

Regular Meeting

February 28, 2023

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 5:00 p.m. by Chairman James Bock in the Assembly Room of the Millcreek Township Municipal Building. Present were James Bock, Kim Clear, Mark Zaksheske, Robert Donikowski, Matthew Waldinger, Chief Carter Mook, Ashley Marsteller, Mark Shaw, Esq. and Sheryl Williams. Daniel Ouellet was absent.

Following the Pledge to the Flag, Mr. Bock called for Public Comment on agenda items other than development or rezoning applications.

Former Supervisor Sue Weber commented that an engineering study had been done several years ago regarding the Township's stormwater system, and that no further consulting is necessary. She asked the Supervisors to urge the Millcreek Township General Authority to have a special public meeting to further discuss the W. 8th Street property purchases explained that the three pending sales can be put on hold for thirty days without losing any money.

Mary Shaaf, Millcreek resident and former County Controller, opined that the Township's fiduciary responsibility has been breached and that there are more important issues to address, such as roads, flooding, and the fire department.

On motion by Mr. Bock, seconded by Ms. Clear, it was carried by unanimous roll call vote to approve the minutes from the February 14, 2023 Regular Meeting.

On motion by Mr. Bock, seconded by Ms. Clear, it was carried by unanimous roll call vote to approve payment of the General Fund bills in the amount of \$576,574.22, and Sewer Revenue Fund bills totaling \$1,250,531.12.

On recommendation by Chief Mook, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to authorize the trade in of two old firearms that are in need of replacement and the purchase of two rifles with accessories from Edinboro Outdoors, resulting in a total cost to the Township of \$3,607.00.

On recommendation by Public Works Director Robert Donikowski, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve the purchase of a new server for the Sewer Department from Velocity Net for \$18,262.00.

On recommendation of Mr. Ouellet, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve the purchase of a 2023 Chevrolet Tahoe for the new Fire Chief from Hallman Chevrolet under COSTARS Contract #25109.

On recommendation of Street Lighting Coordinator Anita Rea, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve the purchase of 14,000 streetlight billing forms from MGL Printing Solutions at a cost of \$3,126.00.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to adopt Resolution 2023-R-7; A Resolution of Millcreek Township, Erie County, Pennsylvania to Authorize Application for an H2O PA Grant in the Amount of \$2,335,919.00 from the Commonwealth Financing Authority to be used for the Kearsarge Forcemain Replacement Project, and to Appoint Designees to Execute All Documents Regarding said Grant.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to authorize Atty. Shaw to file a Property Maintenance Code Enforcement Action in the Court of Common Pleas of Erie County regrading Property Maintenance Code Violations at 1025 Northgate Drive, Erie, PA 16505.

On recommendation of Human Resource Manager Diane Lyons, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to promote Monica Zeigler to Community Relations & Sustainability Coordinator, effective March 1, 2023, at an hourly rate of \$18.29.

On recommendation of Ms. Lyons, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to hire Philip A. Munro as a Probationary Police Officer, effective March 13, 2023, at an hourly rate of \$29.50.

On request of Communications Coordinator Sam Peterson, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to authorize Mr. Peterson to attend a free training class on "GT-318 Public Info in All-Hazard Incidents" on March 8 and 9, 2023 at the Erie County Public Safety Center.

On recommendation of Chief Mook, the following training requests were approved by unanimous roll call vote on a motion by Mr. Bock, seconded by Ms. Clear:

Permission for Cpl. Mays to attend free training titled "Recognizing and Identifying Domestic and Homegrown Violent Extremism" on March 23, 2023 at the Erie County 911 Center.

Permission for three Patrol Platoon Commanders to attend a virtual training course titled "Supervising Patrol Critical Incidents" on March 21-21, 2023 at a total cost of \$857.00

Permission for three Patrol Corporals to attend a "Field Training Officer & Leadership" course at the Mercyhurst Police Academy on April 27-28, 2023 at a total cost of \$885.00.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to authorize three employees to attend a free excavator training session on March 23, 2023 at Lakeshore Country Club, with use of a Township vehicle.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to authorize Zoning and Planning Officer Matthew Puz to attend the 2023 ASFPM Annual National Conference virtually, from May 7-11, 2023, at a cost of \$650.00, to maintain his Certified Floodplain Manager designation.

Mr. Bock reported that the Board met with Solicitor Mark Shaw in Executive Session on February 16 and 23, 2023 to discuss real estate, personnel, legal matters and litigation.

Jay Pratt, Millcreek resident, spoke in favor of the redevelopment of the Gateway District, stating that the intersection of 8th and Peninsula is an eyesore and young adults are moving out of Millcreek, which is shrinking the tax base. He opined that progress can be made in many areas, and that the Township does not have to choose one area over another.

