

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 7:00 p.m. by Chairman John Groh in the Assembly Room of the Millcreek Township Municipal Building. Present were Mark Zaksheske, John Groh, John Morgan, Mark Shaw, Esq., Sheryl Williams and Richard Morris, P.E. Brian McGrath was absent.

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. Groh and carried by unanimous vote to approve the minutes from the Special Meeting held on October 18, 2016 to approve a Stormwater Management Maintenance Agreement between Millcreek Township School District and Millcreek Township.

It was moved by Mr. Morgan, seconded by Mr. Groh and carried by unanimous to approve the minutes from the October 11, 2016 meeting.

It was moved by Mr. Morgan, seconded by Mr. Groh and carried by unanimous vote to approve payment of the weekly General Fund bills in the amount of \$1,271,405.20, and Sewer Revenue Fund Bills in the amount of \$382,023.52.

Treasurer Mark Zaksheske presented the Third Quarter Financial Report of the Township, noting that a large portion of revenue has already been received from property tax payments. Year-to-date revenue is slightly higher than in 2015, due to increased income from the recycling center and the sale of the Kuntz Road property. Mr. Zaksheske mentioned that the Township usually receives funds from the Gaming Authority near the end of the year; however, due to a change in state regulations, this may not occur this year. Mr. Zaksheske reported that major equipment purchases and overtime has been kept to a minimum, and in comparison to last year's budget, overall the Township is on track. There were no questions or comments from the audience.

Consideration of Subdivision and Land Development Plans:

**GROUSE HOLLOW PHASE 1. Final Subdivision Plan. A final subdivision plan to show the creation of 9 lots and a stormwater management area to be constructed along both sides of the proposed Grouse Hollow Drive, located along the north line of East Gore Road (S.R. 4028,) east of Cider Mill Road in the Tract 339 and the South Gore Tract. Index 951-006, 007 & 008.**

Engineer Richard Morris reported that at the meeting on October 4, 2016, the Millcreek Township Planning Commission meeting recommended approval. David Baldwin, 1440 High Street, was present representing the developer. No one spoke in favor of or in opposition to the subdivision plan. On recommendation of Mr. Morris, it was moved by Mr. Morgan and seconded by Mr. Groh to approve the Grouse Hollow Phase 1 Final Subdivision Plan. Motion carried by unanimous roll call vote.

**DIAMOND DESIGN CONSTRUCTION. Sketch Plan. A sketch plan to show the concept of creating two lots along the west line of Schultz Road, north of the Millcreek Township/Summit township line in Tract 341. Index 847-005.**

Engineer Richard Morris reported that at their meeting of October 4, 2016, the Millcreek Township Planning Commission made the following comments: The Commission disliked the flag lot configuration, recommends 100' frontage on both

lots, and if planning on-lot sewage disposal, the approved septic site must be identified prior to submission of the subdivision. Marina Baranova, 1005 Elk Creek Road, the owner/developer, reported that she wants to divide the property into two lots. Mr. Groh noted that the ordinance requires 100' frontage. Mr. Morris reported that the original drawing showed 50' frontage on the first lot and 225' frontage on the second lot, but last week a revised drawing was submitted showing 60' frontage on the first lot and 210' frontage on the second lot.

Mr. Groh noted that a driveway access easement would be required, and Mr. Morgan stated that there are several options that could provide access to the property. After some discussion, Mr. Morris recommended that Ms. Baranova come to the Engineering office to discuss options with staff the next day, where her questions can be answered as well.

