

Regular Meeting

May 12, 2020

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:30 a.m. by Chairman James Bock in the East Conference Room of the Millcreek Township Municipal Building. Present were James Bock, and via remote connection, John Morgan, Daniel Ouellet, Mark Zaksheske, Mark Shaw, Esq., Matthew Waldinger, Anne Sokol, P.E., Gary Snyder and Sheryl Williams.

Following the Pledge to the Flag, Mr. Bock announced that due to the current Coronavirus pandemic, until further notice, the regular meetings of the Millcreek Township Board of Supervisors will be held in the East Conference Room of the Millcreek Township Municipal Building and members of the public will not be able to attend in person. The meetings are being televised live online via the following web address: <https://www.facebook.com/MillcreekOEM>. The public will be able to participate in the public comment portions of the meeting by phoning in to 833-1111 ext. 380. The Board of Supervisors will keep the comment period open until it receives no further telephone calls.

Mr. Bock also noted that the meeting is being recorded by WQLN and will be broadcast on Spectrum Channel 1024 and on YouTube.com, with closed captioning available.

Mr. Bock called for Public Comment on Agenda items other than development or rezoning applications. None was offered.

On motion by Mr. Morgan, seconded by Mr. Ouellet, it was carried by unanimous roll call vote to approve the minutes from the April 21, 2020 Regular Meeting and the May 1, 2020 Emergency Meeting.

On motion by Mr. Morgan, seconded by Mr. Ouellet, it was carried by unanimous roll call vote to approve payment of General Fund bills in the amount of \$315,362.53, a Sinking Fund Account bill for \$6,921.47, and Sewer Revenue Fund bills totaling \$368,743.06.

On separate motions by Mr. Ouellet, seconded by Mr. Morgan, the following contract awards were approved by unanimous roll call vote on recommendation of Public Works Director Gary Snyder:

Erie Area Council of Governments (EACOG) Joint Purchasing contracts:

Type C Crushed Washed #57 Stone: 2500 T Delivered – Erie Aggregates Inc., \$14.25/T
2500 T Picked UP – Girts Sand and Gravel, \$8.40/T

Drainage Pipe (various sizes & amounts): Green Distributors for amounts specified on
Bid Tabulation

Catch Basins, Frames and Risers: Waterford Precast for amounts specified on Bid
Tabulation

Public Works Director Gary Snyder reported that quotations were solicited and received for the purchase of 12 Pump Flange Retaining Rings, as follows: X-Cell Tool - \$6,720.00, WC Weil Co. - \$11,844.00, Miller Pump - \$16,920.00. On recommendation by Mr. Snyder, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to award the contract to X-Cell Tool for \$6,720.00.

Planning and Development Director Matthew Waldinger reported that two proposals were received for the Wilkins Run Stream Restoration Design: Civil & Environmental Consultants, Inc. (CEC) - \$74,852.00, and Ecology and Environment, Inc. - \$142,148.00. Mr. Waldinger explained that an addendum for additional items was requested. On recommendation of Mr. Waldinger, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to award the revised

contract to CEC for \$111,835.00, with a project start date of May 15, 2020. Mr. Waldinger noted that half of the cost will be reimbursed by PA DEP and a National Ocean Grant.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to authorize net replacement at the Millcreek Golf and Learning Center (MGLC) by Cross Country Cowboy, Inc. for \$38,598.42.

Mr. Ouellet reported that the Parks and Recreation department solicited and received three quotes for a 10'x74'x4" concrete pad at the MGLC tee box, as follows: Maya Brothers, Inc. - \$5,000.00, Montagna Concrete - \$5,550.00. On recommendation of Ms. Marsteller, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to award the contract to Maya Brothers, Inc. for \$5,000.00.

Township Engineer Anne Sokol reported that bids were solicited and received for the Millcreek Township Sidewalk Accessibility Project – Phase VIII, and were opened on March 25, 2020, as follows: Amendola Construction & Maintenance Corp. - \$244,849.00, Empire Snow Management - \$191,650.00, Lindy Paving, Inc. - \$289,350.00, Vavala Concrete - \$288,742. Ms. Sokol explained that PA courts have articulated a standard for determining when a bidder is the “lowest responsible bidder.” She reported that Empire completed projects unsatisfactorily in 2016 and 2019, and has not been able to secure any favorable recommendations. On recommendation of Ms. Sokol, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to award the contract to Amendola Construction & Maintenance Corp., the lowest responsible bidder, for \$244,849.00.

Public Works Director Gary Snyder announce the 2020 Millcreek Township Paving Bid Results, as follows: EAST Paving Project: Lindy Paving Inc. - \$1,079,941.140, McCormick - \$1,119,215.20. WEST Paving Project: Lindy Paving Inc. - \$1,349,592.40, McCormick - \$1,429,482.00. The Supervisors noted that the bids were overbudget and felt more discussion was needed before awarding the contracts. On motion by Mr. Morgan, seconded by Mr. Ouellet, it was carried by unanimous roll call vote to table the paving contract awards until the May 26, 2020 regular meeting.

On recommendation of Chief Heidt, it was moved by Mr. Bock, seconded by Mr. Ouellet, and carried by unanimous roll call vote to update the department’s Tyler Records System for \$1160.00, which will allow police officers to receive driver’s license photos on their Mobile Data Terminals.

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 approve a Code Enforcement mowing agreement with Zeller Property Services, not to exceed \$4000.00. Mr. Waldinger explained that any charges will be billed to the property owner who is in violation.

