

Regular Meeting

September 12, 2023

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., Robert Donikowski, Ashley Marsteller, Fire Chief Michael Cliff, Police Chief Carter Mook, Mark Shaw, Esq., and Sheryl Williams.

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 22, 2023 Regular Meeting.

On motion by Ms. Clear, seconded by Mr. Ouellet, it was carried by unanimous roll call vote to approve payment of General Fund bills in the amount of \$2,498,547.27, and Sewer Revenue Fund bills totaling \$340,746.56.

Solicitor Mark Shaw reported that work continues on the proposed SALDO ordinance, and it is hoped to be approved by the end of the year.

Township Engineer Robert Rodemoyer reviewed the bid results for the Chelsea Avenue Sidewalk Project, naming the three (3) lowest bidders as Empire Construction - \$178,250, Lindy Paving - \$204,700, and Amendola Construction - \$205,287.50. He explained that after reviewing the bid from Empire, there was one inconsistency checked on the bid and one omission, which disqualifies the bid. Additionally, past work that was done for the Township by Empire and some of their newer references have been unfavorable. On recommendation of Mr. Rodemoyer, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to award the Chelsea Avenue Sidewalk Project to the lowest *responsible* bidder, Lindy Paving for \$204,700.00.

On recommendation of Public Works Director Robert Donikowski, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to authorize the replacement of two (2) doors in the police department and one (1) door into the boiler room by Corporate Glass at a cost of \$11,555.00.

On recommendation of Mr. Donikowski, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to authorize the replacement of the first-floor drain lines by Scobell Company at a cost of \$6,320.00.

On recommendation of Mr. Donikowski, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to purchase a new Tomahawk Model 1000 plasma cutter from Welders Supply at a cost of \$3,434.00.

On recommendation of Mr. Donikowski, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to purchase a C150D6D Diesel GenSet Generator for the Shorehaven Pump Station from Schaedler Yesco at a cost of \$64,800.00, under COSTARS Contract #008-E22-994.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to purchase two (2) pool covers for Chestnut Hill Pool from E Z Clean Pool Supply for a total cost of \$9,858.00.

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 an

addendum to extend the agreement with the County of Erie for the Cider Millcreek Township Road Bridge Project for one year, with a new expiration date of December 31, 2024. Mr. Waldinger explained that the need for the extension was because Erie Water Works has been unwilling to schedule the relocation of a 1” water main that is necessary for this project to move forward.

No action was taken on the Acceptance of a Stormwater Management Plan for 3340 Zimmerly Road – Hanh Ngyuen, Viet and Tuan Pham, Developer, originally tabled at the August 22, 2023 meeting, so it will remain on the agenda for the September 26, 2023 meeting.

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 approve a Memorandum of Understanding (MOU) with the City of Erie and Erie County to accept a Justice Assistance Grant (JAG) from the US Department of Justice, Bureau of Assistance in the amount of \$85,015.00, with the City of Erie to receive \$66,692.67, and the Township to receive \$18,322.33.

Solicitor Mark Shaw reported that the Township established a small business loan fund program in 2021, managed by the Erie County Redevelopment Authority (ERCDA) to help businesses rebuild during the COVID pandemic. Treasurer Mark Zaksheske stated that all \$55,000 in loans are current, and Ms. Clear added that because of this program Millcreek was able to help the economy. On recommendation of Atty. Shaw, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to adopt Resolution 2023-R-35; A Resolution to Amend Resolution 2021-R-7 that Increases the Amount Appropriated to the Millcreek Township Small Business Relief Loan Program to Two Million Three Hundred Thousand Dollars (\$2,300,000) and that Amends and Restates the Agreement with the Erie County Redevelopment Authority to Operate and Manage this Loan Program on behalf of Millcreek Township.

It was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to adopt Resolution 2023-R-36; A Resolution to Approve the Financial Statements and Independent Auditor’s Report of the Erie Area Council of Governments for the Calendar Year Ending December 31, 2022.

Planning and Development Director Matthew Waldinger reported that there have been a large amount of accidents and near misses at the intersection of Young Road, Old Glenwood Park Avenue and Rt. 97. Therefore, a project to convert a portion of westbound Old Glenwood Park Avenue into a one-way road and create a turnaround for Township vehicles has been recommended. He noted that a portion of land needs to be purchased in order to create the turnaround. On recommendation of Mr. Waldinger, it was moved by Mr. Ouellet, seconded by Ms. Clear, and carried by unanimous roll call vote to approve the acquisition of a portion of a parcel at 134 Young Road for \$10,500 to be used as a Right-of-Way Turnaround.

