

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 7:00 p.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, Richard Morris, P.E. and Zoning Administrator Charles Pierce.

Following the Pledge to the Flag, Mr. 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 from the August 9, 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 \$903,807.73, and Sewer Revenue Fund bills in the amount of \$308,047.88.

On motion by Mr. Morgan and seconded by Mr. McGrath, Scott A. Heidt was appointed as Deputy Chief of Police, effective September 1, 2016 at an annual salary of \$100,000.00. Captain Heidt has been a police officer with the department for the past 29 years, serving in all Divisions, while previously commanding the Special Services Division and currently commanding the Investigative Services Division, with added expertise in Insurance Fraud, Fire Investigation, Internal Affairs and SWAT. He graduated from the FBI Academy in Quantico VA in 2010 and served almost 35 years with the West Ridge Fire Department before retiring as Assistant Chief. Deputy Chief Heidt will assist in the command of MPD under Director of Police Michael Tesore until his retirement on December 31, 2016. On January 1, 2017 Deputy Chief Heidt will be promoted to Chief of Police. The Board and Director of Police Tesore offered congratulations to Deputy Chief Heidt.

A Public Hearing was held on the following subdivision plans:

**GROUSE HOLLOW. Preliminary Major Subdivision Plan. A preliminary plan to show the creation of a stormwater management area and 17 lots to be constructed in two phases along both sides of the proposed Grouse Hollow Drive, an extension of Amy Avenue, located along the north line of East Gore Road (S.R. 4028,) east of Cider Mill Road in Tract 339 and the South Gore Tract. Index 951-006, 007 & 008**

Engineer Richard Morris reported that a letter was received from David Baldwin, developer, requesting a time extension on the Grouse Hollow Preliminary Major Subdivision Plan until the September 13, 2016 meeting to allow more time to finalize details for the Arden Road turnaround and is willing to waive all municipal planning code timelines. (This subdivision plan was previously tabled from the July 26, 2016 meeting.) It was moved by Mr. McGrath and seconded by Mr. Morgan to table action on the Grouse Hollow Preliminary Major Subdivision Plan until the September 13, 2016 meeting. Motion carried by unanimous roll call vote.

**ST. MARK'S EPISCOPAL CHURCH. Land Development Plan. A land development plan to show three building additions to the existing church, totaling 2,711 square feet, along with stormwater management areas to accommodate the additions and expanded parking area, located along the east line of Old French Road (S.R. 97), across from Arlington Road along the Millcreek Township/City of Erie line in the South Gore Tract. Index 809-060**

Engineer Richard Morris reported that at the August 2, 2016 Planning Commission meeting, approval was recommended for the St. Mark's Episcopal Church Land Development Plan with one requirement, that a 5 foot sidewalk fronting Route 97 or a Township approved Sidewalk Deferral Agreement be implemented. Matthew Swanson, Rabell Surveying and Engineering, representing the developer, stated that the church is seeking conditional approval based on approval of the stormwater management plan. He reported that his firm just received comments today from the engineers and they are addressing them. Mr. Morgan asked if Mr. Morris has any concerns regarding stormwater being released from this property, and Mr. Morris replied that he does not have any concerns. On recommendation of Mr. Morris, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve the St. Mark's Church Land Development Plan with the recommendation that a Sidewalk Deferral Agreement is requested and approved. Motion carried by unanimous roll call vote.

Engineer Morris reported that five emergency bids were solicited and four were received and opened today at 11:30 a.m. for the Stonebridge Drive Culvert Rehabilitation Project as follows: Konzel Construction – \$94,700.00, Amendola Development Co. – \$99,614.00, McLallen Construction – \$112,985.00, and Shingledecker's Welding, Inc. – \$116,005.00. On recommendation by Mr. Morris, it was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract to Konzel Construction for \$94,700.00. Motion carried by unanimous roll call vote.

Treasurer Mark Zaksheske reported that bids were solicited and one bid received and opened on August 11, 2016 for Township property at 1330 Kuntz Road. Mr. Zaksheske explained that a total of \$80,381.08 was invested in this property to satisfy the lien and to clean it up, and Mr. Groh noted it was the worst case of neglect he had ever seen. On motion by Mr. Morgan and second by Mr. McGrath, the contract for the purchase of 1330 Kuntz Road was awarded to William M. Jr. and Rebecca M. Hilbert for \$110,000.00. Motion carried by unanimous roll call vote.

