

Regular Meeting

March 22, 2022

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 5:30 p.m. by Chairman Daniel Ouellet in the Assembly Room of the Millcreek Township Municipal Building. Present were Daniel Ouellet, James Bock, Kim Clear, Mark Zaksheske, Matthew Waldinger, Robert Donikowski, Ashley Marsteller, Judy Zelina, Mark Shaw, Esq. and Sheryl Williams. Chief Scott Heidt was absent.

Following the Pledge to the Flag, Mr. Ouellet called for Public Comment on agenda items other than development or rezoning applications. There was no public comment.

On motion by Ms. Clear, seconded by Mr. Bock, it was carried by unanimous roll call vote to approve the minutes from the March 8, 2022 regular meeting.

On motion by Mr. Bock, seconded by Ms. Clear, it was carried by unanimous roll call vote to approve payment of Sewer Revenue Fund bills totaling \$122,215.26.

Solicitor Mark Shaw stated that it was announced at the last meeting that the Township only received one bid regarding the Township wide waste collection for residents. After reviewing the bid and having further discussion with Waste Management, on recommendation of Mr. Shaw, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote that Waste Management be awarded the contract, beginning April 1, 2022 and continuing through March 31, 2027, in the following manner:

Fixed Quarterly fee for unlimited collection with glass:

Year 1	\$87.00
Year 2	\$93.09
Year 3	\$99.61
Year 4	\$106.58
Year 5	\$114.04
3 mos. Extension	\$112.02

Bag Price with glass:

Year 1	\$ 7.00
Year 2	\$ 7.50
Year 3	\$ 8.00
Year 4	\$ 8.50
Year 5	\$ 9.00
3 mos. Extension	\$ 9.50

Special Service Fees:

A. <u>One Stop, One Item</u>	B. <u>One Stop, more than one item, per item, collected</u>
Price: \$110.00	Price: \$65.00
3 Month Ext.: \$120.00	3 Month Ext.: \$65.00 each additional item
	3 Month Ext.: \$70.00

Toters:

- A. Purchase of a rolloff toter: (95 gal. size)
Price: \$75.00
3 Month Ext.: \$80.63
- B. Quarterly Lease of a rolloff toter (95 gal. size)
Price: \$20.00
3 Month Ext.: \$21.50

Fee for Township Directed Collection:

Price Per Truckload: \$100.00 per Pick-Up Truck Load

3 Month Ext.: \$107.50

Four (4) Requests for Proposals (RFPs) were solicited and two (2) were received by Sewer Project Engineer David Wright for Engineering services for the Kearsarge Forcemain Project. Rabell met all conditions and was the lowest quote at \$79,900. On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to award the contract for Engineering Services for the Kearsarge Forcemain Project in the amount of \$79,900, subject to review by the Solicitor.

On recommendation of Solicitor Mark Shaw, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to approve Change Order #3 in the amount of \$76,000 with Stantec for the design of the Peninsula Drive Multimodal Trail – Phase I project. Mr. Shaw explains that the change order effectively resets the design process due to the impact of COVID-19 and communication issues presented by the limitations imposed due to the virus, and outlines in more detail the work needed to complete this phase of the project.

Quotations were solicited separately and received by Chief Heidt for 55 Avon C50 respirators with filters, 28 replacement filters, and 55 carry bags for respirators with filters as follows: Galls - \$27,440.00, Uniform Outfitters LLC - \$34,391.45, Witmer Public Safety - \$31,777.36. On recommendation of Chief Heidt, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to authorize three (3) separate purchases of respirators, filters and carry bags from Galls for a total price of \$27,440.00.

On recommendation of Public Works Director Robert Donikowski, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to purchase the following valves for the Glenwood Pump Station from LB Water for \$38,234.95 under COSTARS Contract #016-026, as follows: 6 each – 10” Flanged Gate Valves, 1 each – 12” Flanged Gate Valve, 3 each – 10” Swing Check Valves, 1 each – 12” Air Cushioned Check Valve.

Quotations were solicited and received by Public Works Director Robert Donikowski for 48 each – 9” Frames and Covers, 12 each – 3” Frames and Covers, 72 each - 1-1/4” Adjustment Rings and 24 each 2” Adjustment Rings, as follows: Waterford Precast - \$47,064.00 and LB Water - \$54,030.00. On recommendation of Mr. Donikowski, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to purchase the Manhole Rings and Castings from Waterford Precast for \$47,064.00. Mr. Shaw clarified that these materials are for routine maintenance.

On recommendation by Parks and Recreation Director Ashley Marsteller, it was moved by Ms. Clear, seconded by Mr. Bock to authorize the purchase of an ABI Force Z23 slit Infield Groomer with attachments from Baker Vehicle for the COSTARS price of \$41,166.00, Vendor #545975, to groom the Township’s ballfields. Ms. Marsteller clarified that this vendor is the sole source for this machine and Baker Vehicle is the exclusive dealer for this region.

