

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:30 a.m. by Chairman McGrath in the Assembly Room of the Millcreek Township Municipal Building. Present were Gerald Wolf, Richard Figaski, Brian McGrath, John Groh, Anne Sokol, Julie Maggio and Sheryl Williams. Solicitor Adair was absent.

Following the Pledge to the Flag, Chairman McGrath called for public comment on agenda items other than development or rezoning applications. No comments were received.

It was moved by Mr. Figaski, seconded by Mr. Groh and carried by unanimous vote to approve the minutes of the Board's May 6, 2014 meeting.

It was moved by Mr. Groh, seconded by Mr. Figaski, and carried by unanimous vote to approve payment of the weekly General Fund bills in the amount of \$154,964.18, and Sewer Revenue Fund bills in the amount of \$123,827.63.

Julie Maggio, Assistant Code Enforcement Officer, reported that the Erie County Planning Commission recommended denial of the following rezoning petition on the basis that it did not follow the Erie County Comprehensive Plan. The Millcreek Planning Commission also recommended denial and future land use shows the land earmarked for parks and recreation:

MARVIN E. GOLD & CHERYL BRAVER, for property located on the south side of Golf Club Road (private road), west of Interstate 79, consisting of approximately 24 acres, now zoned RR Rural Residential District and R-1 Single Family Residential District, asking for a change in classification to R-2 Low Density Residential district. **Township Index** 608-055, **County Index** (33) 185-554-26

Sherry Bauer, Altair Real Estate Services, 410 Cranberry Street, Suite 200, reported that she has been working with Dan Kello, Northeast Environmental, Inc. on this project regarding wetlands delineation and site assessment. Mr. Kello confirmed that eleven of the 24 acres are wetlands. Ms. Bauer stated that there is a plan to develop all of Mr. Gold's Summit Township properties as well. However, it will be difficult enough to develop the property in question as it is, and if not rezoned, it will probably not be developed at all.

Michael Dimattio, 5632 Old Zuck Road, is opposed to the zoning change and feels that there are enough multi-family homes in that area. Mr. Groh replied that if the property is rezoned as petitioned, it does not mean that it will be developed as such. It was moved by Mr. Groh, seconded by Mr. Figaski, to approve the rezoning request. No further public comment was received. Motion carried by unanimous vote.

It was moved by Mr. Figaski and seconded by Mr. Groh to approve Ordinance 2014-6, an Ordinance to amend the Millcreek Township Zoning Ordinance, No. 2011-8, as amended, by changing the classification of a certain parcel of land situate in the Township of Millcreek, Erie County, Pennsylvania, described as follows, to-wit: Property at 2010 and 2020 Edinboro Road, now zoned C-3 and C-04 Business Districts, to be rezoned to C-2 General Commercial District. No public comment was received. Motion carried by unanimous vote.

It was moved by Mr. Figaski and seconded by Mr. Groh to approve Resolution No. 2014-R-17, a Resolution approving Millcreek Township's FY 2014 Action Plan for the Community Development Block Grant (CDBG) Program. No public comment was received. Motion carried by unanimous vote. Chairman McGrath reported that the Township is being awarded approximately \$207,716.00 for various projects, including sidewalk accessibility, Lifeworks Health Project support, JOY Center expansion, affordable housing expansion and county administration.

It was recommended by Assistant Engineer Anne Sokol, moved by Mr. Groh, seconded by Mr. Figaski and carried by unanimous vote to approve a Sidewalk Deferral Agreement for Michael J. Camino, 2706 Loveland Avenue. Chairman McGrath asked Assistant Engineer Sokol to inform Mr. Camino that this may be temporary, as there is currently ongoing litigation in another related matter.

On separate motions by Mr. Figaski and seconded by Mr. Groh, the following requests from Chief Tesore were approved:

Permission for Cpl. Anthony Chimera to attend a DUI instruction course in State College, PA from May 13-15, 2014, representing an Erie County Detective who was unable to attend due to a scheduling conflict. Total estimated cost is \$125.00 for fuel and one dinner, as Erie County District Attorney's office is funding the remainder of the costs.

Permission to purchase one ComLog voice recorder with a 5-year service plan from Mobilcom for a total cost of \$13,779.75. This is a budgeted expense.

No public comment was received, and both requests were approved by unanimous vote.

Mr. Figaski announced the resignation of Millcreek Township Water Authority (MTWA) Board member George Hazuda, effective May 7, 2014. Dave Sterrett, Executive Director, submitted three nominees: Thomas Putnam, Hank Graygo and John DiPlacido. Mr. Figaski also submitted his name for consideration, stating that more oversight is needed beyond his current liaisonship to the MTWA. Mr. Groh reported that he consulted Solicitor Adair, and according to the Municipalities Authority Act, there is no legislation prohibiting a Supervisor serving on an Authority Board, providing that they receive no payment.