Mr. McGrath reported that bids were solicited and received for Single Polymer Modified Seal Coat (4600 square yards) for Hunter Willis Road and Old Perry Highway, as follows: Russell Standard Corporation - \$8,161.47, Suit-Kote Corporation - \$4,581.60. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract to Suit-Kote Corporation for \$4,581.60. Motion carried by unanimous roll call vote.

Mr. McGrath reported that bids were solicited and received for Single Polymer Modified Seal Coat (6200 square yards) for Belle Valley Fire Department Parking Lot, as follows: Russell Standard Corporation - \$13,950.00, Suit-Kote Corporation - \$13,020.00. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract to Suit-Kote Corporation for \$13,020.00. Motion carried by unanimous roll call vote.

Solicitor Mark Shaw reported that the Township has issued numerous Notices of Violation and Notices to Correct Violations to the property owner at 1728 High Street, relating to the general condition of the property. The Township prevailed in an action before the District Justice in January 2016, but the property owner has not corrected the violations. It was moved by Mr. McGrath and seconded by Mr. Morgan to authorize Atty. Shaw to proceed to initiate proceedings before the Court of Common Pleas in Erie County as allowed under the Second Class Township Code against the property owner of 1728 High Street. Motion carried by unanimous roll call vote.

A Public Hearing was held on Proposed Ordinance 2016-10; An Ordinance to amend Section 8.04 of the Zoning Ordinance, No. 2011-8, as amended, to add as a use on special exception adaptive reuse of certain nonresidential structures and establishing criteria and performance standards therefor, and containing repeal and severability clauses.

Solicitor Mark Shaw established the ground rules, noting that speakers will be limited to 5 minutes, and 10 minutes, if representing a group of individuals. Mr. Morgan thanked residents for attending and gave a brief history on the creation of the proposed ordinance, noting that more and more vacant schools and churches are becoming available for reuse. A handout was given to the audience for reference, and Mr. Morgan explained the rationale for the proposed ordinance, including the criteria for special exception. Mr. Groh emphasized that the only uses that would be permitted by Special Exception, via property owner application, outlined in the handout, would be: Business Services, Continuing Care Facility, Day Care Center, Professional Services and Community Center. Mr. McGrath further defined each of the uses per the Zoning Ordinance, which would include no retail businesses, taverns or fast food restaurants.

Kimberly Tague, Esq., Strassburger McKenna Gutnick & Gefsky Lawfirm, 444 Liberty Avenue, Pittsburgh, representing Montessori Regional Charter School, David and Mary Anne Michalak, Franklin and Sandy Laskowski, and Russell Buck, stated that her office reviewed the proposed ordinance when it was to be presented to the Planning Commission, and drafted a letter to the Supervisors on August 1, 2016 offering a legal analysis and opinion of the legal issues pertaining to this ordinance. Ms. Tague stated that she understands the need for adaptive reuse, but does not feel that the Township is currently faced with issues of blight, and rather feels it is too broad and unnecessary. She feels that it is an attempt to rezone Ridgefield School for commercial use, which Montessori Regional Charter School is interested in buying, and proposed that the Township continue to use it as a school. She also argued that the proposed ordinance is not in line with the Township's comprehensive plan, implied that this could be an illegal attempt at "spot zoning," and stated that no notices have been posted regarding a zoning map change.

Mr. Groh reiterated that there was no request to rezone Ridgefield School. Mr. Morgan responded that the goal of the ordinance is to plan ahead to address issues that would apply to potential future vacant buildings, and Mr. Groh noted that there has been no change in zoning districts and therefore no zoning map change.

