

## Regular Meeting

July 14, 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 Assembly Room of the Millcreek Township Municipal Building. Present were James Bock, John Morgan, Daniel Ouellet, Mark Zaksheske, Mark Shaw, Esq., Matthew Waldinger, Gary Snyder and Sheryl Williams.

Following the Pledge to the Flag, Mr. Bock announced that due to the current Coronavirus pandemic, the regular meetings of the Millcreek Township Board of Supervisors will be held in the Assembly of the Millcreek Township Municipal Building, but 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 further 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. No comments were offered.

On motion by Mr. Morgan, seconded by Mr. Ouellet, it was carried by unanimous roll call vote to approve the minutes from the June 23, 2020 Regular 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 \$276,142.46, a Sinking Fund Account bill in the amount of \$6,921.47, and Sewer Revenue Fund bills totaling \$82,836.20.

Daniel Sefick, Engagement Senior Manager, Zelenkofske Axelrod LLC, presented the 2019 Financial Audit Report, noting an "Unmodified Opinion" was expressed, which means the Township earned the highest rating. Mr. Sefick reported that there were no difficulties in performing the audit despite the COVID-19 pandemic, and explained that there will be new standards for presentation for fiduciary funds and the effective date for certain GASB Standards will be pushed back due to COVID-19. Highlights of the financial statements included: Government Activities - total assets increased by 5.4%, total liabilities decreased by 7.7%, attributed mostly to above average investment performance in 2019; Business-type Activities – total assets increased by 5.4% and liabilities increased by 18.4%, attributed mostly to the transfer of operations of the Millcreek Township Sewer Authority. Mr. Sefick relayed that the Township has a Fund Balance of \$35.1 million, with \$9 million unassigned, and a Budgetary Cushion Ratio of 30.9%, which is excellent. Pension funds are 96.80% funded, which he stated is very good. Mr. Sefick concluded by saying that fallout from COVID-19 could include: Decreased real estate tax collections and other derived tax revenue, reimbursement from CARES ACT funding, and that potential fluctuations in the equities market could lead to swings in pension liability.

On request 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 renewal application for a Treasurer's Bond with Penn National Insurance Company in the required amount of \$1,000,000.00.

On recommendation of IT Manager John Fleming and Planning and Development Director Matthew Waldinger, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to utilize Velocity Net for services to transition from on-premises email and application management to Microsoft 365, at a cost of \$11,000.00, plus annual subscription costs for Microsoft 365 of \$60.00 each for 55 Business Basic users, and \$150.00 each for 45 Business Standard users.

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

Caterpillar High Lift from Cleveland Brothers at a cost of \$134,500.00, under state contract #440001995.

20 construction mats from SealMaster Pavement Products & Equipment at a cost of \$4,115.40, under COSTARS contract #025-336.

Retroactive approval for 1 Barnes Submersible Pump for Asbury Woods Station from Miller Pump Supply at a cost of \$12,099.21, under COSTARS contract #0000541212, due to an emergency.

3 Crane Deming Dry Pit Pumps for Wolf Road Station Upgrade from Miller Pump Supply at a cost of \$116,640.00, under COSTARS contract #0000541212.

2 Barnes Submersible Pumps for Evans Road Station Upgrade from Miller Pump Supply at a cost of \$17,219.34, under COSTARS contract #0000541212.

Planning and Development Director Matthew Waldinger reported that bids were solicited and received for the J.S. Wilson ADA Compliant Entrance Project as follows: Vavala Concrete - \$5,880.00, Maya Bros. Concrete - \$7,000.00, and Amendola Development - \$6,800.00. On recommendation of Township Engineer Anne Sokol and Mr. Waldinger, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to award the contract to Vavala Concrete for \$5,880.00.

Planning and Development Director Matthew Waldinger reported that bids were solicited and received by PennDOT for the Federal Aid Route Paving Project at West Gore Road and Glenridge Road as follows: Joseph McCormick Construction Company - \$309,774.75, Glenn O. Hawbaker, Inc. - \$319,774.75, and Lindy Paving, Inc. - \$416,659.75. Mr. Waldinger explained that Millcreek has obtained \$260,000 in Federal Aid funds for this paving project. On recommendation of Township Engineer Anne Sokol and Mr. Waldinger, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to award the contract to Joseph McCormick Construction Company for \$309,774.75, with \$260,000 to be funded by Federal Aid Funds, and \$59,774.75 to be funded by the Township; to direct Treasurer Mark Zaksheske to create a Capital Budget Amendment to use \$59,774.75 from the Presque Isle Multimodal Project budget allocation, and to authorize Ms. Sokol to access PennDOT's Electronic Construction Management System to approve the bid on behalf of the Township.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to approve a capital budget amendment for the purchase of the Caterpillar Wheel Loader from unused funds of \$150,000.00 previously allocated for the purchase of a small paver, leaving \$15,500.00 in reserve.

