

## Regular Meeting

August 22, 2023

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 5:00 p.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, Fire Chief Michael Cliff, Police Capt. Scott Sebulak, Mark Shaw, Esq., and Sheryl Williams. Robert Rodemoyer, P.E., Police Chief Carter Mook, Robert Donikowski, Jessica Stutzman and Ashley Marsteller were not in attendance.

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 August 8, 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 \$864,042.92, Sewer Revenue Fund bills totaling \$249,471.26, and a payment from the Performance & Surety Bond Account for \$1,650.00.

Solicitor Mark Shaw reported that his office is coordinating a meeting with the Township Engineer for a final review of the SALDO ordinance, and the public review process will be announced soon.

Atty. Shaw reported that the Township received a request for an Intermunicipal Liquor License Transfer from the City of Erie into Millcreek Township, specifically for RML Holdings, Inc. – 3304 Zuck Road, also known as Rolling Meadows Lanes. He noted that a public hearing is required and that it had been properly advertised.

Mr. Bock opened the Public Hearing, and Atty. Aaron Susmarski, 4030 West Lake Road, representing RML Holdings, Inc. stated that Rolling Meadows Lanes has been a community asset since 1952, and would like to open a restaurant to add additional tax revenue and to stay competitive with other local bowling alleys. Mr. Bock asked if the restaurant has always served food in the past, to which Atty. Susmarski replied yes., and stated that in 1962, Rolling Meadows began allowing bowlers to “bring their own bottles” (BYOB). He noted that the new liquor license will probably be escrowed until all of the zoning, permits and capital can be arranged to hire additional staff. There were no questions or comments from the public.

On recommendation of Mr. Shaw, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to adopt Resolution 2023-R-32; A Resolution of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania, Approving the Intermunicipal Liquor License Transfer of Pennsylvania Liquor License No. R-8384 into the Township of Millcreek from the City of Erie.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to adopt Resolution 2023-R-33; A Resolution of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania, to Apply for County Liquid Fuel Funds Allocation to Purchase Road Salt. Mr. Zaksheske reported that in 2022, the Township spent \$198,831.44 on road salt, and may be reimbursed \$64,099.00.

On recommendation of Fire Chief Michael Cliff, the following requests were approved by unanimous roll call vote on motion by Mr. Ouellet and seconded by Ms. Clear:

- Tablet, Cell Phone and FirstNet Service for the Fire Command Vehicle -\$1,473.98, plus \$76.98 for monthly service

- Mounting Hardware & Installation for Tablet & Accessories in Fire Command Vehicle by Mobilcom - \$2,683.00
- Mobile Command Center from Sensible Products for Fire Command Vehicle - \$2,800.00
- 30 Badges and Hat Pins from Badge & Wallet - \$3,120.00
- Firefighter PPE (Personal Protective Equipment) from Heritage Fire Equipment – \$5,982.80
- 10 Sets Witmer Public Safety Morning Pride Firefighting Structural Gear – \$46,745.60 (lowest bid). Other bidders: Innotex KAZA Fire Equipment - \$58,230.00, Fire Dex Dival Safety - \$51,761.00.
- Fire Department Office Furniture – AJ Grack - \$7,126.85

On recommendation of Fire Chief Michael Cliff, the following requests were approved by unanimous roll call vote on motion by Mr. Ouellet and seconded by Ms. Clear, subject to approval of Professional Services agreements by both parties:

- NCTC Pre-employment Polygraph Testing by Scott Sipco for 9 FT Firefighters– \$400.00 ea.
- Staffing for Adequate Fire and Emergency Response Grant (SAFER) – Grant Writing Services by Will Anderson - \$2,000 + 1% incentive if grant is awarded to Township. This grant would pay 100% of wages and benefits for Firefighters for 3 full years.

Planning and Development Director Matthew Waldinger reported that bids were solicited and received as follows for the Chelsea Avenue Sidewalk Project but are still under review: Lindy Paving - \$204,700.00, Amendola - \$205,287.50, Empire - \$178,250.00, Howze – No Bid, Presque Isle - \$212,315.00, M&B Services - \$284,830.70, Vavala - \$278,724.00. Mr. Waldinger stated that the contract will be awarded at the September 12, 2023 meeting.

Public Works Director Robert Donikowski reported that bids were solicited and received as for the Township Building Asphalt Resurfacing Project, as follows: Lindy Paving - \$107,399.00, McCormick Construction - \$116,466.40. On recommendation by Mr. Donikowski, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to award the Township Building Asphalt Resurfacing Project contract to Lindy Paving for \$107,399.00.

