

Regular Meeting

July 28, 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 James Bock, John Morgan, Daniel Ouellet, Mark Zaksheske, Mark Shaw, Esq., Gary Snyder, Matthew Puz, Jr. and Sheryl Williams. Matthew Waldinger was absent.

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. Ouellet, seconded by Mr. Morgan, it was carried by unanimous roll call vote to approve the minutes from the July 14, 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 \$424,609.40, a Sinking Fund Account bill in the amount of \$6,921.47, and Sewer Revenue Fund bills totaling \$316,652.19.

Treasurer Mark Zaksheske presented the 2020 Second Quarter Financial Report, stating that Property Tax revenue is \$160,000 below budget, which could be because of the pandemic. He noted that the building was temporarily closed to the public and many people were not working. He also speculated that the extension for paying property taxes most likely will cause further delay of revenue, but that eventually the taxes should be paid, perhaps with penalty by those who are late with their payments. Mr. Zaksheske reported that income tax revenue is \$250,000 behind, and Year-to-Date Revenue is slowing. However, he noted Year-to-ate Expenses are favorable relative to the budget, especially for Healthcare costs. Mr. Zaksheske also pointed out that the Park and Recreation Summer Program is not in full force, and the Sewer Revenue Fund is running a little behind because many restaurants are not in operation. He closed his presentation by reporting that the Capital Budget for 2020 is \$8,568,508, of which \$639,611 currently is committed and \$7,928,897 is uncommitted. There were no questions.

On recommendation of Public Works Director Gary Snyder, it was moved by Mr. Ouellet, seconded by Mr. Morgan and carried by unanimous roll call vote to approve Paving Change Order #2 in the amount of \$13,159.00 to add Plaza Drive to the West Paving Contract with Lindy Paving, Inc. Mr. Zaksheske noted that the source of funding for Change Order #2 will be from Engineering reserve for the Multi-use Trail.

Mr. Morgan reported that bids were solicited and received for the St. Mary's Drive Culvert Rehabilitation Project, and opened on July 23, 2020, as follows: Shingledecker's Welding, Inc. - \$78,000.00, McLallen Construction - \$53,030.00*, and Ray Showman, Jr. Excavating - \$92,308.14. *McLallen Construction requested that this bid be withdrawn due to a typographical error. On recommendation of Township Engineer Anne Sokol, it was moved by Mr. Morgan, seconded by Mr.

Ouellet, and carried by unanimous roll call vote to award the contract to Shingledecker's Welding, Inc. for \$78,000.00.

Mr. Morgan reported that bids were solicited and received for the Zimmerly Road Culvert No. 1 Rehabilitation Project, and opened on July 23, 2020, as follows: Shingledecker's Welding, Inc. - \$57,000.00, McLallen Construction - \$41,470.74, and Ray Showman, Jr. Excavating - \$42,520.35. On recommendation of Township Engineer Anne Sokol, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to award the contract to McLallen Construction for \$41,470.74.

A Public Hearing was held on the following Subdivision and Land Development Plans:

JOSEPH PAUL & IZENE K. CASH. Small Subdivision Plan. A small subdivision plan to show the creation of a 118'x120' parcel from tax parcel (33) 191-619-137 with a residual lot of 120'x182' at the northwest intersection of South Hill Road and Cherry Street Extension, in Tract 344. Index 825-026.

Zoning and Development Officer Matthew Puz, Jr. reported that at their regular meeting on August 7, 2020, the Planning Commission recommended approval with the following requirement: Provide the dimensions of the existing building on the drawing. Mr. Puz noted that the surveyor has completed the requirement. Joseph Paul Cash, Jr., 8685 Dundee Road, speaking on behalf of the subdivision, stated he was hoping for a favorable outcome. No one else spoke in favor of or in opposition to the plan. On recommendation of Mr. Puz, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to approve the Joseph Paul & Izene K. Cash Small Subdivision Plan with the requirement stated above.

