to approve payment of General Fund bills in the amount of \$346,785.80 and Sewer Revenue Fund bills in the amount of \$13,027.50.

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 Refer to the Planning Commission a Petition Requesting a Change in Zoning Classification for ERIE REGIONAL AIRPORT AUTHORITY, for properties located at 4411 West 12<sup>th</sup> Street, now zoned C-2 General Commercial asking to be rezoned I-1 Light Industrial. Township Indices 147-001 and 147-004; County Indices 33-25-149-4 and 33-37-149-1.

On recommendation of Planning and Development Director Matthew Waldinger and Zoning and Development Officer Matthew Puz, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to designate the Planning Commission as the authorized designee for the Official Map of Millcreek Township Update and to forward the Official Map update to the Planning Commission.

Solicitor Mark Shaw reported that the proposed Zoning Ordinance Amendment regarding the regulation of small wireless facilities will be advertised and a public hearing will be held on March 10, 2020 at 9:30 a.m., at which time the Supervisors plan to act on the proposed ordinance.

On recommendation of 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-10; 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 February 26, 2020 to March 10, 2020.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Ouellet, seconded by Mr. Morgan, and carried by unanimous roll call vote to adopt Resolution 2020-R-11; A Resolution of the Township of Millcreek, Erie County, Pennsylvania authorizing the advertisement for requests for proposals for contract services related to the administration and enforcement of the Uniform Construction Code and authorizing to share in the costs of advertisement.

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 the 28<sup>th</sup> Street

Overflow Basin Contract with Greenman-Pedersen, Inc. (GPI) for the Determination of Feasibility and Subsequent Design of Stormwater Overflow Basin, Phases I and II, in the total amount of \$24,600.00.

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 reduce BNY Mellon Letter of Credit #S00069114 in the amount of \$146,733.00 for Townhomes on 26<sup>th</sup> Street - NLA Real Estate Holdings, Developer, to 10% of the original amount, \$14,673.30, as the required plantings in the buffer have not reached 6' in height per the Zoning Ordinance.

On request of Recycling Clerk Jessica Stutzman, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to authorize Chairman Bock to sign an agreement authorizing the Township to be an official Flag Recycling Depository site, with the recycling bins being sponsored by Printing Concepts, Inc.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to authorize Chairman Bock to sign a Proxy for the annual MRM Trust (Worker's Compensation Insurance) meeting on April 3, 2020 in Seven Springs, as he is unable to attend the meeting in person.

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 authorize Township Engineer Anne Sokol and Inspector Rob Donikowski to attend a "Slope Stabilization and Landslide Prevention" seminar on March 30, 2020 in Pittsburgh, at a cost of \$598.00 for tuition, plus mileage reimbursement of \$134.55.

On motion by Mr. Morgan, seconded by Mr. Ouellet, it was carried by unanimous roll call vote to authorize Mr. Waldinger to attend, retroactive to February 24, 2020, an Erie seminar on "How to Supervise Unacceptable Employee Behavior" at a total cost of \$149.00. No public comment was offered.

No requests were received to attend, and therefore no action was taken, regarding three ECATO Schools for elected officials, to be held in March 2020.

Mr. Bock reported that the Board met in Executive Session on with Solicitor Mark Shaw on February 11, 14, 17 and 20, 2020 to discuss legal matters.

Student Ambassador Nina DiPlacido reported that several District Chorus students from McDowell will be advancing to Regional Chorus, that February 26, 2020 is Career Day featuring multiple speakers from the community, and three days this week have been designated as Move Up Days, when 8<sup>th</sup> graders will tour McDowell with a Student Ambassador and learn about opportunities at the high school. Ms. DiPlacido also announced that the DECA Team competed at state competition in Hershey, resulting in five students advancing to national competition in April, and the National Honor Society is conducting a pet supply drive, with all items to be donated to the A.N.N.A. Shelter.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Morgan and seconded by Mr. Ouellet to approve a 3-year agreement with Mark J. Corey & Associates for structural engineering services, on an as needed basis at an hourly rate of \$90.00, the annual amount not to exceed \$25,000. No public comment was offered. Motion carried by unanimous roll call vote.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Ouellet and seconded by Mr. Morgan to approve a Right to Enter agreement for the property located at 4855 Asbury Road, to allow the Township to conduct work necessary to stabilize eroding banks and address accumulating sediment deposits in the immediate vicinity of the Asbury Road Sanitary Pump Station. No public comment was offered.

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 authorize Project Engineer John Sebesta to attend a recertification class, "OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER)," in Erie on March 6, 2020 at a total cost of \$140.00, and with use of a Township vehicle. No public comment was offered.

It was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to authorize Human Resource Manager Diane Lyons and Planning and Development Director Matthew Waldinger to begin the search for a new Chief Code Enforcement Officer. No public comment was offered.

With no further business to come before the Board or citizens to be heard, on motion by Mr. Ouellet, seconded by Mr. Morgan, the meeting was adjourned at 7:30 p.m.

Sheryl A. Williams  
Township Secretary

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Approved: March 10, 2020

James S. Bock \_\_\_\_\_

John E. Morgan \_\_\_\_\_

Daniel P. Ouellet \_\_\_\_\_