It was moved by Mr. Groh and seconded by Mr. Figaski to appoint Supervisor Richard Figaski to serve as a member of the MTWA Board, with his term expiring on December 31, 2018. Chairman McGrath expressed his reservations regarding the motion, citing former Supervisor Sue Weber's opinion in the past that the Board should not interfere with the Authorities' business, and that political involvement should be avoided by appointing Board members by following the suggested list of nominees submitted by the Authorities. No further public comment was received. Motion carried 2-1, with Chairman McGrath voting no.

It was requested by Bill Hitchcock, Operations Manager, Township Garage, moved by Chairman McGrath, and seconded by Mr. Groh, to send the following vehicles which have either been replaced or are no longer being used in normal operations, to a Public Consignment auction at the Greater Erie Auto Auction:

Dept	No.	Year	Make	Type	VIN	Mileage
Sewer	668	1982	Ingersoll Rand	Air Compressor	128306 U82 923	
Streets	4958	1994	CHEVROLET	Pickup Truck	1GCEK14K0RZ264958	189420
Streets	137	1996	CHEVROLET	Pickup Truck	1GCGC24F2TE251853	116955
Streets	168	1999	FORD	Pickup Truck	1FTNF20L8XEB27666	129810
Streets	9527	1999	FORD	Pickup Truck	1FTNF20L9XEB19527	159398
Streets	138	1999	DODGE	Pickup Truck	1B7KC23Z2XJ632847	72731
Streets	515	2000	AMZ	Patch Trailer	1C9AF162XX1418362	

No public comment was received. Motion carried by unanimous vote.

Streets Department Head Foreman Mark Dietz solicited and received three quotes for 100 tons of pre-mixed Cold Patch:

Russell Standard Corporation	\$ 72.00/ton
Suite-Kote Corporation	\$ 76.00/ton
McCormick Construction	No bid
Vince Cross Paving	No bid
Mayer Brothers	No bid

It was recommended by Mr. Dietz, moved by Chairman McGrath and seconded by Mr. Groh, to award the contract to Russell Standard Corporation for \$7,200.00. No public comment was received. Motion carried by unanimous vote.

It was requested by Gary Walters, Assistant Head Foreman, Streets Department, to send one more Streets employee to a "Principles of Paving" workshop on May 15, 2014. There is no cost other than a vehicle for travel and time allowed. No public comment was received. Motion carried by unanimous vote.

Bill Hitchcock, Operations Manager, Township Garage, solicited and received three quotes for one Hougan Magnetic Drill Press:

Airgas	\$ 1,144.44
Perry Mill	\$ 1,182.79
Fastenal	\$ 1,503.09

It was recommended by Mr. Hitchcock, moved by Chairman McGrath and seconded by Mr. Figaski, to award the contract to Airgas for \$ 1,144.44. No public comment was received. Motion carried by unanimous vote.

At the request of Jessica James, Recycling Coordinator, Chairman McGrath announced the Millfair Tire and Paper Recycling Event on Saturday and Sunday, May 17-18, 2014, from 9:00 a.m. until Noon at the Millfair Recycling Center.

Chairman McGrath announced there will be no meeting on May 20, 2014, Election Day. The next meeting will be Tuesday, May 27, 2014 at 7:00 p.m.

Mr. Groh presented the April Building Construction Report as follows:

Total Residential Structures	\$ 2,490,000.00
Total Non-residential Structures	<u>\$ 1,607,525.00</u>
	\$ 4,097,525.00
Zoning Permits Issued	24
Zoning Permit Fees	\$ 7,100.00

It was moved by Mr. Groh, and seconded by Mr. Figaski, to refer to the Planning Commission for consideration on June 10, 2014, an Ordinance which would amend the Township's Zoning Ordinance in several respects, including amendment of three definitions, creation of a new term, amendment of Section 3.08, transfer of setback regulations for gas wells and amendment of regulations governing recreational vehicle parks. As part of this motion, the Solicitor shall ensure required legal notices and the Board of Supervisors will consider the proposed Ordinance at its regular meeting on June 17, 2014. No public comment was received. Motion carried by unanimous vote.

Kent Fry, 1324 South Shore Drive, commended Mr. Figaski for providing a different viewpoint for the MTWA. Chairman McGrath also commended current members of all of the Authority boards for their diligent work.

There being no other citizens to be heard or any further business to come before the Board, it was moved by Mr. Figaski and seconded by Mr. Groh to adjourn the meeting at 10:08 a.m.

Sheryl A. Williams
Assistant Secretary

Approved: May 27, 2014

Brian P. McGrath
Richard P. Figaski
John H. Groh