REBECCA M. & WILLIAM M. HILBERT JR. Small Subdivision Plan. A small subdivision plan to show the replot of two parcels. Parcel "A", a 0.157 acre parcel of land is to become integral with tax parcel (33) 190-619-164, creating a 1.713 acre parcel of land. Parcel "B", a 0.351 acre parcel of land is to become integral with tax parcel (33) 164-619-414, creating a 1.751 acre parcel of land, located on the north line of Kuntz Road east of Washington Avenue, in Tract 345. Index 869-004, 869-005.

Zoning and Development Officer Matthew Puz, Jr. reported that at their regular meeting on August 7, 2020, the Planning Commission recommended approval with the following requirement and modification: Provide the dimensions of the existing buildings on the drawing, and modify the depth to width ratio for Lot 164 and Lot 414. Bill Hilbert, Jr., 1341 Cedar Ridge Drive, speaking on half of this subdivision, stated that he wants to move the property line that divides his properties at 1340 and 1330 Kuntz Road ten to fifteen feet to give the potential owner of Parcel A more land, and parcel B will be combined with his property on Cedar Ridge Drive. Mr. Puz added that this will create a more regularly shaped lot. No one else spoke in favor of or in opposition to the plan. On recommendation of Mr. Puz, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to approve the Rebecca M. & William Hilbert Jr. Small Subdivision Plan with the requirement and modification stated above.

HAROLD K. & GLORIA J. MORGAN. Small Subdivision Plan. A small subdivision plan to show the replot of two parcels. Lot 2C, a 0.083 acre parcel of land is to become integral with tax parcel (33) 118-466-40, creating a 0.215 acre parcel of land. The residue after replot will be a 0.322 acre parcel of land being tax parcel (33) 118-466-41, located on the west line of Niemeyer Road north of Dumar Road, in Tract 343. Index 829-005.

Zoning and Development Officer Matthew Puz, Jr. reported that at their regular meeting on August 7, 2020, the Planning Commission recommended approval with the following modification: Depth to width ratio for Lot 40 and Lot 41. Mr. Morgan stated that he has submitted a disclosure for potential conflict of interest to the Township Secretary and will be abstaining from voting on this matter, as Mr. and Mrs. Morgan are his parents.

Harold Morgan, 5354 Niemeyer Road, speaking on half of this subdivision, stated that his neighbor would like to purchase some of his property to expand his yard. No one else spoke in favor of or in opposition to the plan. On recommendation of Mr. Puz, it was moved by Mr. Ouellet, seconded by Mr. Bock, and carried 2-1, with Mr. Morgan abstaining, to approve the Harold K. & Gloria J. Morgan Small Subdivision Plan with the modification stated above.

PREMIER SURGERY CENTER. Land Development Plan. A land development plan to show the construction of a 7,425 square foot surgery center with associated parking and stormwater management facilities on parcel (33) 141-418-34, located on the east line of Village Common Drive, north of the intersection of Zimmerly Road and Interchange Road, in Tract 348. Index 771-005.

Zoning and Development Officer Matthew Puz, Jr. reported that at their regular meeting on August 7, 2020, the Planning Commission recommended approval. Mike Sanford, 4721 Atlantic Avenue, spoke on behalf of the plan, stating that there will be driveway access from Village Common Drive, but no access from Zimmerly Road, and two (2) existing traffic signals can be utilized. He noted that a Sewer Planning Module has been approved by DEP in Meadville, and stormwater calculations were sent to GPI for review. Mr. Sanford added that the parking lot has the required landscaping, planting islands and end caps, there are sidewalks on Village Common Drive, but that they will be requesting a sidewalk deferral for Zimmerly Road. No one else spoke in favor of or in opposition to the plan. On recommendation of Mr. Puz, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to approve the Premier Surgery Center Land Development Plan.

DOLLAR TREE. Land Development Plan. A land development plan to show the construction of a 9,573 square foot retail business establishment with associated parking, loading spaces, and stormwater management facilities on parcel (33) 44-229-25, located on the north line of West Ridge Road, west of McKee road, in Tract 309. Index 406-040.