Lou Aliota, 538 Margo Court, stated that he emailed the Supervisors prior to the meeting, and requested that all of his documentation be included in the record. Mr. Morgan noted that he has not received Mr. Aliota's correspondence. Mr. Aliota feels that the proposed ordinance is not in the best interest of the Millcreek Township taxpayers, requested that the Supervisors table it, and asked if there is legality and transparency by any elected and appointed public officials regarding any information relative to this proposed ordinance. He feels there could be an attempt to restrict the sale of public property to a charter school. Mr. Groh asked Mr. Aliota to limit his comments to the proposed ordinance and not school board business. Mr. Morgan added that municipalities do not have jurisdiction over the sale of school board property. Mr. McGrath reiterated that most of what Mr. Aliota referenced are issues with the school board, and this ordinance would not prohibit the sale of Ridgefield School to Montessori School. He added that the County planning director is very excited about this ordinance and believes it should be a

model for Erie County. Mr. Morgan added that this ordinance is most definitely within Pennsylvania zoning laws, does not circumvent any zoning laws, as Mr. Aliota claims, and the land use variance process already exists within the laws of Pennsylvania. In addition, this allows Millcreek to place additional restrictions on business hours of operation, traffic volume, land development requirements, and building modifications to protect residents. Mr. Morgan stated that the Board has been transparent from the beginning of this ordinance to educate the public on the benefits of this ordinance.

*[Following Mr. Aliota's addressing the Township Supervisors, he gave the Township several documents to be added to the official record of the August 23, 2016 Supervisors Meeting. Such documents have been affixed to the Official Minute Book of Millcreek Township at page 11.]*

Agnes Tillerson, 6014 Fossilwood Court, feels the right to private property is a constitutional right. She feels there is an imbalance between citizen and governmental power, and that by allowing a business to move into a residential area violates the rights of residents who move into a neighborhood with the understanding that it will remain residential. As a taxpayer, she does not want her taxes to be raised to pay for more lawsuits.

Mr. Groh then read a list of permitted uses for a R-1 zoning district and noted that the Township is not taking away churches or schools, but adding to the special exception uses.

Anthony Pirrello, CEO of Montessori Regional Charter School, 2910 Sterrettania Road, expressed his organization's concern regarding the proposed Special Exception. He presented a letter sent to the Planning Commission on June 30, 2016, the letter sent to the Supervisors from Atty. Kim Tague, and his comments this evening.

Mr. Pirrello cited the Penn Hills School District shared services agreement as an example of a model that should be used. He feels there is not a pressing need for this ordinance, and that this is not a zoning issue. He also stated that the issue is with the school district that is refusing to sell the property to the highest bidder.

Mr. Pirrello suggested a compromise, an amendment to the ordinance stating that a property would not qualify for Special Exception unless the owner would attempt to sell it publicly so that anyone in the community could use the property as currently zoned, allowing neighbors to use property as originally intended when they purchased their house. He then requested that the special exemption for adaptive reuse ordinance be postponed until the comprehensive plan is complete.

Mr. Morgan replied that Mr. Pirrello's proposal would supersede state law and school code procedures for how a school is to be sold. He added that the amendment would inappropriately mandate a municipality to require a private property owner, if Special Exception was wanted, to publicly bid their property, which could infringe upon their basic constitutional freedom, or in the case of a church, its religious liberty. Mr. Morgan concluded by assuring Mr. Pirrello that the Township has followed MPC procedures and has not violated the comprehensive plan.

*[Following Mr. Pirrello's addressing the Township Supervisors, he gave the Township several documents to be added to the official record of the August 23,*

*2016 Supervisors Meeting. Such documents have been affixed to the Official Minute Book of Millcreek Township at page 13.]*

Margaret Mitchell, 2966 West Ninth Street, expressed concern that government is increasingly taking away citizens' rights to choose. She feels that many of these choices should be given to the voters to decide, especially in the case of selling public schools to charter schools. Mr. Morgan reiterated that the proposed ordinance will not make it more difficult for any charter school to operate within Millcreek Township.

Jim Sanderson, 2970 Haas Avenue, stated that most of the people here this evening do not trust government. He is concerned about a person who has been operating two motels in his residential neighborhood all summer long by advertising on the Internet and renting rooms by the day. He said he has gone to the Zoning Office to complain and citations have been written for fires, but nothing further has been done. Mr. Groh asked Mr. Sanderson to contact him tomorrow morning to further discuss this matter.

