

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:30 a.m. by Chairman Groh in the Assembly Room of the Millcreek Township Municipal Building. Present were Mark Zaksheske, Brian McGrath, John Groh, John Morgan, Evan Adair, Esq., Sheryl Williams, Richard Morris, P.E. and Julie Maggio, Assistant Code Enforcement Officer.

Following the Pledge to the Flag, Chairman Groh called for public comment on agenda items other than development or rezoning applications. None were received.

It was moved by Mr. Morgan, seconded by Mr. McGrath and carried by unanimous vote to approve the minutes of the Board's February 23, 2016 regular meeting.

It was moved by Mr. McGrath, seconded by Mr. Morgan and carried by unanimous vote to approve payment of the weekly General Fund bills in the amount of \$999,609.64, and Sewer Revenue Fund bills in the amount of \$52,507.45.

A Public Hearing was held on a Petition Requesting a Change in Zoning Classification:

JUDY FENTON, for property located at 6038 Peach Street, now zoned R-1 Single Family Residential District, asking for a change in classification to C-2 General Commercial District. Index 740-050, County Index 33-188-587-3.

Assistant Code Enforcement Officer Julie Maggio reported that at the February 2, 2016 meeting, the Millcreek Township Planning Commission recommended approval, and Erie County Department of Planning stated it is generally consistent with the Erie County Comprehensive Plan, and the Millcreek Township Future Land Use Plan identifies the parcel as Commercial. Judy Fenton, 6038 Peach Street, stated that she is the property owner and also owns the neighboring property at 6044 Peach Street, which is Millcreek Sewing and Fabric. She reported that she obtained a demolition permit for the existing building on 6038 Peach Street and it has been demolished. She plans to consolidate the two properties into one. Ms. Fenton has obtained Stormwater Management Small Project approval for using part of 6038 Peach Street to create 8 additional parking spaces for her business, and has hired Jim Wilka as the surveyor. No one else spoke either in favor of or in opposition to this petition. It was moved by Mr. McGrath and seconded by Mr. Morgan to approve the rezoning of 6038 Peach Street to C-2 General Commercial District for Judy Fenton. Motion carried by unanimous roll call vote.

Quotations for a portable load bank for the Township Sewer Maintenance Department were solicited and received by Mark Wells, Assistant Superintendent, Sewer Department:

Emerson Network Power - \$11,418.00, Powerhouse Manufacturing, Inc., - \$11,540.00, and Simplex, Inc. - \$11,985.00. On recommendation of Mr. Wells, it was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract for a portable load bank to Emerson Network Power for \$11,418.00. Motion carried by unanimous roll call vote.

A quotation for Modifications for the Asphalt Plant Truck Scale was solicited and received by Bill Hitchcock, Operations Manager, Township Garage from Fairbanks for \$3,250.00. Rainwater has been getting underneath the scale and causing electrical shortages, and so the electrical wires must be relocated. Mr. Hitchcock recommended using Fairbanks, the original manufacturer, to assure that everything is done according to manufacturer specifications. It was therefore moved by

Mr. McGrath and seconded by Mr. Morgan to award the contract to Fairbanks, Inc. for \$3,250.00. Motion carried by unanimous roll call vote.

On recommendation of Solicitor Adair, it was moved by Mr. McGrath and seconded by Mr. Groh to enact Ordinance No. 2016-2; An Ordinance to amend the Millcreek Township Zoning Ordinance, No. 2011-8, as amended, by changing the classification of certain parcels of land situate in the Township of Millcreek, Erie County, Pennsylvania, described as follows, to-wit: Portion of property known as 5202 Peach Street, now zoned C-1 Local Commercial, C-2 General Commercial and R-1 Single Family Residential districts, to be rezoned to C-1 Local Commercial District; and Portion of the property known as 5202 Peach Street, now zoned R-1 Single Family Residential and C-1 Local Commercial districts, to be rezoned to R-1 Single Family Residential. Mr. Morgan reiterated his concerns from the February 9th meeting, stating that it is not a good policy to allow rezonings that do not conform to the Comprehensive Plan and that, procedurally, leaving a 10 foot wide residential zone is not an appropriate use of the zoning ordinance. Motion carried 2-1, with Mr. Morgan voting no.

Solicitor Adair explained that when a mobile home is not fit for habitation, the County Assessment office inspects the mobile home and recommends that the taxes be exonerated so that it can be removed. On recommendation of Solicitor Adair, it was moved by Mr. Morgan and seconded by Mr. McGrath to adopt Resolution 2016-R-9; A Resolution to authorize exoneration of taxes assessed against mobile homes deemed by the Erie County Bureau of Assessment to have been removed or damaged to an extent rendering them worthless. Specifically, this Resolution references five properties: 534 Perinella Drive, 1746 Garloch Drive, and 4065 West 26th Street - Lots 24, 36 and 23. Motion carried by a unanimous roll call vote.