Zoning and Development Officer Matthew Puz, Jr. reported that at their regular meeting on August 7, 2020, the Planning Commission recommended approval with the following requirements: Provide the Millcreek Index Number on the drawing; Provide the location of the nearest fire hydrant on the drawing; Label the sidewalks on the drawing; Provide the parking lot trees on the drawing. Julio Williams, 100 DeBartolo Place, Boardman, Ohio, Engineer, spoke on behalf of this plan via telephone. He stated that all of the requirements have been addressed, and the 9,573 square foot building will be an improvement to the corridor. Mr. Williams reported that a Highway Occupational Permit has been submitted to PennDOT, 49 parking spaces and landscaped areas and lighting will be provided, and an appropriate stormwater management facility will be provided. No one else spoke in favor of or in opposition to the plan. On recommendation of Mr. Puz, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to approve the Dollar Tree Land Development Plan with the requirements stated above.

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-45; 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 29, 2020 – August 11, 2020.

On recommendation of Solicitor Mark Shaw, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to adopt Resolution 2020-R-46; A Resolution to Amend the Intermunicipal Millcreek/McKean Border Area Sewer Agreement authorized by Ordinance 2019-5.

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 the Second Amendment to the Millcreek/McKean Border Area Sewer Agreement for 7210 Bargain Road.

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 an Amendment to BIU Agreements Regarding Fire Code Matters in the interim until the Township can do so internally, and at the current rates with no additional costs.

Solicitor Mark Shaw explained that the Fire Commission would like to obtain recommendations for Deployment Analysis and Standard of Coverage from a company owned by Nicholas W. Soyhyda, Consultant and Fire Chief in Mt. Lebanon, PA. 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 Agreement with Fast Attack Fire Service Training & Consulting, with work to be completed by January 31, 2021, at the rate of \$75.00/hour, not to exceed \$5,000, and to authorize Chairman Bock to sign any letters and requests for Mr. Soyhyda to obtain the information necessary to complete his work.

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 Anthony Maggio as a Code Enforcement Officer at an annual salary of \$45,000.00, effective August 3, 2020.

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 request of Public Relations Director Judy Zelina and Township Secretary Sheryl Williams, it was moved by Mr. Morgan, seconded by Mr. Ouellet, and carried by unanimous roll call vote to approve PAN Notary Public Reappointment online education for Ms. Zelina and Ms. Williams at a total cost of \$688.70.

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

Permission for Lt. Sebulak to attend the FBI Great Lakes Leadership Seminar in Niagara Falls, NY from October 4-9, 2020, at a total cost of \$877.00 and with use of a department vehicle.

Permission for two officers to attend National Tactical Officer Association SWAT Team Leader training in Abington, PA from October 12-16, 2020 at an estimated total cost of \$3,320.00 and with use of a department vehicle.

Permission for two officers to attend Pepperball Instructor/Armorer training in Painesville, OH on October 8 and 9, 2020, at an estimated total cost of \$747.00 and with use of a department vehicle.

Permission for Det. Mays to attend the International Association of Bomb Technicians

and Investigators Regional In-Service Training in Long Branch, NJ from October 19-23, 2020, at an estimated total cost of \$1,652.20, and with use of a department vehicle. Reimbursement of \$1156.20 is expected from the NW PA Emergency Response Group Task Force.

Permission for West Ridge Fire Department Fire Police to conduct traffic control at Westminster Church on July 28, 2020 from 8:00 – 11:00 a.m.

It was moved by Mr. Bock, seconded by Mr. Ouellet and carried by unanimous roll call vote to authorize up to nine (9) current and former Supervisors to attend the annual ECATO picnic on August 27, 2020, at a cost of \$15.00 per person.

Mr. Bock reported that the Board met in Executive Session with Solicitor Mark Shaw on July 16, 2020 and July 23, 2020 to discuss legal matters.

Mr. Ouellet announced that the annual Tire Recycling and Paper Shredding Event on August 15, 2020 has been cancelled due to COVID-19 restrictions.

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 8:07 p.m.

Sheryl A. Williams
Township Secretary

Approved: August 11, 2020

James S. Bock _____

John E. Morgan _____

Daniel P. Ouellet _____