

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:30 a.m. by Chairman John Groh in the Assembly Room of the Millcreek Township Municipal Building. Present were Mark Zaksheske, Brian McGrath, John Groh, John Morgan, Mark Shaw, Esq., Richard Morris and Sheryl Williams.

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 November 29, 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 \$2,106,691.37, and Sewer Revenue Fund Bills in the amount of \$1,289,027.95.

Treasurer Mark Zaksheske presented the proposed 2017 Preliminary Budget, noting that a zero-based budgeting process was used this year to ensure that department heads justify all expenses and to allow for more transparency. Despite only a slight increase in this year's revenues, there will be no tax increase in 2017, with the tax rate to remain at 3.3977 mills, due in part to decreased pension and healthcare costs. In addition, operating revenue will not include County gaming money or capital grants, and Mr. Zaksheske intends to develop a capital plan and policy which would require the Township to maintain a General Fund balance of 20% of revenue.

Mr. Groh thanked Mr. Zaksheske for working with department heads on a new budgeting process and everyone for cooperating in holding costs. Mr. Zaksheske added that future budgets will include a multi-year plan. Mr. McGrath was pleased that the Board was able to hold taxes and plan for the future, while still providing first-class services for Township residents, and thanked Mr. Zaksheske for his work on the budget. Mr. Morgan also thanked Mr. Zaksheske for his diligent work on the budget, for increasing the budget for capital improvements and for his transparency.

On recommendation of Mr. Zaksheske, it was moved by Mr. McGrath and seconded by Mr. Morgan that the minutes of this meeting include the following:

1. For approximately the last 60 days and under the direction of the Board of Supervisors, work has been undertaken to prepare a proposed budget for the 2017 calendar year.
2. A draft of the proposed and preliminary budget has now been prepared and is ready and available for public inspection.
3. Public notice of the preparation and availability for inspection of the preliminary 2017 budget has been advertised in the December 6, 2016 issue of the *Erie Times News*.
4. The preliminary and proposed budget shall be available for public inspection for the next 20 days in the Office of the Secretary at the Millcreek Township Municipal Building, from 8:00 a.m. until 4:30 p.m., Mondays through Fridays, and at the Millcreek Township Police Department on weekends and holidays from December 6, 2016 until December 27, 2016.

5. At the regular meeting of the Board of Supervisors beginning at 9:30 a.m. on Tuesday, December 27, 2016, and after making such revisions as it deems necessary, the Board of Supervisors intends to adopt a budget for the calendar year of 2017.

Motion carried by unanimous roll call vote. Mr. Groh announced that the proposed 2017 budget will be posted on the Township website today.

For informational purposes, Treasurer Zaksheske announced that the Minimum Municipal Obligation Pension for 2016 was approved in today's bills in the amount of \$836,948.46 for the Police Pension, and \$679,770.57 for the General Employees Pension.

Mr. Groh announced that Proposed Ordinance 2016-13; An Ordinance to amend Chapter 35, adding Article III of the Millcreek Township Code, known as the Fire Code and Emergency Services Commission, had been advertised and was on the agenda for action. He noted that this ordinance has been discussed for a long time, and would involve the creation of a commission of nine members: five representatives from the Township fire departments, the Executive Director of MPS, and three Township residents. Mr. McGrath reported that he had received comments earlier in the week asking the Supervisors to delay voting on the ordinance, and Mr. Morgan reviewed the purpose for the commission, that it is to form a formal partnership between emergency services representatives to provide recommendations to the Board of Supervisors, and to help the Board understand their needs. Mr. Groh stated that representatives from the Fire Chiefs Association and MPS have asked to speak to the Supervisors and are in attendance.

James Rosenbaum, Deputy Chief of West Ridge Fire Department and Vice President of the Fire Chiefs Association, stated that the Fire Chiefs are in favor of the creation of this commission, and feel that it will move us ahead in the future with both immediate and long-term public safety benefits. Due to the death of a former colleague and director of MPS, the last Fire Chief's meeting was canceled, and therefore they did not have the opportunity to discuss the proposed Ordinance. The Fire Chiefs would like more time to review the language of the ordinance and are requesting that the Supervisors postpone voting on the ordinance until after the holidays. They are in agreement that this is a worthwhile endeavor, and do appreciate the Township's moving quickly to streamline communications, and plan to meet and discuss the proposed ordinance this Thursday, December 8th. Mr. Groh stated that he feels it is important to have the Fire Chiefs' input. Solicitor Shaw advised that the Board must advertise again at least 10 days prior to action being taken on this ordinance.

Gary Carver, President and Board Chairman of West Ride Fire Department and MPS, asked the Board to consider adding language into the ordinance to allow for alternate fire department members to vote at meetings, in case of untimely absence of one of the designated representatives. He also suggested changing the language in the ordinance from "approved minutes" to "immediate minutes," which would shorten the waiting time for the commission to submit their minutes to the Board. Mr. Carver commended the Board for their initiative in creating this commission, stated that this is an historic event, and that he and his colleagues want to see this succeed in this endeavor.

Mr. Groh stated that he is pleased with the teamwork and effort involved among the Supervisors and emergency services workers and volunteers to accomplish this achievement. He then called for a motion. It was moved by Mr. McGrath and seconded by Mr. Morgan to table action on Ordinance 2016-13 until the January 3, 2017 Board meeting. No further public comment was received. Motion carried by unanimous roll call vote.