Treasurer Mark Zaksheske reported that the 2022 Financial Audit is near completion and will be presented in October.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Ms. Clear, seconded by Mr. Ouellet and carried by unanimous roll call vote to approve the following fall season employees:

NAME	POSITION	HOURLY RATE	START DATE
ADULT RECREATION			
Dave Wayman	Tai Chi Supervisor	\$15.00	9/11/2023
Kathy Wayman	Tai Chi Supervisor	\$15.00	9/11/2023
Charlotte Haggerty	Adult Dance Supv.	\$15.00	9/09/2023

NAME	POSITION	HOURLY RATE	START DATE
Billy Kuntz	Walking Yoga Supv.	\$15.00	9/06/2023
Nylene Baney	Total Body Sculpt Supv.	\$15.00	9/11/2023
Shannon Eggleston	Piloslide Supervisor	\$15.00	9/11/2023
Kathy Smith	Yoga Supervisor	\$15.00	9/05/2023
Jeanne Espey	Yoga Supervisor	\$15.00	9/06/2023
ADULT LEISURE			
Darlene Bennett	Art Supervisor	\$15.00	8/28/2023
Lauren Ertsgaard	Knitting/Crochet Supv.	\$15.00	8/30/2023
YOUTH PROGRAM			
Christa Haggerty	Youth Dance Supv.	\$15.00	9/09/2023
BARN SUPERVISOR			
Susan Shickler		\$11.50	9/09/2023
Evelyn Bossar		\$11.50	9/09/2023
Charles Elliot		\$11.50	9/09/2023
Lauren Ertsgaard		\$11.50	9/09/2023
VOLUNTEER			
Lisa Schwab	Craft Club Supervisor		8/24/2023

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 approve the following training/travel requests:

Permission for two (2) department employees to attend a Tyler Technology training in State College, PA on September 12, 2023 at no cost to the Township, with travel by department vehicle.

Permission for one (1) officer to attend the FBI's Great Lakes Leadership Seminar in Niagra Falls from October 1-6, 2023, at a total cost of \$1,279.50.

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 Mr. Waldinger to attend the 2023 American Planners Conference in Scranton, PA from October 15-17, 2023 at a total cost of \$847.65, with travel by Township vehicle.

On recommendation by Mr. Waldinger, it was moved by Mr. Ouellet, seconded by Ms. Clear and carried by unanimous roll call vote to authorize two (2) Code Enforcement Department employees to attend Fire Inspector I and II virtual training through the Bucks County Community College at a cost of \$600.00.

On request of Supervisor Kim Clear, it was moved by Mr. Ouellet, seconded by Mr. Bock and carried by unanimous roll call vote to authorize Ms. Clear to attend the America250PA Northwest PA Launch Event at the Tom Ridge Environmental Center on September 14, 2023 at a cost of \$50.00. Ms. Clear explained that this event is part of the planning process for the celebration of America's 250th anniversary.

Mr. Bock reported that the Board met in Executive Session with Solicitor Mark Shaw on August 31, 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, rezoning matters, Orphans' Court Petition and code enforcement matters. He reported that the Board met in Executive Session with Atty. Shaw on September 6, 2023 to discuss real estate matters relating

to right of way easements and parks and recreation facilities, and litigation relating to Right-to-Know appeals, ordinance enforcement matters, federal court lawsuit, and Orphan's Court Petition.

There were no Solicitor Communications.

Millcreek resident Diane Esser, Director of the Children's Environmental Program gave a presentation on climate change that she created for CAMERIE. She is producing a show on Canadian forest fires and how they are affecting climate change, and how planting more trees along streets would help to reduce the temperature of cement, especially along 12th Street. She stressed that climate change is not healthy for children.

Planning Commissioner David Skellie commended the Township on its efforts to improve greenspace within the Township by the adoption of a new Comprehensive Plan, Official Map and Zoning Ordinance, and the future completion of a new SALDO. He cited areas of the Township that have benefited from retaining green space, such as the Waldameer parking lots and some of the new dollar stores. He encouraged the Township to implement the Official Map in a proactive manner by monitoring properties for conservation that may come up for sale and trying to purchase them, and suggested that the Township encourage property owners to plant more trees in their buffer zones as well.

Scott Sjolander, Penn State Extension, commended the Township for its tree scaping efforts, urged the Township to use the newest landscaping regulations and techniques, and offered his services with tree scaping as well.

Ken Fromknecht, a certified arborist and long-time member of the Solid Waste and Recycling Advisory Committee, emphasized that climate change is happening. He stated that he owns Tree Lover's Farm and grows over 140 species of trees, including 8 species which should not be able to thrive this far north but are thriving, and offered anyone a free tree who asks for one.

Millcreek resident Dennis McAndrew expressed appreciation for the digital newsletter that is being sent to residents. He stated his concern with how e-bikes are being regulated, stating that many riders are not obeying the speed limit and that he was almost hit by one recently.

Ms. Clear encouraged residents to sign up on the website if they would like to receive the digital newsletter.

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 10:24 a.m.

Sheryl A. Williams
Township Secretary

APPROVED: September 26, 2023

James S. Bock

Daniel P. Ouellet

Kim Clear