

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, Mark Shaw, Esq., Sheryl Williams, and Richard Morris, P.E.

Following the Pledge to the Flag, Mr. Groh announced that Retired Police Chief Joe Marshall, age 89, passed away on Sunday, August 7, 2016. Chief Marshall served MPD from 1956 – 1981, with 22 years as Chief of Police, and brought the force from a complement of 5 officers in 1959 to 54 officers in 1981. He was instrumental in establishing a Code of Conduct, and on May 12, 2015, he was honored with Chief Emeritus status. The Board extended its sympathy to his family and friends, followed by a moment of silence honoring Chief Emeritus Joe Marshall.

Mr. Groh called for public comment on agenda items other than development or rezoning applications. None were received.

It was moved by Mr. McGrath, seconded by Mr. Morgan and carried by unanimous vote to approve the minutes from the July 26, 2016 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 \$898,131.76, and Sewer Revenue Fund bills in the amount of \$217,124.20.

On motion by Mr. Morgan and seconded by Mr. McGrath, an Agreement for Municipal Legal Services with MacDonald Illig Britton and Jones (MIJB) was approved, effective August 1, 2016. Mr. Morgan clarified that this agreement replaces the former fee schedule from MIJB, and covers standard Solicitor services for the Township, with the exception of the Zoning Hearing Board and MPD. The basic annual fee for Solicitor Services will be \$87,000.00, with additional Special Solicitor Service fees outlined in the agreement. Motion carried by unanimous roll call vote.

Mr. Groh administered the Loyalty Oath of Office to Attorney Mark J. Shaw, who will represent MIJB as the Township's Solicitor.

Treasurer Mark Zaksheske explained that periodically the Township receives request from the Erie County Tax Claim Bureau for permission to sell a parcel from the Repository for Unsold Taxes, and to forgive unpaid taxes. It was moved by Mr. Morgan and seconded by Mr. McGrath to sell the property known as 3560 West 22nd Street, a trailer, for \$250.00 and to exonerate \$93.58 in owed taxes. 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 Change Order #2 to the Sidewalk Accessibility Alterations Project – Phase IV. Mr. Morris explained that ramp curbing is required because of elevation differences encountered, but that CDBG funds will cover the cost of \$5,200.00, bringing the total updated contract amount to \$156,687.00. Mr. Morgan added that the total project is still under the original budgeted amount. Motion carried by unanimous roll call vote.

Engineer Morris reported that a request was received from Mark Corey Engineering Consultants for a contract time extension for the design of the Old Sterrettania Road Bridge Replacement Project. Mr. Morgan noted the contract was originally approved in May of 2013, and that this is the third extension request. He has concerns that the project is slowing down. Mr. Morgan moved to table this request, seconded by Mr. McGrath, directing the Engineering Department to contact PennDot for direction on this project. Motion carried by unanimous roll call vote.

It was recommended by Sewer Department Bureau Chief Mark Wells, moved by Mr. McGrath and seconded by Mr. Morgan to authorize Keith Lawson, Mark Fratus, Cory Merryman and Aaron White to attend pump training on August 17, 2016 at a budgeted total cost of \$340.00, with use of two department vehicles for transportation. No public comment was received. Motion carried by unanimous roll call vote.

It was recommended by Director of Public Works Gary Snyder, moved by Mr. McGrath and seconded by Mr. Morgan to authorize Streets Department Clerk Pam Fitzpatrick to attend "Front Desk Safety and Security" training on August 29, 2016 at a cost of \$149.00. Motion carried by unanimous roll call vote.

On separate motions by Mr. Groh and seconded by Mr. McGrath, the following recommendations from Director of Police Michael Tesore were approved by unanimous roll call vote:

Permission, retroactively, for West Ridge Fire Department fire police to assist McKean Fire Department with traffic control at the McKean Fire Department 75th Anniversary Parade on August 6, 2016.

Permission for Cpl. Keller and Ptlm. Washek to attend "Tactical Shooting" training August 23-24, 2016 at no cost to the Township.

Permission for Ptlm. Giuca to attend "Close Quarter Battle" training September 13-14, 2016 at no cost to the Township.

Mr. Groh announced that the Supervisors met in Executive Session with the Millcreek Township Sewer Authority on August 5, 2016 to discuss an employee integration matter.

Mr. Morgan reported that the projected cost for a proposed Transportation and Land Use Study regarding two developments on Edinboro Road is estimated to be \$57,000.00, to be split four ways between Millcreek Township, Summit Township, Erie County and PennDOT, which calculates to \$14,250.00 each. Mr. Morgan stated that in the past, PennDOT has fully funded similar studies, Therefore, Mr. Morgan would like to pursue negotiations with a goal of 100% funding by PennDOT. Both Mr. Groh and Mr. McGrath agreed and are in support of negotiating with PennDOT.

Solicitor Mark Shaw remarked that he is pleased and happy to serve Millcreek Township as its new Solicitor.

Sheryl Williams, Open Records Officer, reported that there were no Right-to-Know requests received during the month of July.

Gino Carlotti, 5442 Gardner Drive, reported that his neighbor's property at 5450 Gardner Drive has been abandoned, and since Memorial Day weekend, unsold items from a yard sale have been left outside and the lawn has not been mowed in months. He has health and safety concerns because there are people staying there at night, and a terrible odor is coming from the house. He noted that the police have been there several times, but nothing has been done. Mr. McGrath replied that the Supervisors are aware of the problem, and explained that the bank still does not have ownership of the property, as it is in the hands of the estate. The estate has just recently given permission to access the property to mow and remove the garbage, and assured Mr. Carlotti that the Township will send a contractor and crews to take care of this matter. Mr. Groh added that unfortunately, this is typical of foreclosure properties. The Township must follow legal procedure and it always takes some time to correct. He understands Mr. Carlotti's frustration and asked him to please be patient.

There being no other citizens to be heard or any further business to come before the Board, it was moved by Mr. McGrath and seconded by Mr. Morgan to adjourn the meeting at 9:58 a.m.

Sheryl A. Williams
Assistant Secretary

Approved: August 23, 2016

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