Mr. Morgan reviewed the Board's decision from the previous meeting to discuss selling a parcel of land and the agreed asking price of \$270.00. Solicitor Adair explained that the Township has presented an agreement for the sale of a 2310 square foot parcel along the west line of the Township's property at 1330 Kuntz Road, to the buyer, property owner of 1340 Kuntz Road, for \$270.00. If the buyer signs the agreement, a subdivision plan must be approved by the Planning Commission. In order to expedite the process and subsequent sale, on recommendation by Mr. Adair, it was moved by Mr. Morgan and seconded by Mr. McGrath to authorize Mr. Groh to sign the Articles of Agreement For the Sale of Real Estate, contingent upon the purchaser's signature on the agreement. Motion carried by unanimous roll call vote.

On recommendation of Engineer Richard Morris, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve a Nonsubstantial Land Development Plan Amendment for F & S Tool, Inc., approved at the meeting of December 22, 2015. Mr. Morris reported that the proposed drawing now shows a 180' wide x 21' long extension of the building instead of a small breezeway. Mr. Morgan noted that the developer has also agreed to add more trees to the parking area. Motion carried by unanimous roll call vote.

It was requested by Ashley Marsteller, Director of Parks and Recreation, moved by Mr. McGrath and seconded by Mr. Morgan to approve the pay scale for the Parks and Recreation Department, noting that the only change is in the last category:

MIHS, BELLE VALLEY & CHESTNUT HILL POOLS

	<u>Season 1</u>	<u>Season 2</u>	<u>Season 3 and Over</u>
POOL SUPERVISOR	\$ 9.50	\$10.00	\$10.50
AST.SUPERVISOR	\$ 9.00	\$ 9.50	\$10.00
WSI	\$ 8.50	\$ 9.00	\$ 9.50
LIFEGUARD	\$ 7.65	\$ 7.95	\$ 8.45

**DAY CAMP, ARTS & CRAFTS, GYMNASTICS, TENNIS, YOUTH DANCE,
SELF DEFENSE**

	<u>Season 1</u>	<u>Season 2</u>	<u>Season 3 and Over</u>
SUPERVISOR	\$ 9.50	\$10.00	\$10.50
ASST. SUPERVISOR	\$ 8.50	\$ 9.00	\$ 9.50
INSTRUCTOR	\$ 7.65	\$ 7.95	\$ 8.45
OPEN GYM SUPERVISOR	\$ 7.65	\$ 7.95	\$ 8.45
POOL CONCESSION, GOLF CLUB HOUSE ATTENDANT	\$ 7.65	\$ 7.95	\$ 8.45
ADULT LIESURE SUPV.	\$ 9.50	\$10.00	\$10.50
PRESCHOOL SUPVI.	\$ 9.50	\$10.00	\$10.50
SUMMER MAINT.	\$ 7.65	\$ 7.95	\$ 8.45
BARN SUPERVISOR	\$ 8.50	\$ 9.00	\$ 9.50
PART TIME CLERICAL	\$ 8.45	\$ 9.50	\$10.05
SUMMER EXTENDED	\$10.00	\$11.50	\$13.00
HELP/ AQUATICS OPERATIONS SAFETY COORDINATOR			

Motion carried by unanimous roll call vote.

It was requested by Judy Zelina, Director of Public Relations, moved by Mr. McGrath and seconded by Mr. Morgan to approve the pay scale for the Millfair Compost and Recycling Center, noting that the part-time clerical position is now in line with other Township clerical pay rates:

	<u>Season 1</u>	<u>Season 2</u>	<u>Season 3 and Over</u>
Heavy Equipment Operator- Part Time/Seasonal	\$10.00	\$11.50	\$13.00
Part Time Clerical	\$ 8.45	\$ 9.50	\$10.05

Motion carried by unanimous roll call vote.

On recommendation of Ashley Marsteller, Director of Parks and Recreation, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve the following 2016 Spring Season Employees:

<u>NAME</u>	<u>POSITION</u>	<u>HOURLY RATE</u>	
Victoria Sanders	Lifeguard	\$ 7.65	New Hire
Leona Carlson	Aquatic Operations & Safety Coordinator	\$ 13.00	Rate Change
Gary Oblywanik	Extended Part Time Maint.	\$ 11.50	Rate Change
John Bucci	Extended Part Time Maint.	\$ 13.00	Rate Change
Susan Moore	Knitting Class	Volunteer	

Motion carried by unanimous roll call vote.

On recommendation of Judy Zelina, Director of Public Services, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve the following 2016 returning employees:

Heavy Equipment Operators: Part Time/Seasonal

Steve Cornelius, Jim Seifert and Ron Wisniewski \$13.00/hr

Clerical: Part Time/Seasonal

Elena Bliley \$ 9.50/hr.

Motion carried by unanimous roll call vote.

Mr. Morgan thanked Mr. McGrath, Diane Lyons, Ashley Marsteller and Judy Zelina for their efforts in updating these pay scales and job descriptions. Mr. McGrath noted that all part-time pay scales will be reviewed this year in preparation for the 2017 budget.

On separate motions by Mr. Groh and seconded by Mr. McGrath, the following requests were approved by unanimous roll call vote:

Permission to attend the Keystone Emergency Management Association Meeting in Harrisburg on March 15, 2016, with use of assigned Township vehicle and hotel cost of \$58.00.