John Erikson, 3620 Sterrettania Road, questioned why the wording on page 2 of the proposed ordinance referring to a structure states: "has been actively utilized for a non-residential use for not less than five (5) consecutive years." Mr. Morgan responded that the language is intended to deter new developments from non-residential structures and then immediately seeking a special exception. The 5 year requirement was specifically chosen as an arbitrary number that was reasonable to accomplish that goal.

Gerald Sheldon, 1115 West Gore Road, stated that this whole subject never came up until the Millcreek schools did not want to sell their school to the Montessori school, yet the Millcreek schools seem like good schools. He feels that people move to a particular neighborhood so that their child can attend school there, and that putting certain types of businesses in a residential neighborhood will not draw people in; instead it may possibly downgrade property values.

P.J. Monella, Greater Erie Board of Realtors and an employee of Pennsylvania Association of Realtors, asked if delaying action on the proposed ordinance is against the law. He stated that he learned of this proposed ordinance one week ago, would like to discuss it with Erie real estate practitioners and have the opportunity to give feedback. All three Supervisors noted various interviews, publicity, the previous public hearing and media coverage regarding this proposed ordinance, and asked why the realtors did not reach out to them sooner. Mr. Monella replied that it must have slipped by the realtors and requested that the Supervisors table action on the ordinance.

Gary Behr, 4045 Feidler Drive, feels the proposed ordinance is too restrictive but is not a danger. He stated that he grew up in the area near Ridgefield School where there were various businesses, yet everyone survived. He feels that the comprehensive plan is just a plan, and it is not a law. Mr. Morgan added that a comprehensive plan creates goals and objectives for communities and is actually more important than a law, and reiterated that this ordinance is within the guidelines of Township's comprehensive plan. Mr. Behr stated that he is in favor of the proposed ordinance, that it will prevent things we do not want in our neighborhoods, but will allow for growth, and suggested that the Supervisors approve it and move on.

There being no one else wishing to speak, the Supervisors each gave closing comments on the proposed ordinance:

Mr. McGrath stated that there is no guarantee when moving to a neighborhood that it will stay the way it is, but that this ordinance will try to protect people from the type of businesses you do not want. He feels that the mailing sent to residents was very misleading, and after the Supervisors explained to people the actual facts about the proposed ordinance, people were in favor of it.

Mr. Morgan stated that after serving on the Millcreek Township Planning Commission for four years and working as a municipal planner by trade, he believes in and will take full responsibility for this ordinance, and stated that he personally informed the Montessori groups and the media six weeks ahead of time, because he feels that he is doing what is best for the community.

Mr. Groh stated that he is in total agreement with Mr. McGrath and Mr. Morgan, and after working in code enforcement for many years, knows what the problem of blight and vacant buildings can be. He believes the flier that people received in the mail brought a lot of attention to the proposed ordinance, but contained some incorrect information. He stated that the proposed ordinance does not constitute illegal spot zoning, does serve a legitimate purpose and that it can be incorporated into the comprehensive plan through the amendment process. Mr. Groh reiterated that the Township is not rezoning and the zoning districts will remain the same. He also noted that Atty. Tague had requested to be personally notified of the Hearing this evening, and that she did respond to Mr. Groh's email notification with a read receipt.

Mr. Groh also addressed the fear of some people that there may be a decline in their property value if a building in a residential area were to be reused pursuant to this ordinance. He consulted the county assessment office, who told him that it is on a case by case basis, but you would have to prove that it would have a detrimental effect, and what is far worse is if it is a dilapidated building. Mr. Meryl Smith, a real estate appraiser from Edinboro, opined that you would have to prove it. Mr. Groh noted that insurance for a dilapidated building is far more expensive as well. He concluded by saying that all three Supervisors are Township residents, as are many of their families, and they only want what is best for the Township.

It was moved by Mr. Morgan and seconded by Mr. McGrath to enact Ordinance 2016-10. Motion carried by unanimous roll call vote.

It was recommended by Engineer Richard Morris, moved by Mr. McGrath and seconded by Mr. Morgan to approved Change Order #1 to the 2016 Catch Basin Replacement Project for \$5,450.00. Mr. Morris noted that this brings the total contract with Amendola Development to \$17,343.00, which is still within the budget, and allows for six additional needed basins that need immediate attention. Motion carried by unanimous roll call vote.