**8<sup>th</sup> STREET MARKETPLACE Corridor Redevelopment Plan. An informational presentation to show the concept of creating enhanced pedestrian and streetscape facilities along West 8<sup>th</sup> Street from Pittsburgh Avenue west to Peninsula Drive.**

A presentation was given by Robyn Crago, 2626 West 8<sup>th</sup> Street, on the possibility of creating an enhanced pedestrian and streetscape area where art and music could be featured, as well as local restaurants and businesses, with underground utilities, iron arches, and incorporation of it into the Township's Comprehensive Plan. She and her husband own Les Crago Jewelers, and they believe that the other 30 business owners in the corridor along West 8<sup>th</sup> Street between Peninsula Drive and Pittsburgh Avenue are all in support of this venture, which they feel would create a positive focal point for Erie and Millcreek Township. Chip Riehl, 2580 West 8<sup>th</sup> Street, added that it would truly be a community public/private partnership, and both Mr. Groh and Mr. Morgan agreed that it aligns with the goals and comments from the Embrace Millcreek Survey. Everyone seemed to agree that it would be a good idea to consider making it a part of the Township's Comprehensive Plan. Mr. Morgan asked Ms. Crago to serve on a work group for the plan, and she accepted his invitation.

Ms. Crago and Mr. Riehl thanked Chris Conrad and Chris Greene, West Erie Plaza developers, and other local business owners for their support of this project, and noted that this project is being modeled after the Short North district in Columbus, Ohio. Mr. Groh added that many improvements have been made in western Millcreek Township in recent years, and this is a continuing positive trend.

Quotations for removal of four to five logs from Old Sterrettania Road's west shoreline were solicited and received by Sean Kern, Streets Department Head Foreman, as follows: Dibble Tree Service - \$1,000.00, J. Thomas Tree Service - \$1,425.00, Jefferson Tree Service - \$400.00 (did not meet specifications). On recommendation of Mr. Kern, it was moved by Mr. Morgan and seconded by Mr. Groh to award the contract for log removal to Dibble Tree Service for \$1,000.00. Motion carried by unanimous roll call vote.

Quotations for Tiling of Garage #2 in the Streets Department were solicited and received by Lucas Black, Building Maintenance Foreman, for material and labor as follows: 2500 sq. ft. Commercial rated porcelain tile: Lowe's - \$4,450.00, South One Supply - \$4,250.00, Pro Source - \$4,675.00. Installation of 12x12 tile in Garage #2: Dave's Ceramic Tile - \$11,795.00, Gary Oblywanik - \$12,046.60, John Lander Ceramic Tile – No Bid. On recommendation of Mr. Black, it was moved by Mr. Morgan and seconded by Mr. Groh to award the contract for 2500 sq. ft. commercial tile to South One Supply for \$4,250.00, and the contract for installation of

12x12 ceramic tile in Garage #2 to Dave's Ceramic Tile for \$11,795.00. Motion carried by unanimous roll call vote.

Quotations for four Windows tablet computers were solicited and received by John Fleming, IT Manager, on behalf of Gary Snyder, Public Works Director, for the Streets Department Roadway Assessment Inventory System, as follows: ASUS Transformer Book: \$269.00 each, HP Pavilion x2 (10 inch) - \$329.00 each, Microsoft Surface 2 (32 GB) - \$204.00 each. On recommendation of Mr. Snyder, it was moved by Mr. Morgan and seconded by Mr. Groh to purchase four ASUS Transformer Books at \$269.00 each plus tax, for a total of \$1,140.56. No public comment was offered. Motion carried by unanimous roll call vote.

Solicitor Mark Shaw explained the purpose of proposed Ordinance 2016-12, which is to modify an existing ordinance which will reduce the length of time cars have before they are towed from twelve hours to eight, to further discourage repeat offenders, to adjust the penalties for offenses and to make other clarifications regarding police authority in the event of weather emergencies. He reiterated that the proposed ordinance has been advertised appropriately both in the *Times News* and on the Township's website.

On recommendation of Solicitor Shaw, it was moved by Mr. Morgan and seconded by Mr. Groh to enact Ordinance 2016-12; An Ordinance to amend Chapter 40, Article IV of the Millcreek Township Code, known as the Weather Events Regulations Ordinance. Motion carried by unanimous roll call vote.