Treasurer Mark Zaksheske reported that three (3) bids were solicited and one (1) received to replace the aging lock on the Township vault with an electronic keypad lock. On recommendation by Treasurer Mark Zaksheske, it was moved by Ms. Clear, seconded by Mr. Bock, and carried by unanimous roll call vote to award the contract to Erie Lock and Safe in the amount of \$740.00.

Consideration of Subdivision and Land Development Plans

PHILLIPS EDISON & COMPANY. Small subdivision Plan. A subdivision plan to show the replot of 2519 West 12th Street (tax parcel 33-21-174-37) to create a 1.063-acre lot and a residual lot of 13.485 acres, Yorktown Plaza (tax parcel 3332-174-38.03) along the south line of West 12th Street, west of Pittsburgh Avenue, in Tract 14. Indices 258-003 and 258-083

Planning and Development Director Matthew Waldinger reported that at their March 1, 2022 regular meeting, the Planning Commission recommended approval. Jason Tai, Phillips Edison & Company, 1501 Reedsdale Avenue, Pittsburgh, speaking on behalf of the petition, explained that the plan would divide Chick Fil-A from the rest of Yorktown Plaza. No one else spoke either in favor of or in opposition to the plan. On recommendation by Mr. Waldinger, it was moved by Ms. Clear, seconded by Mr. Bock, and carried by unanimous roll call vote to approve the Phillips Edison & Company Small Subdivision Plan.

AHN JIB. Land Development Plan. A land development plan to show the construction of a 9,690 square foot restaurant with a proposed deck and patio with associated parking and stormwater management facilities at 3531 West Lake Road (tax parcel 33-17-79-8), along the south line of West Lake Road, east of Linden Avenue, in Tract 9. Index 224-008

Planning and Development Director Matthew Waldinger reported that at their March 1, 2022 regular meeting, the Planning Commission recommended approval. Laura Guncheon, 1540 East Lake Road, speaking on behalf of the petition, explained that the proposed restaurant in the former Alto Cucina building will be a 9600 square foot upscale steak house compliant with ADA, stormwater and landscaping requirements, and reported that construction is set to begin in a few weeks. Mr. Bock noted that at the Planning Commission meeting a resident was concerned about vehicle headlights on the east side of the property, to which Ms. Guncheon replied that the neighbor's concern has been addressed and the Land Development Plan shows the planting of arborvitae block any glare from headlights. No one else spoke either in favor of or in opposition to the plan. On recommendation by Mr. Waldinger, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to approve the AHN JIB Land Development Plan.

Mr. Shaw reported that Proposed Ordinance 2022-3; An Ordinance of the Township of Millcreek, Erie County Pennsylvania Amending the Waste Code Ordinance will be on the agenda for the next meeting to update the Waste Code primarily relating to how delinquent accounts will be handled by Waste Management and the Township.

Solicitor Mark Shaw reported that the Township has continued to review public comment on the proposed Zoning Ordinance amendments, and the draft ordinance and Township map are available on the Township website for public review and comment. Mr. Shaw stated that the proposed Zoning Ordinance Amendments were forwarded to the Millcreek Township Planning Commission and Erie County Planning Department on March 4, 2022, and these entities will make their recommendations to the Board for consideration at the Supervisors' regular meeting on April 19, 2022, when the Board will consider Proposed Ordinance 2022-4; An Ordinance of the Township of Millcreek, Erie County Pennsylvania Amending and Restating the Zoning Ordinance and Zoning Map in its Entirety.

On recommendation of Chief Scott Heidt and IT Manager Kris Filson, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to adopt Resolution 2022-R-14; A Resolution pursuant to Resolution 2015-R-20 and the Municipal Records Manual to approve proposed disposition of certain Township records. Mr. Ouellet noted that the records to be disposed are police DashCam videos which will reach the end of their retention period between March 23, 2022 and April 12, 2022.

On recommendation by Solicitor Mark Shaw, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to adopt Resolution 2022-R-15; A Resolution of the Township of Millcreek, Erie County Pennsylvania recognizing the expiration of Millcreek Township's right to Open Roxbury Road (50' ROW) from its present southern terminus at or near the north line extended of Lot 210 of the Westminster Subdivision (Erie County Map Book 2, Pages 431, 432, 433, 434 and 438) Tax Index No. 33-092-652.0-001.00, southwardly to or near the south property line of tax parcel No. 33-092-651.0-001.00 and Grand View Boulevard, now known as Westminster Boulevard (120' ROW), from the west line of Dauphin Parkway to its present terminus at the west property line of Wunch Park, per State Statute.

On recommendation by Mr. Shaw, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to approve the Township's 2022 Emergency Operations Plan. The Board commended Emergency Management Coordinator Shalan Anderson for her work to update the plan.

On recommendation by Chief Heidt, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to authorize the Millcreek Police Department to apply for a Pennsylvania Delinquency on Crime and Justice Assistance Grant, which would establish a Crisis Support Program and provide a Social Worker with special training dedicated to Millcreek Township.

On recommendation of Human Resources Manager Diane Lyons, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve a Memorandum of Agreement (MOA) with the American Federation of State, County and Municipal Employees (AFSCME) Local 3530 regarding the use of timecard badges to improve efficiency in clocking in and out of work.