Mr. McGrath explained that Resolution 2016-R-22; A Resolution to Approve the Annual Budget of the Erie Area Council of Governments for the Calendar Year Ending December 31, 2017, had

been tabled from the November 29, 2016 meeting until the preliminary budget could be passed. It was moved by Mr. McGrath and seconded by Mr. Morgan to approve Resolution 2016-R-22, which includes payment of Millcreek Township's annual dues of \$15,400.00. Motion carried by unanimous roll call vote.

Engineer Richard Morris reported that the Township received a letter from Citizens Bank stating they will not renew the Letter of Credit in the amount of \$80,580.00 for the required public improvements. The developer of Millcreek Millfair Heights No. 10 has failed to complete all of the required work on the project. Solicitor Mark Shaw reported that the Letter of Credit cannot be renewed, and a Resolution would authorize the required actions and details of the Irrevocable Standby Letter of Credit for this case so that the Township can collect the necessary funds to complete the project. On recommendation of Mr. Morris and Mr. Shaw, it was moved by Mr. Morgan and seconded by Mr. McGrath to approve Resolution 2016-R-23; A Resolution to authorize draw down of letter of credit for Redinger Homes and submission of Sight Draft, Citizens Bank Letter of Credit No. S903041. Motion carried by unanimous roll call vote.

It was recommended by Engineer Morris, moved by Mr. McGrath and seconded by Mr. Morgan to approve a financial security reduction for Abiding Hope Lutheran Church - Abiding Hope Lutheran Church, Developer, by \$13,600.00, from \$38,726.00 to \$25,126.00 (Northwest Savings Bank Check #1009). Per Engineer Morris, the developer's request for a reduction in the security should be approved, the reduced security being more than sufficient to defray costs of completing the remaining required public improvements. Motion carried by unanimous roll call vote.

Mr. Morgan reported that the next step in developing the Township's new Comprehensive Plan is for the Planning Commission to advertise for consultant services, which is a budgeted expense. It was moved by Mr. Morgan and seconded by Mr. McGrath to allow the Planning Commission to solicit Requests for Proposals for consultant services, not to exceed \$200,000.00, to develop the Township's Comprehensive Plan. Motion carried by unanimous roll call vote. Mr. McGrath asked for an estimate of how long the process will take, to which Mr. Morgan replied that he hopes to have a consultant under contact within approximately six to eight weeks.

It was requested by Public Works Director Gary Snyder, moved by Mr. McGrath and seconded by Mr. Morgan to hire Jake Ouellet and Max Knight to work part-time in the Sewer Department from December 19, 2016 through January 20, 2017 at their summer pay rates, using budgeted funds from the sewer department to cover costs. Motion carried by unanimous roll call vote.

In his capacity as Administrator of Public Safety, it was requested by Mr. Groh, moved by Mr. McGrath and seconded by Mr. Morgan to authorize Mr. Groh to attend the monthly meeting of the Pennsylvania Department of Labor and Industry Accessibility Advisory Board meeting on December 22, 2016, with all costs to be covered by the Commonwealth. Motion carried by unanimous roll call vote.

Mr. Groh noted that tomorrow, December 7th, is the 75th anniversary of the bombing of Pearl Harbor, and to please remember all of our veterans.

Mr. Groh announced two Executive Sessions during the past week: Supervisors met with Labor Solicitor Richard Perhacs regarding upcoming labor negotiations, and also with Solicitor Mark Shaw regarding upcoming legal matters.

Sheryl Williams, Open Records Officer, gave the November Right-to-Know Report, noting that one request was submitted, which was partially granted and partially denied.

Student Ambassador Sydney Stitt announced the December and January upcoming meetings, as follows: Tues., December 27, 2016 at 9:30 a.m., Reorganization and Regular Meetings on Tues., January 3, 2017 at 9:30 a.m., and the Auditors Meeting on Wed., January 4, 2017 at 1:00 p.m. She also reported that the McDowell winter sports season is in full swing and the Swim Team will open its season against the #1 team in Ohio on Friday. Also, the National Honor Society is coordinating an upcoming fundraiser for breast cancer with Asbury Woods and the Regional Cancer Center, with a date to be announced.

Mary Bemis, 1317 West 54th Street, adding to her comments from the last meeting regarding a neighbor who made some home improvements without a permit, stated that she has not heard anything yet from the Township since the meeting. She reminded the Township that MPD told her it was a civil matter, but she has contacted the District Justice Strohmeyer and an attorney, and was told by both that it is a Township matter. She also stated that she never had a flooding problem prior to the neighbor's driveway expansion, and reported that the neighbor trespassed onto her property during the driveway expansion. Mr. Morgan asked Engineer Morris if a permit had been obtained for the driveway expansion, to which he replied no, and that if less than 1500 square feet is constructed, stormwater management is not required, unless it is a problem drainage area, and then it is up to the Township's discretion. He stated, however, if the property owner directs drainage to another property, they are liable. Mr. Morgan then directed Mr. Morris to measure the area in question, and further investigate if there has been a violation of the Land Development Ordinance. Mr. McGrath requested that Ms. Bemis be notified of the results of the investigation.

There being no other citizens to be heard or any further business to come before the Board, the meeting was adjourned at 10:17 a.m.

Sheryl A. Williams
Assistant Secretary

Approved: December 27, 2016

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