Mr. Morgan explained proposed Resolution 2016-R-19; A Resolution to Revise Millcreek Township's Fiscal Year 2015 CDBG Action Plan. He noted that a modification was made to reduce the administration fee to the County and an adjustment made for overruns in some sidewalk projects. Mr. Groh further explained that any time funds are moved or reallocated, formal action must be taken. It was moved by Mr. Morgan and seconded by Mr. Groh to approve Resolution 2016-R-19. Motion carried by unanimous roll call vote.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Morgan and seconded by Mr. Groh to approve the sale of Erie County Parcel 33-053-224.0-001.96 [2403 Rollahome Drive] for \$250.00 and forgiveness taxes of \$127.28. Mr. Zaksheske explained this is a routine matter when the county requests tax forgiveness to sell a property, which in this case is a mobile home. Motion carried by unanimous roll call vote.

Mr. Groh explained that in 2015, when the Board voted to sell the Millcreek Township Water Authority (MTWA), they noted that the MTWA and Millcreek Township Sewer Authority (MTSA) relied on each other in several capacities, and thus hired J.L. Nick Associates, Inc. to conduct a study to see if MTSA employees could be integrated into the Township so they would not be a casualty in the sale process. Scott Nick, of J.L. Nick Associates, Inc., stated that their study of August 2016 recommended that five of the six employees in question be integrated into the Township's Engineering Department, with two requiring revised roles and pay scale, and the remaining employee being integrated into the Finance department, with a slight revision in her pay scale. All six employees would retain their MTSA responsibilities as well. In addition, the Commonwealth would contribute additional pension funds, which would be a financial benefit. Mr. Groh clarified that this would NOT be a creation of any new jobs within the Township.

Mr. Morgan asked if any other options were considered, to which Mr. Nick replied that resizing the department was considered, but no positive benefits could be ascertained from any of these options. Mr. Morgan thanked Mr. Nick for the report, and noted that there is exceptional talent within the MTSA, and that it would be a shame to lose anyone within the department. He mentioned that when MTSA Chairman Pamela Monaco approached the Supervisors at the June 14<sup>th</sup> meeting to ask them to assist in the study, the Board was receptive and enthusiastic

about the possibility of integrating MTSA employees into the Township. Mr. Morgan welcomes the opportunity to combine the talents of MTSA employees with the Township's Engineering Department, and feels this could benefit everyone.

It was moved by Mr. Morgan and seconded by Mr. Groh to direct the Solicitor, Treasurer, Human Resources Manager and key executive staff to move forward to investigate and begin the next steps to integrate MTSA staff into Millcreek Township. Motion carried by unanimous roll call vote. Mr. Morgan clarified that this is NOT a dissolution of the MTSA, as it is still a financing authority with ultimate control over capital budgeting approval, and Mr. Nick confirmed this, stating that the MTSA will remain intact, still having control over administrative staff and financial control.

On request of Gail Jares, Street Light Clerk, it was moved by Mr. Morgan and seconded by Mr. Groh to approve the installation of seven 100 watt high pressure sodium vapor lights on 16 foot fiberglass poles for Whispering Woods Phase 7B, Mystic Ridge. Mr. Morgan noted that Kyle Luciano (Speciale Properties Inc.), representing the majority owner, has signed the Phase I and Phase II of the developer Petition. Motion carried by unanimous roll call vote.

On recommendation of Engineer Richard Morris, it was moved by Mr. Morgan and seconded by Mr. Groh to approve a Sidewalk Deferral Agreement Request for 5101 Emmaline Drive – Kyle J. & Allison P. Bohrer, Developer. Mr. Morris noted there are no sidewalks currently in the area. Motion carried by unanimous roll call vote.

On recommendation of Engineer Richard Morris, with further recommendation from Solicitor Mark Shaw, it was moved by Mr. Morgan and seconded by Mr. Groh to approve a Stormwater Maintenance Agreement and Stormwater Management Plan for Accudyn Products, Inc. – Tom C. & Margaret S. Bly, Developer. Mr. Morris noted the application was submitted on the Township approved form and the property owners have agreed to own and maintain the system. Motion carried by unanimous roll call vote.