On recommendation of Engineer Morris, it was moved by Mr. McGrath and seconded by Mr. Morgan to release ERIE BANK Letter of Credit #1371 for Sarah A. Reed Children's Center – Sarah A. Reed Children's Center, Developer, in the amount of \$151,063.00. Mr. Morris reported that all public improvements have been completed. 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 Sidewalk Deferral agreement for ST. MARK'S EPISCOPAL CHURCH – The Rector, Church Wardens and Vestry of St. Mark's Church, Developer. Mr. Morris noted that no sidewalks in the immediate vicinity and the agreement is consistent with the sidewalk deferral policy. Motion carried by a unanimous roll call vote.

On recommendation of Engineer Richard Morris, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve a stormwater maintenance agreement for WHISPERING WOODS ESTATES SUBDIVISION NO. 7B – Speciale Properties, Inc., Developer. Mr. Morris reported that all requirements have been met and the owner has agreed to own and maintain the stormwater system. Motion carried by a unanimous roll call vote.

Mr. Groh summarized the Township's building construction report for the month of July 2016, and announced that the report will be available on the Township website and in the Engineering/Zoning Office.

|                                  |                        |
|----------------------------------|------------------------|
| Total Residential Structures     | \$ 1,609,375.00        |
| Total Non-residential Structures | <u>10,260,507.00</u>   |
|                                  | <b>\$11,869,882.00</b> |
| Zoning Permits Issued            | 35                     |
| Zoning Permit Fees               | <b>\$ 10,900.00</b>    |

It was requested by Director of Public Works Gary Snyder, moved by Mr. McGrath and seconded by Mr. Morgan to authorize Mr. Snyder and Fleet Maintenance Chief Joe Yatzor to attend a COSTARS training conference on September 14, 2016, with no registration fee and the use of a Township vehicle. Motion carried by unanimous roll call vote.

On recommendation of Ashley Marsteller, Park and Recreation Director, it was moved by Mr. McGrath and seconded by Mr. Morgan to hire the following employees for the Fall Season:

| <u>NAME</u>          | <u>POSITION</u>              | <u>HOURLY RATE</u> | <u>HIRE DATE</u> |
|----------------------|------------------------------|--------------------|------------------|
| Leona Carlson        | Aquatic Director/WSI         | \$13.00            |                  |
| Kathleen Magoon      | Water Exercise               | \$10.50            |                  |
| Bridget Riley        | Supervisor/WSI               | \$10.00            | Rate Change      |
| Melanie Franz        | Supervisor/WSI               | \$10.00            | Rate Change      |
| John Bauer           | WSI                          | \$ 9.50            | Rate Change      |
| Sara Prischak        | WSI                          | \$ 9.00            | Rate Change      |
| Karen Link           | WSI                          | \$ 9.50            |                  |
| Abigail Kurczewski   | WSI                          | \$ 9.00            | Rate Change      |
| Kylie Howland        | WSI                          | \$ 9.50            |                  |
| Olivia Menc          | WSI                          | \$ 9.50            |                  |
| Leah Perkins         | WSI                          | \$ 9.50            |                  |
| Maggie Radu          | WSI                          | \$ 9.00            | Rate Change      |
| Victoria Sanders     | WSI                          | \$ 9.00            | Rate Change      |
| Nathaniel Schweitzer | WSI                          | \$ 9.50            | Rate Change      |
| Emily Kehl           | Lifeguard                    | \$ 7.95            | Rate Change      |
| Jakob Parmeter       | Lifeguard                    | \$ 8.45            |                  |
| Hope Nuzback         | Lifeguard                    | \$ 7.95            | Rate Change      |
| Annie DiFrank        | Lifeguard                    | \$ 8.45            |                  |
| Camden Pauli         | Lifeguard                    | \$ 8.45            | Rate Change      |
| John Bucci           | Part Time Maint.             | \$13.00            |                  |
| Tyco Bock            | Part Time Maint.             | \$ 8.45            |                  |
| Matt Szabett         | Part Time Maint./Golf Maint. | \$ 8.45            |                  |
| Evelyn Bossar        | Barn Supervisor              | \$ 9.50            |                  |