On recommendation of Treasurer Mark Zaksheske, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to designate Mr. Zaksheske as the Township's Official Custodian of pension checking accounts insured by the FDIC.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to approve the 2022 Millcreek Golf and Learning Center Maintenance Agreement with Premier Turf Farms in the amount of \$13,600, for Dan Olson to maintain the golf course in the same manner as in 2021.

On recommendation by Planning and Development Director Matthew Waldinger, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to approve an agreement with Greenman-Pedersen, Inc. for third party engineering services to review stormwater plans and inspections through December 31, 2023.

On recommendation of Mr. Waldinger, it was moved by Ms. Clear, seconded by Mr. Bock and carried by unanimous roll call vote to accept the Stormwater Management Plan and approve a Stormwater Maintenance Agreement for AHN JIB – AHN JIB, LLC, Developer, as all requirements have been met.

Treasurer Mark Zaksheske announced that the external audit for the 2021 Financial Records will begin the week of April 4, 2022.

On recommendation of Mr. Ouellet, seconded by Ms. Clear, it was carried by unanimous roll call vote to appoint John DiPlacido as Alternate Member on the Zoning Hearing Board. Mr. Ouellet thanked Mr. DiPlacido for his continued public service to the Township over the years and offered his congratulations.

On recommendation by Parks and Recreation Director Ashley Marsteller, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve the following list of employees and volunteers for the Spring Season:

<u>NAME</u>	<u>POSITION</u>	<u>HOURLY RATE</u>
<u>ADULT FITNESS</u>		
Christa Haggerty	Supervisor Adult Dance	\$15.00
Charlotte Haggerty	Supervisor Adult Dance	\$15.00
Dave Wayman	Supervisor Tai Chi	\$15.00
Kathy Wayman	Supervisor Qi Gong	\$15.00
Shannon Eggleston	Supervisor Piloslide	\$15.00
Nylene Baney	Supervisor Body Sculpt	\$15.00
Kathy Smith	Supervisor Yoga	\$15.00
Jeanne Espey	Supervisor Yoga	\$15.00
William Kuntz	Supervisor Yoga	\$15.00
<u>ADULT LEISURE</u>		
Darlene Bennett	Supervisor Art	\$15.00
Lauren Ertsgaard	Supervisor Knitting	\$15.00
<u>CHILDREN'S PROGRAMS</u>		
Maria Finazzo	Youth Dance Supervisor	\$15.00
Breanna Bartlett	Youth Dance (Sub)	\$12.50
Samantha Howard	Youth Dance (Sub)	\$15.00
Alyssa Pamula	Youth Dance (Sub)	\$12.50
<u>BARN SUPERVISOR</u>		
Evelyn Bossar		\$ 11.50
Charles Elliott		\$ 11.50
Susan Shickler		\$ 11.50
Lauren Ertsgaard		\$ 11.50
<u>MAINTENANCE</u>		
Tim Smith	Part Time Laborer (Extended Seasonal Maintenance)	\$17.00
Tom Hansen	Part Time Laborer (Extended Seasonal Maintenance)	\$17.00
<u>VOLUNTEERS</u>		
Carl Werner	Tai Chi/QiGong	
Amy Easly	Tai Chi/QiGong	
Mary Desmone	Tai Chi	
Carol Stitzinger	Tai Chi	
Lenore Zausen	Tai Chi/Qi Gong	

On separate motions by Ms. Clear, seconded by Mr. Bock, the following recommendations by Chief Scott Heidt were approved by unanimous roll call vote:

Permission for ten (10) officers to attend the Ohio Tactical Officers Training Conference in Sandusky, Ohio from June 5-10, 2022 at a cost of \$5,264.10, with the remainder of funding being provided by the Pennsylvania Emergency Management Office.

Permission for one (1) officer to attend a Municipal Police Firearms Instructor Course provided by the Pennsylvania State Police from May 16-20, 2022 at the Conneaut Lake Sportsman's Club and with no cost to the Township.

Mr. Ouellet reported that the Board met with Solicitor Mark Shaw in Executive Session on March 10 and 21, 2022 to discuss legal and personnel matters.

Ms. Clear reported that the Food Compost Program ribbon cutting ceremony at the Millfair Compost and Recycling Facility on March 21st was a success, and recognized Recycling Coordinator Jessica Stutzman for her efforts in launching this program. She emphasized that all Erie County residents are eligible to participate in the program. Ms. Clear also thanked the Board for the opportunity to attend the PELRAS Conference in State College last week and stated that she learned valuable information.

Gary Behr, 4045 Feidler Drive, asked the Board when waste collection payments will be due under the new contract, to which Public Services Director Judy Zelina replied within 30 days of receiving the invoice. Solicitor Mark Shaw added that there is no change in payment terms from the previous contract.

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 6:28 p.m.

Sheryl A. Williams
Township Secretary

APPROVED: April 5, 2022

Daniel P. Ouellet

James S. Bock

Kim Clear