Solicitor Mark Shaw announced that Erie County has an annual Judicial Property Sale, and there are five Millcreek Township properties listed. Two of the properties have a value of more than \$20,000 or more; therefore, approval is needed from the Board to set minimum bids. On recommendation of Mr. Shaw, it was moved by Mr. Morgan and seconded by Mr. Groh to set the minimum bid for 3760 West 12<sup>th</sup> Street at \$111,000.00 and the minimum bid for 5144 Lexington Street at \$105,880.00. Motion carried by unanimous roll call vote.

Mr. Shaw reported that the Agenda item concerning the Voices for Independence ADA Lawsuit was not ready for action. It was moved by Mr. Morgan and seconded by Mr. Groh to table action on the Voices for Independence ADA Lawsuit until the next meeting on Tuesday, November 15, 2016 at 9:30 a.m. Motion carried by unanimous roll call vote.

On recommendation of Diane Lyons, Human Resource Department Manager, it was moved by Mr. Morgan and seconded by Mr. Groh to approve the hiring of Public Safety/Public Works Dispatcher Rebecca M. Schlickbernd, effective October 21, 2016, at an hourly rate of \$18.38. Ms. Schlickbernd has been a part time dispatcher with MPD since July 2016. Motion carried by unanimous roll call vote.

On recommendation of Diane Lyons, Human Resource Department Manager, it was moved by Mr. Morgan and seconded by Mr. Groh to approve the hiring of Streets Laborer Scott Wells, effective October 31, 2016, at an hourly rate of \$17.99. Motion carried by unanimous roll call vote.

It was moved by Mr. Morgan and seconded by Mr. Groh to authorize Building Maintenance Department Staff Jerry Burger, Lucas Black and Corey Walters to attend a free training session

on November 3, 2016 pertaining to the lock and door hardware that is installed in the Township buildings. Motion carried by unanimous roll call vote.

It was moved by Mr. Morgan and seconded by Mr. Groh to authorize Matt Exley, Emergency Management Coordinator/Fire Code Official to attend two Hazard Mitigation Plan Committee Meetings at the Erie County Department of Public Safety on October 27, 2016. No public comment was offered. Motion carried by unanimous roll call vote.

It was moved by Mr. Morgan and seconded by Mr. Groh to authorize up to \$90.00 for the Millcreek Planning Commission members and Land Development Coordinator Matthew Waldinger to attend the Erie Area Council of Governments (EACOG) Planning Commission Training Workshop on November 17, 2016 from 5:00 – 8:00 p.m. at WQLN, 8425 Peach Street, at a registration cost of \$10.00 per person for member municipalities. Motion carried by unanimous roll call vote.

Student Ambassador Sydney Stitt reported that McDowell High School is ending its first quarter this week with upcoming midterm exams. The Girls Tennis Team just won the District 10 title and the Football Team is preparing for playoffs, while the Robotics and Deca clubs are preparing for their seasons.

Ms. Stitt also announced the remaining Board meetings for 2016, as follows:

- \*No Meeting Tues., November 8, 2016 – Election Day\**
- Tues., November 15, 2016 9:30 a.m.
- Tues., November 29, 2016 9:30 a.m.
- Tues., December 6, 2016 9:30 a.m.
- Tues., December 27, 2016 9:30 a.m.

It was moved by Mr. Groh and seconded by Mr. Morgan to post temporary No Parking signs along the following streets from 1:00 p.m. to 8:00 p.m. on Saturday, October 29, 2016 for a special event at the New Life Church, 3900 West 38<sup>th</sup> Street at the same time and date. No public comment was offered.

- Colonial Avenue (both sides) between West 38<sup>th</sup> Street north to Feidler Drive
- McCreary Road (both sides) between West 38<sup>th</sup> Street north to Feidler Drive
- Holly Rue (both sides) between Colonial Avenue and McCreary Road
- Venice Drive (both sides) between Colonial Avenue and McCreary Road

Motion carried by unanimous roll call vote.

There being no citizens to be heard or any further business to come before the Board, it was moved by Mr. Morgan and seconded by Mr. Groh to adjourn the meeting at 8:10 p.m.

Sheryl A. Williams  
Assistant Secretary

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Approved: November 15, 2016

John H. Groh  
John E. Morgan