

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, Daniel Ouellet, Kim Clear, Mark Zaksheske, Matthew Waldinger, Robert Rodemoyer, P.E., Police Chief Carter Mook, Fire Chief Michael Cliff, Lydia Caparosa, Esq., Samuel Peterson and Sheryl Williams. Robert Donikowski, Jessica Stutzman, Ashley Marsteller, and Mark Shaw, Esq. were absent.

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

On motion by Mr. Ouellet, seconded by Ms. Clear, it was carried by unanimous roll call vote to approve the minutes from the July 25, 2023 Regular Meeting.

On motion by Mr. Ouellet, seconded by Ms. Clear, it was carried by unanimous roll call vote to approve payment of General Fund bills in the amount of \$1,155,139.87, and a payment from the Performance & Surety Bond Account for \$1,000.00.

Treasurer Mark Zaksheske presented the Second Quarter Financial report, stating that finances are favorable overall. He reported that real estate tax revenue is doing well due to strong housing sales, and other tax payments are also in line. He explained that due to the \$2.9 million ARPA grant in 2022, the budget is slightly ahead of last year at this time, and most department expenses are on track or below budget with the exception of a few health insurance claims that have been higher due to the severe illness of two employees. Mr. Zaksheske stated that Public Works is currently \$200,000 under budget, and Public Safety has had fewer healthcare costs, possibly due to a younger police force. He noted that the new Fire Tax Fund has received \$66,619 and should continue to grow, and that \$25,000 has been spent on capital purchases. Mr. Zaksheske reported that the Sewer Revenue Fund is \$40,000 ahead in revenue with expenses below last year at this time. He closed his presentation by announcing that \$11,629,531 of the Capital Budget's \$19,206,265 remains uncommitted. There were no questions from the Board or the public.

On recommendation of Atty. Lydia Caparosa from the Solicitor's office, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to enact Ordinance 2023-6; An Ordinance of the Township of Millcreek, Erie County, Pennsylvania amending Chapter 40, Conduct, Article VII Noise Control, of the Millcreek Township Code.

Atty. Caparosa reported that work continues on the SALDO ordinance, and a meeting is being coordinated with the Zoning and Development Department and the Township Engineer to review. She said that public review opportunities will be announced soon.

Planning and Development Director Matthew Waldinger reported that PennDOT will be waterproofing the Zimmerly Road, Garries Road and Evans Road bridges at a cost of only \$14,745.00 to the Township, with the remaining 95% of the \$280,000 cost to be funded by federal and state monies. On recommendation of Mr. Waldinger, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to adopt Resolution 2023-R-31; A Resolution of the Township of Millcreek, Erie County, Pennsylvania, to authorize an Agreement with PennDOT for a Partial Grant Reimbursement for the Waterproofing of Local Bridges.

Atty. Caparosa reported that it was discovered that a Shared Services Agreement between the Township and the Millcreek Township General Authority for the use of Township staff was never formally approved by the Township in November of 2022. On recommendation of Atty. Caparosa,

it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve a Shared Services Agreement with the Authority, retroactive to November 2022.

Atty. Caparosa explained that in an effort to streamline billing and trash/recycling collection, in March 2023, the Township amended its contract with Waste Management and contracted with Erie Water Works to provide billing services for trash and recycling collection. The Township modified the original agreements with both entities, but amendments are needed to reflect the cost of special services and the billing for those services, as follows: Billing quarterly fee for extra toters - \$18.00, Billing quarterly fee for backdoor services – Regular backdoor: \$151.32, Disabled backdoor: \$91.32. On separate motions by Ms. Clear, seconded by Mr. Ouellet, it was carried by unanimous roll call vote to approve the following: Second Amendment to Agreement with Waste Management for Trash and Recycling Collection and Second Amendment to Billing and Collection Services Agreement with Erie Water Works.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to approve the release of Northwest Bank Check #408258 in the amount of \$1,650.00 for Farrington Residence – Christine Farrington, Developer, as all requirements have been met.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to approve a Sewer Extension Agreement for West Ridge Estates Phase #2, as the fees have been paid by the developer.

Atty. Caparosa reported that her office received a request from the attorney associated with the property sale of 1722 Biebel Avenue. He relayed that the title insurance company is requiring that corrective lien/mortgage satisfactions for two mortgages related to this property be filed, as there were errors in the previous satisfactions which were filed. On recommendation of Atty. Caparosa, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to authorize the signing and filing of the corrected lien/mortgage satisfactions for 1722 Biebel Avenue.

There were no further Treasurer Communications.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call voted to approve the hiring of James Kifer as a Code Enforcement Officer at an annual salary of \$46,918.92, effective August 28, 2023.

On recommendation of Police Chief Carter Mook, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to authorize two officers to attend a free Taser instructor course at the Northwest Training Center in Meadville on August 28, 2023, with use of a department vehicle.

On motion by Mr. Ouellet, seconded by Ms. Clear, it was carried by unanimous roll call vote to approve a reservation for Former Supervisor Brian McGrath to attend the ECATO Annual Picnic on August 24, 2023 at a cost of \$18.00.

Mr. Bock reported that the Board met in Executive Session with Solicitor Mark Shaw on July 26, 2023 to discuss real estate matters relating to right of way easements, and parks and recreation facilities, and litigation matters relating to Right-to-Know appeals, Orphans' Court Petition and code enforcement matters. He reported that the Board met with Atty. Lydia Caparosa on August 3, 2023 to discuss real estate matters relating to right of way easements and parks and recreation

facilities, and to discuss litigation matters relating to Right-to-Know appeals and Orphan's Court Petition.

There were no further Solicitor Communications nor any Citizens to Be Heard.

There being no further business to come before the Board, it was moved by Mr. Ouellet and seconded by Ms. Clear to adjourn the meeting at 10:00 a.m.

Sheryl A. Williams
Township Secretary

APPROVED: August 22, 2023

James S. Bock

Daniel P. Ouellet

Kim Clear