Treasurer Mark Zaksheske reported that the Park and Recreation improvements approved this evening came in overbudget and proposed using reserve funds from previous service vehicle purchases to fund these expenses. On recommendation by Mr. Zaksheske, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to amend the capital budget to reflect the transfer of reserve funds to supplement the cost of the MGLC driving range net replacement and concrete pad.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Morgan, second by Mr. Ouellet and carried by unanimous roll call vote to adopt Resolution 2020-R-27; A Resolution Amending Resolution 2020-R-22 to Extend the Disaster Emergency Declaration within Millcreek Township and to adopt various policies of Millcreek Township regarding COVID-19.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Bock, second by Mr. Ouellet and carried by unanimous roll call vote to appoint Building Maintenance Bureau Chief Gerald Burger as Safety Officer, per the Township’s COVID-19 Operations Policy.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to adopt Resolution 2020-R-28; A Resolution of the Board of Supervisors of Millcreek Township to implement provisions of Act 15 of 2020 relating to property tax relief. Mr. Zaksheske clarified that this resolution will apply only to the Millcreek Township portion of the resident's tax bill.

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 adopt Resolution 2020-R-29; A Resolution Adopting Millcreek Township's Community Development Block Grant (CDBG) Program Citizen Participation Plan.

On recommendation of Chief Heidt and 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-30; A Resolution pursuant to Resolution 2015-R-20 and the Municipal Records Manual to approve the 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 May 13-26, 2020.

On recommendation by Solicitor Mark Shaw, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to table action until May 26, 2020 on Resolution 2020-R-31; A Resolution to approve Application for County Aid from the County Liquid Fuels Fund for 2020 for Bridge Inspections.

On recommendation by Solicitor Mark Shaw, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve a Site Access Agreement with Lake Erie Region Conservancy to complete design and survey work on the Wilkins Run Stream Restoration project.

On recommendation by Solicitor Mark Shaw, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve an Easement Agreement with the Erie County Conservation District to allow the Sewer Department to perform storm drainage work at 0 Wager Road.

Planning and Development Director Matthew Waldinger reported that General Partitions Mfg. Corp. has not completed required stormwater management improvements nor replaced their letter of credit for \$10,000.00, which will expire on May 20, 2020. On recommendation of Mr. Waldinger, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to pull General Partitions Mfg. Corp. PNC Letter of Credit No. 00902080-00-000 in the amount of \$10,000.00, which expires May 20, 2020.

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 approve a professional services agreement with 4ward Planning in the amount of \$41,000.00, with the possibility of up to 50% reimbursement from a STMP grant. This agreement provides for market research services to identify Township needs in regard to the rewriting its land development ordinances.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the hiring of the following part-time seasonal staff, all who have worked previously with the Township:

Tom Hansen	PT Adult Seasonal Maintenance	\$13.00/hr.	Last worked Summer 2019
Tim Smith	PT Adult Seasonal Maintenance	\$11.50/hr.	Last worked Summer 2019
Sean Marsden	PT Seasonal Maintenance	\$10.00/hr.	Last worked Summer 2019
Garrett Clark	PT Seasonal Maintenance	\$10.00/hr.	Last worked Summer 2019

Mr. Bock made the following announcements:

The Millfair Compost Center has resumed normal operational hours.

The Millfair Tire Collection and Paper Shred Day previously scheduled for May 16, 2020 has been rescheduled for Saturday, August 15, 2020 from 9:00 am – 12 Noon.

The Spring Leaf Collection Week previously scheduled for the week of May 4th has been rescheduled for the week of June 8th.

The Township's annual Fourth of July Parade has been cancelled due to safety concerns surrounding the COVID-19 pandemic.

Mr. Bock reported that the Board met in Executive Session with Solicitor Mark Shaw on April 21-24, 27-30, 2020, and on May 4-8, 11 and 12, 2020 to discuss legal matters.

With no further business to come before the Board or any citizens to be heard, on motion by Mr. Ouellet, seconded by Mr. Morgan, the meeting was adjourned at 10:55 a.m.

Sheryl A. Williams
Township Secretary

Approved: May 26, 2020

James S. Bock _____

John E. Morgan _____

Daniel P. Ouellet _____

Emergency Meeting

May 12, 2020

An Emergency meeting of the Millcreek Township Board of Supervisors was called to order at 4:00 p.m. by Chairman James Bock via telephone conference. Present via remote telephone communication were James Bock, John Morgan, Daniel Ouellet, Mark Shaw, Esq., and Matthew Waldinger.

The purpose of the emergency meeting was to take action on two items that were necessary to protect the health and welfare of the Township's employees from the clear and present danger of COVID-19. The meeting was necessary due to exigent circumstances and addressed issues related to the Governor's emergency declaration. Item 1 was to approve the COVID-19 reopening costs and changes to the capital budget to cover those costs.

A discussion was held regarding the improvements and costs contained in Matt Waldinger's spreadsheet, including improvements to the lobby area, restrooms on the first and second floor and work stations.

It was moved by Supervisor Bock to approve the installation of the improvements at a cost not to exceed \$50,000, which would include all of the items on the spreadsheet except for the FOB control of the elevator, as well as include the fogging of the Township Offices in the Municipal Building (except the Police offices) and an tenants willing to have fogging done in their space. The motion was seconded by John Morgan. All voted in favor of the motion.

A second motion was made by Supervisor Morgan to amend the capital budget to pay for the \$50,000 cost of the improvements by using the line item of the multiuse trail set aside. It was seconded by Dan Ouellet. All voted in favor of the motion.

With no further business to come before the Board, on motion by Mr. Morgan, seconded by Mr. Ouellet, the meeting was adjourned at 4:35 p.m.

Mark J. Shaw
Township Solicitor

Approved: May 26, 2020

James S. Bock _____

John E. Morgan _____

Daniel P. Ouellet _____