| <b>NAME</b>        | <b>POSITION</b>            | <b>HOURLY RATE</b> | <b>HIRE DATE</b> |
|--------------------|----------------------------|--------------------|------------------|
| Robert Fuller      | Barn Supervisor            | \$ 9.50            |                  |
| Charles Elliott    | Barn Supervisor            | \$ 9.50            |                  |
| Mark Coursey       | Grilling Supervisor        | \$10.50            |                  |
| Haley Haggerty     | Adult Dance Supervisor     | \$10.50            |                  |
| Jim Oldham         | Mahjong Supervisor         | \$ 9.50            | New Hire         |
| Laura Oldham       | Mahjong Supervisor         | \$ 9.50            | New Hire         |
| Karle Lyons        | Tabata/Kick Box Supervisor | \$10.50            |                  |
| Dave Wayman        | Tai Chi Supervisor         | \$10.50            |                  |
| Kathy Wayman       | Qi Gong Supervisor         | \$10.50            |                  |
| Laurie King        | Aerobics Supervisor        | \$10.50            |                  |
| Nylene Baney       | Body Sculpt Supervisor     | \$10.50            |                  |
| Nancy Rovin        | Yoga Supervisor            | \$10.50            |                  |
| Kathy Smith        | Yoga Supervisor            | \$10.50            |                  |
| Susan McCall       | Zumba Supervisor           | \$10.50            |                  |
| Shannon Eggleston  | Piloslade Supervisor       | \$10.50            | Rate Change      |
| Nicole Trohoske    | Youth Dance Supervisor     | \$ 9.50            | Rate Change      |
| Jennifer Timmons   | Youth Dance (Sub)          | \$10.50            |                  |
| Darlene Bennett    | Art Supervisor             | \$10.50            |                  |
| Alberta DeCrease   | Art Supervisor (Sub)       | \$10.00            | Re-Hire          |
| Arlene Elliott     | Knitting Supervisor        | \$10.50            |                  |
| Charles Elliott    | Caning Supervisor          | \$10.50            |                  |
| Sam Steiner        | Table Tennis Supervisor    | \$ 8.45            |                  |
| Eric Nuara         | Golf Maint                 | \$11.50            |                  |
| Sam Skonieczka     | Golf Club House            | \$ 7.65            |                  |
| Mitch Molnar       | Golf Club House            | \$ 7.95            |                  |
| John Schardt       | Radio Control Airplane     | Volunteer          |                  |
| Charlotte Haggerty | Adult Dance                | Volunteer          |                  |
| Joe Logue          | Tuite Supervisor           | Volunteer          |                  |
| Chet Moffett       | Open Gym                   | Volunteer          |                  |
| Chet Vendetti      | Open Gym                   | Volunteer          |                  |
| William Brown      | Millcreek Community Band   | Volunteer          |                  |
| Mary Desmone       | Tai Chi/Qi Gong            | Volunteer          |                  |
| Susan Moore        | Knit & Crochet             | Volunteer          |                  |
| Carol Spitzinger   | Tai Chi/Qi Gong            | Volunteer          |                  |
| Xingang Wang       | Badminton                  | Volunteer          |                  |
| JJ Zhang           | Badminton                  | Volunteer          |                  |
| Bonnie Faulkner    | Mahjong                    | Volunteer          |                  |

Motion carried by unanimous roll call vote.

On recommendation of Diane Lyons, Human Resource Manager, it was moved by Mr. McGrath and seconded by Mr. Morgan to promote Dean Carlson to Streets Foreman, effective August 29, 2016, at an annual salary of \$60,964.80, due to the retirement of Gary Walters. Motion carried by unanimous roll call vote.

Mr. Groh announced that a letter was received from David Sterrett, Millcreek Sewer Authority Secretary, reporting that MTSA Board member Leon Johnson has resigned. The Board thanked Mr. Johnson for his 24 years of service and will begin searching for his replacement, and encouraged residents to contact the Administration Office if they would like to be considered.

Mr. Morgan gave a report on the proposed Transportation and Land Use Study regarding two developments on Edinboro Road. The projected cost was originally estimated at \$57,000.00, to be split four ways between Millcreek Township, Summit Township, Erie County and PennDOT.

Through recent negotiations, Mr. Morgan reported that PennDOT has agreed to fully fund the study, thereby saving each municipality over \$14,000.00.