On recommendation of Mr. Donikowski, the following requests were approved by unanimous roll call vote on motion by Ms. Clear, seconded by Mr. Ouellet:

- Purchase of a new Mack GR42F Dump Truck from M&K Truck Center for \$115,842.12 under COSTARS contract #025-E22-533, Purchase of a Plow Package from U.S. Municipal for \$92,460.00 under COSTARS contract #025-019 for the Public Works/Streets Department.
- Purchase of a new Ford F-550 Bucket Truck from Altec Industries for \$159,926.00 under COSTARS contract #012-418-ALT for the Public Works/Traffic Department to replace an older model being taken out of service.
- Approval to hire National Gunitite to concrete line approximately 190' of 48" pipe under Pond View Drive for Public Works/Streets Department at a cost of \$140,950.00 under COSTARS contract #041-E23-026 West Lake Pump Station Control Cabinet.

- Approval for Public Works Director Robert Donikowski/Sewer Department to purchase a new control cabinet for the West Lake Pump Station from The Hite Company for \$9,700.00.

On recommendation of Fire Chief Michael Cliff, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to authorize Millcreek Fire Police to provide traffic control from 9:30 a.m. to 1:00 p.m. for Rep. Ryan Bizzarro's "Hard to Read Plate" event on September 29, 2023 at the former K-MART Plaza.

On recommendation of Solicitor Mark Shaw, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to adopt Resolution 2023-R-34; A Resolution of the Township of Millcreek, Erie County Pennsylvania establishing an intermunicipal agreement with the City of Erie for the purposes of outlining the responsibilities, obligations, and interactions between the Township's police department and the City's Police Department at the 2023 through 2026 Celebrate Erie events Occurring in the City of Erie., retroactive to August 16, 2023, and to authorize Chief Carter Mook to execute the agreement.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve a Sidewalk Deferral Agreement for 5319 Love Road – Robert C. and Sharen L. Kufner, Developer, as there are no sidewalks adjacent to the property.

On recommendation of Mr. Waldinger, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve a Sidewalk Deferral Agreement for 3340 Zimmerly Road – Hanh Ngyen, Viet and Tuan Pham, Developer, as there are no sidewalks adjacent to the property, but conditional upon the completion of the Stormwater Management Plan.

On recommendation of Mr. Waldinger, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve a Stormwater Management Maintenance Agreement for 3340 Zimmerly Road – Hanh Ngyen, Viet and Tuan Pham, Developer, conditional upon updating the Stormwater Management Plan. Mr. Waldinger explained that only a portion of the sidewalk frontage was taken into account when creating the stormwater management plan, which is required by ordinance and will need to be updated. On recommendation of Mr. Waldinger, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to table action on Acceptance of the Stormwater Management Plan until it has been updated.

On recommendation of Treasurer Mark Zaksheske, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to close the Dental and Vision account at PNC Bank and move it to ERIEBANK.

On recommendation by Human Resources Coordinator Shawn McClelland, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to hire Shannon Cunningham as a Crossing Guard, effective August 28, 2023 at \$25.00 per hour, working from 8:50 – 9:20 a.m. daily.

On recommendation of Capt. Scott Sebulak, the following training requests were approved by unanimous vote on motion by Ms. Clear, seconded by Mr. Ouellet:

- Permission to send Sgt. Mays to the International Association of Bomb Technicians and Investigators (IABTI) in-service training in Huntsville, AL from October 17-19, 2023, with per diem costs of \$382.50, and all other costs being reimbursed by the NWPA Emergency Response Group.

- Permission for Property and Evidence Custodian Randy Houle to attend the International Association for Property and Evidence's "Best Practices for Evidence and Property Room Management" training in Massillon, OH from September 11-12, 2023 at an approximate cost of \$587.00.
- Permission for eight (8) officers to attend a free Advanced Roadside Impairment Detection and Enforcement (ARIDE) training at the Lawrence Park Police Department on August 24-25, 2023, with travel by either department or personal vehicle.

On recommendation of CRS Director Jessica Stutzman, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to authorize Ms. Stutzman to purchase the PAN Online Notary Reappointment Education course to renew her notary license at a cost of \$366.85.

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 authorize Matthew Puz, Jr. (CFM), Julie Maggio and Matthew Puda, Jr. to attend a free workshop on Floodplain Management Programs on September 13, 2023 at the Erie County Department of Public Safety, with travel by department vehicle.

On recommendation of Mr. Waldinger, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to authorize Mr. Waldinger and Parks and Recreation Director Ashley Marsteller to attend the 2023 Pennsylvania Greenways & Trails Summit in Scranton on September 17-19, 2023 at a total cost of \$598.51 per person, with travel by Township vehicle.

Mr. Bock reported that the Board met in Executive Session with Solicitor Mark Shaw on August 17, 2023 to discuss real estate matters relating to right of way easements, and parks and recreation, and litigation matters relating to Right-to-Know appeals, Orphans' Court Petition, code enforcement matters, and rezoning petitions.

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 Ms. Clear and seconded by Mr. Ouellet to adjourn the meeting at 5:37 p.m.

Sheryl A. Williams  
Township Secretary

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APPROVED: September 12, 2023

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James S. Bock

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Daniel P. Ouellet

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Kim Clear