On recommendation of Township Engineer Anne Sokol and Mr. Waldinger, it was moved by Mr. Ouellet, seconded by Mr. Morgan, and carried by unanimous roll call vote to approve an Exclusion from Land Development Plan Request from Napa Additions and Alterations – Pasquale Beach Realty LLC, Developer, for a 1200 square foot addition at 2860 W. 23<sup>rd</sup> Street.

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-43; 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 July 15, 2020 – July 28, 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-44; A Resolution of the Township of Millcreek, Erie County, Pennsylvania establishing an Intermunicipal Agreement for the provision of Municipal Services to other municipalities.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Ouellet, seconded by Mr. Morgan, and carried by unanimous roll call vote to approve an Intermunicipal Agreement with Summit Township Sewer Authority for Sewer Line Camera Services at a cost of \$113.91 per hour.

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 CSX Transportation Right-of-way Agreement for the Wolf Road Forcemain Project.

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 the release of First National Bank Letter of Credit #3503 in the amount of \$125,349.40 for Villa Maria Academy– Tennis Courts – Erie Catholic Preparatory School, Developer, as all requirements have been completed.

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 the following Temporary Access Easement Agreements for the St. Mary’s Culvert Rehabilitation Project: Lorenzo and Therese Frieze - 1203 Mission Drive, and Murray and Mary Ellen Stoddart – 1213 Mission Drive.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to approve file a proof of claim for the Opioid Purdue Pharma Bankruptcy, and to authorize Mr. Shaw to submit the claim on behalf of the Township.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Morgan, seconded by Mr. Ouellet and carried by unanimous roll call vote to allow BAI to extend the additional \$10.00 dental surcharge for PPE equipment through September 30, 2020, with the Township to continue covering this expense at an estimated amount of no more than \$6,000.00.

On recommendation of Human Resources Manager Diane Lyons, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to hire Krista Arnold as Chief Code Enforcement Officer at an annual salary of \$51,279.00, effective July 15, 2020.

On recommendation of Human Resources Manager Diane Lyons, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to authorize Ms. Lyons to fill a Code Enforcement Officer vacancy.

On recommendation of Human Resources Manager Diane Lyons, it was moved by Mr. Bock, seconded by Mr. Ouellet, and carried by unanimous roll call vote to authorize Ms. Lyons to fill a Streets Maintenance Laborer vacancy.

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 retroactively approve the hiring of the following part-time staff for the Summer Season:

<b><u>NAME</u></b>	<b><u>POSITION</u></b>	<b><u>HOURLY RATE</u></b>	<b><u>HIRE DATE</u></b>
Shelby Adams	Lifeguard/WSI	\$ 8.50	7/9/2020
Alexandra Pierce	Lifeguard/WSI	\$ 8.50	7/6/2020
Emily Consiglio	Lifeguard	\$ 7.65	7/6/2020

Laurel Kurtic	Lifeguard (sub)	\$ 8.45	7/9/2020
<b>NAME</b>	<b>POSITION</b>	<b>HOURLY RATE</b>	<b>HIRE DATE</b>
Aaron Heinlein	Youth Tennis Asst. Supv.	\$ 8.50	7/6/2020
Sophie Beilharz	Lifeguard/WSI	\$ 9.50	7/1/2020
Robert Bolmanski	Lifeguard (sub)	\$ 8.45	7/6/2020

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Morgan seconded by Mr. Ouellet and carried by unanimous roll call vote to retroactively approve a PSATS "Police Use of Force and Government Oversight" Virtual Training Class on July 8, 2020 for a total cost of \$30.00.

Mr. Bock reported that the Board met in Executive Session with Solicitor Mark Shaw on June 26, 2020 and July 9, 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 10:33 a.m.

Sheryl A. Williams  
Township Secretary

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Approved: July 28, 2020

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

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

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