Robin Crago, Millcreek resident and business owner, spoke in favor of the Gateway District redevelopment project, opining that this plan will help keep young adults from leaving the area. She stated progress is needed for the Township to move forward with its vision and presented a letter of support signed by the merchants of the Colony Plaza.

John Collins, Millcreek resident, opined that tourism is critical to the Township and he supports the W. 8th Street redevelopment project, but feels that overpaying for the properties was improper.

Duke Moore, Millcreek resident, expressed his support of the West 8th Street redevelopment project, but opined that the Township overspent on the property purchases, and asked if the Township has sought other buyers for the properties. Mr. Bock replied not to his knowledge, and Ms. Clear stated that the Township is working with a broker.

Tom Smith, Millcreek resident, stated that he is a PA Certified appraiser and broker. He had concerns about overpayment for the properties, asked questions about how the sale prices of the properties were decided in respect to the appraised values and what the consultant's fees were. Ms. Clear advised him to file a Right-to-Know request to receive this information.

Richard Weber, Millcreek resident and former business owner on W. 8th Street, opined that the West 8th Street corridor is not a good commercial area. He stated that the cost of demolition and legal, realtor and transfer fees were not factored into the purchase and predicted that the Township will end up with \$15 million in vacant land. He expressed disappointment that there was no opportunity for public input and urged the Supervisors to put the purchase of the Bel-Aire on hold.

Sue Weber, Millcreek resident and former Supervisor, noted that the Township Treasurer has warned of financial risk in purchasing the W. 8th Street properties, and opined that the Township will not be able to recoup its investments. She urged the Authority to hold a special meeting by Monday or Tuesday of the following week to vote to delay the Bel-Aire sale before the due diligence clause runs out.

Brenton Davis, Erie County Executive and Millcreek resident, commended the Supervisors for creating a professional fire department. He noted that Millcreek's stormwater problems were inherited and should be addressed by having ECATO form a stormwater authority. He spoke in favor of West 8th Street redevelopment because of the large number of visitors that come to Presque Isle State Park each year.

Pete Kubeja, Planning Commissioner and Millcreek resident, questioned why the W. 8th Street project was not brought to the Planning Commission. He urged the Supervisors to listen to residents and slow down the project.

Jacqueline Sitter Garnon, Millcreek resident, stated that the residents need more answers and asked how long it takes to receive Right-to-Know information, and Secretary Williams explained the process.

MaryEllen Magoc, Millcreek resident, opined that the Grasshopper building was a former school house and is not blighted. She urged the Supervisors to preserve the building and read a letter of explaining the importance of preserving historical buildings from Erie resident Andrea MacDonald, Director of the PHMC State Historic Preservation Office.

Nancy Shea, Millcreek resident, clarified that most residents are in favor of the redevelopment project, but object to the procedure of forming the Authority to purchase the properties and the lack of transparency. She questioned if the properties were truly blighted and is concerned about the overall cost of the project. She would also like the Authority meetings to be televised.

Laban Marsh, Millcreek business owner, stated that he owns 15.5 acres of property in Millcreek from which he runs his business. He explained that 6 acres of his property has the only culvert that runs underneath the CSX and Norfolk Southern railroads. He has concerns about the Official Map and also how the redevelopment of W. 8th Street will affect his property and does not want to develop his property if the Township intends to claim eminent domain for preservation or public space usage. He opined that this would be a good opportunity for a private and public partnership.

Doug Prozan, Millcreek resident and Planning Commissioner, reported that he and some other Millcreek investors plan to submit a Letter of Intent regarding the purchase of the Bel-Aire property, and do not want it to be used for a hotel.

Lou Aliota, Millcreek resident, asked if the money spent on the W. 8th Street properties was budgeted, if the Auditor validated the expense, and wants the Supervisors to make sure everything is being done legally.

Eric Cronk, Millcreek resident, agreed with Mr. Pratt's and Mr. Davis's statements, and asked residents to keep the long-term vision of the redevelopment project in perspective for our children's future. He opined that sometimes you must overpay to achieve the long-term vision and thanked the Colony Plaza business owners for their investment in the community.

Ms. Clear recognized several elected officials in the audience and thanked them for attending.

There being no further business to come before the Board or any other Citizens to be Heard, it was moved by Mr. Bock and seconded by Ms. Clear to adjourn the meeting at 6:40 p.m.

Sheryl A. Williams
Township Secretary

APPROVED: March 14, 2023

James S. Bock

Kim Clear

Daniel P. Ouellet