Permission to attend an active shooter training by PA State Police on March 11, 2016, at no cost to the Township other than use of the assigned Township vehicle.

Permission to attend Mandatory EMC quarterly training at the Erie County Department of Public Safety on March 10, 2016 at no cost to the Township other than use of the assigned Township vehicle.

Mr. Morgan recommended that a policy be written so that Board approval is not required for staff to travel within the county when no cost is involved. Mr. McGrath agreed. Mr. Morgan offered to work with the Human Resource department to develop this policy.

On recommendation of Director of Police Mike Tesore, it was moved by Mr. Groh and seconded by Mr. McGrath to authorize permission for Caleb Lancaster of Walnut Creek Baptist Church to conduct the annual "Freedom Challenge" 5K and 15K Walk/Run Event on May 30, 2016, and to use volunteer fire department fire police where needed for traffic control on Millfair Road. The event will take place primarily in Fairview Township. Motion carried by unanimous roll call vote.

On recommendation of Director of Police Mike Tesore, it was moved by Mr. McGrath and seconded by Mr. Morgan to authorize Mr. Tesore to sign a Memorandum of Understanding, furnished by the Erie County District Attorney, for the Millcreek Township Police Department to obtain and administer Naloxone, an opioid overdose treatment drug, when necessary. This is administered into the nose. Mr. McGrath confirmed that Attorney Richard Perhacs has approved the MOU and the use of the drug, and Mr. Groh noted that many area police departments are now participating. Motion carried by unanimous roll call vote.

Mr. McGrath reported that for several years the Township has been contemplating one position to oversee the Sewer, Streets and Vehicle Maintenance Departments and rearranging the organizational structure of those departments to improve coordination and communication among them. The current department heads, Gary Snyder – Sewer, Gary Walters – Streets, and William Hitchcock – Vehicle Maintenance, were all planning to retire in 2016, and all have served the Township for over 40 years, meaning a tremendous loss of knowledge and experience. The Board feels that this is an opportune time to streamline those departments with the implementation of a Director of Public Works. It was moved by Mr. McGrath and seconded by Mr. Morgan to appoint Gary Snyder, as Acting Director of Public Works, effective March 14, 2016, at his current salary, and to move into his new role as Director of Public Works on August 1, 2016, with oversight of the Sewer, Streets and Vehicle Maintenance Bureaus, with an annual salary, including longevity, to be \$83,817.12. Mr. Snyder has worked with Millcreek Township for 45 years, and Mr. McGrath clarified that Mr. Snyder is delaying his retirement in taking this position. Mr. McGrath also noted that although this is a new position, the total number of management positions within the departments will remain the same. Motion carried by unanimous roll call vote.

Mr. McGrath noted that with Mr. Snyder's new appointment, this creates a vacancy for a manager of the Sewer Department. On recommendation of Diane Lyons, Human Resource Director, it was

moved by Mr. McGrath and seconded by Mr. Morgan to appoint Mark Wells, the current Assistant Superintendent of the Sewer Department, to a new title as Bureau Chief of the Sewer Department, effective March 14, 2016, with a salary of \$66,414.97. Mr. Morgan noted that the position of Assistant Superintendent will not be filled. No public comment was received. Motion carried by unanimous roll call vote.

Mr. McGrath the Township previously had received only one quotation for asphalt mix for asphalt mix designs, and has since received another quotation which is significantly less. The former price quoted by Russell Standard Corporation was \$5,000.00 per design, and Joseph McCormick Construction Company quoted \$1,500.00 per mix design. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract for asphalt mix designs to Joseph McCormick Construction Company for \$1,500.00 each. No public comment was offered. Motion carried by unanimous roll call vote.

Mr. Morgan reported that there is a vacancy for a Millcreek Township representative to the Erie County Planning Commission. Mr. Morgan moved and Mr. McGrath seconded the motion to appoint Matthew Waldinger, Land Development Coordinator, to fill the vacant term, expiring January 15, 2018. Mr. Morgan noted that Mr. Waldinger is a 20-year employee in the Zoning and Engineering Office and will bring a wealth of knowledge and professional experience to the commission. Motion carried by unanimous roll call vote.

It was requested by Engineer Morris, moved by Mr. Morgan and seconded by Mr. McGrath to employ Jeremy Herman for summer help in the Engineering Department starting May 19, 2016 at the hourly rate of \$7.65. Motion carried by unanimous roll call vote.

Sheryl Williams, Assistant Secretary and Open Records Officer, reported that she received three Right-to-Know requests in February and completed one extended request from January, for a total of 10 hours preparation time. One request was granted, two requests were denied and one was partially denied. Mr. Groh reiterated that the Township began reporting Open Record requests in January so the public is informed on the amount of requests, and the time and cost involved in preparing the responses.

There being no citizens to be heard or any further business to come before the Board, it was moved by Mr. McGrath and seconded by Mr. Groh to adjourn the meeting at 10:05 a.m.

Sheryl A. Williams
Assistant Secretary

Approved: March 22, 2016

John H. Groh
Brian P. McGrath
John E. Morgan