It was requested by Engineer Richard Morris, moved by Mr. Morgan and seconded by Mr. McGrath to authorize Mr. Morris and Assistant Township Engineer Anne Sokol to attend an MS4 Workshop – Developing Your Pollutant Reduction Plan in Pittsburgh on October 6, 2016, with a total registration cost of \$100.00 and one night's lodging not to exceed \$200.00, and use of a Township vehicle. It was noted that the DEP does not offer this training in northwest Pennsylvania. Motion carried by unanimous roll call vote.

A request received from Mark Corey Engineering Consultants for a contract time extension for the design of the Old Sterrettania Road Bridge Replacement Project had been tabled for discussion from the July 26, 2016 meeting so that more information could be obtained. Engineer Richard Morris reported that a mutual agreement has been reached to allow more time for the design of the project. On recommendation of Mr. Morris, it was moved by Mr. Morgan and seconded by Mr. McGrath to approve a 12 month extension of the contract to September 5, 2017. No public comment was offered. Motion carried by unanimous roll call vote.

Mr. Morgan announced that the kick-off for the Township's new Municipal Comprehensive Plan will begin with a community survey entitled "Embrace Millcreek," which is available through a link on the Township's website at [www.millcreektownship.com](http://www.millcreektownship.com). There will also be an article in the *IN Millcreek* magazine featuring the kick-off and survey. For those residents who do not have computer access, a paper copy of the survey can be obtained at the front desk in the Municipal Building.

Solicitor Mark Shaw announced that the Township has been codifying its various ordinances in an effort to make the ordinances more usable, understandable and available to the public. The Township will be enacting an ordinance to adopt that codification at its meeting on September 27, 2016. Copies of the proposed Code and of the ordinance which would adopt the Code will be placed on the Township's web site as soon as they are in final form and not later than August 31, 2016. The Code will be available through a link on the web site, and hard copies of the Ordinance and the Code may be examined in the office of the Township Secretary.

William Storten, 4505 Tulane Avenue, reported that his property was recently flooded for at least the 25<sup>th</sup> time since the 1980's, and that over the years the Township has tried to correct the problem by installing French drains, sump pumps and stormwater pipe. However, the drain pipe is clogging with material and needs to be cleaned on a regular basis. Mr. McGrath said he will make sure that Mr. Storten's address is added to the Streets Department's regular maintenance list.

Belle Valley Fire Chief Chris Altadonna and Jess Skoniecki, Board President thanked the Supervisors for approving the paving project for their parking lot, and requested funding for a new pumper truck at a cost of approximately \$700,000.00, preferably by June of 2017. They reported that on August 12, 2016, they were turned down for a federal assistance grant that would have funded 95% of the cost of a new pumper truck, and both of their current trucks are refurbished, unreliable and over 25 years old.

Mr. Groh remarked that he has recently suggested forming a Fire Commission that would involve all of the Township's fire companies working together to help fund all of their equipment. He added that he would be willing to meet with the Belle Valley Fire Department to discuss options. Mr. McGrath noted that the Township collects and allocates \$700,000 annually in LST taxes to the Fire Departments, and perhaps the Supervisors should consider raising LST taxes. Mr. Morgan reminded the firemen that the chiefs of the various fire departments were asked to

submit capital improvement lists two months ago, and then to subsequently create one joint capital improvement plan for the Township. He encouraged them to continue to work on this project together.

Richard Adams, 4301 Stanley Avenue, disagreed with how the Board and engineering department are handling stormwater management for the St. Mark's Episcopal Church Land Development Plan. Solicitor Mark Shaw explained that the church had overpaved an area and is correcting the problem, and this is a separate and apart issue from the stormwater management plan currently being reviewed by Hill engineering. Engineer Rick Morris assured Mr. Adams that due process is being followed and that no building permit has been approved concerning this land development plan.

John Erikson, 3620 Sterrettania Road, reported flooding problems coming from property developed above 38<sup>th</sup> Street, a faulty grate and a 200 year-old tree that has fallen on its side. Mr. Groh asked Mr. Erikson to speak to Engineer Morris about this after the meeting.

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 9:59 p.m.

Sheryl A. Williams  
Assistant Secretary

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Approved: September 13, 2016

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