

Regular Meeting

September 12, 2017

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:33 a.m. by Chairman Brian McGrath in the Assembly Room of the Millcreek Township Municipal Building. Present were Mark Zaksheske, John Groh, Brian McGrath, Mark Shaw, Esq., Richard Morris, P.E., Charles Pierce, and Sheryl Williams. John Morgan was absent.

Following the Pledge to the Flag, Mr. McGrath called for public comment on agenda items other than development or rezoning applications. None were received.

It was moved by Mr. Groh, seconded by Mr. McGrath, and carried by unanimous vote to approve the minutes of the Board's August 29, 2017 Regular meeting.

It was moved by Mr. Groh, seconded by Mr. McGrath and carried by unanimous vote to approve payment of the General Fund bills in the amount of \$1,718,368.76, and Sewer Revenue Fund bills in the amount of \$58,431.73.

Mr. Groh introduced McDowell High School Student Ambassadors Lilly Hanko and Aaron Boyd for the 2017-2018 school year. Both are college bound seniors who will attend the Supervisor, Planning Commission and Zoning Hearing Board meetings on an alternating basis. Also recognized were their Faculty Advisors, Beth Maciejewski, Crystal Myers and Sandra Means.

Mr. McGrath reported that bids were opened for the Millcreek Golf and Learning Center Construction and Reconstruction – Phase I, on September 6, 2017, as follows: Aspen Corporation - \$236,840.16, Frontier Golf - \$360,150.00, and George Ley Company - \$260,026.00. Solicitor Mark Shaw reviewed the bids to make sure all had met the requirements, and Architect Jim Cervone made sure all bids met the specifications.

Mr. McGrath explained that Aspen Corporation was involved with the original golf course and comes highly recommended. He stated that the Township is required to maintain the golf course under the terms of the state grant, and in the past it has generated revenue and hopes it will do so in the future. He noted that Phase I is for the construction of 6 holes, and that additional bids were also solicited and received for Phase II for future possible expansion to 9 holes, and ranged from \$350,000 - \$375,000. The Township will not award bids for Phase II at this time.

Mr. Groh opined that he normally is not in favor of the Township operating golf courses, but because the state has granted funding, it allows for the possibility of a learning center idea for youth and for the course to become operational again at a substantial savings to the Township.

On recommendation of Atty. Shaw and Mr. Cervone, it was moved by Mr. Groh and seconded by Mr. McGrath to award the contract for Millcreek Golf and Learning Center Construction and Reconstruction – Phase I to Aspen Corporation for \$236,840.16. Motion carried by unanimous roll call vote.

Engineer Richard Morris reported that quotations for the Glen Meadows Pond A – Flood Detention Basin Mowing and Tree Cutting and Removal Project were solicited and received by Assistant Engineer Anne Sokol as follows: Gerlach's Property Maintenance - \$3,825.00, Dahlkemper's – No Bid, Manzi Services – \$2,500.00. Mr. Shaw explained that this is a basin in the Heidler Road area that became overgrown in the late 1990's which must be cleaned out to be used as properly intended, and is being funded using proceeds that the developer forfeited from his financial security.

On recommendation of the Engineering Department, it was moved by Mr. Groh and seconded by Mr. McGrath to award the contract to Manzi Services for \$2,500.00. Motion carried by unanimous roll call vote.

Quotations for Code Enforcement Inspection Software were solicited and received by Matthew Exley, Emergency Management Coordinator/Fire Code Official as follows: Mobileyes - \$13,531.00, Firehouse - \$13,625 (no property maintenance ability), Emergency Reporting – No Bid. Mr. Zaksheske explained that this is a non-budgeted purchase; however, proceeds from the Grenada enforcement action settlement may be used. Atty. Shaw added that if this type of software had been available during the Grenada enforcement, it would have moved much more quickly. On recommendation of Mr. Exley, it was moved by Mr. Groh and seconded by Mr. McGrath to award the contract to Mobileyes for \$13,351.00, and to authorize the additional purchase of mobile devices and printers for \$2,000.00. Motion carried by unanimous roll call vote.

Atty. Shaw explained that the Township is required under the Americans with Disabilities Act to entertain Public Comment on its ADA Transition Plan for three (3) consecutive meetings. Mr. McGrath called for public comment but none was received.

Treasurer Mark Zaksheske explained that the Township's financial advisor, Morrison Fiduciary, recommended some small changes in the fixed income and equities areas of the Township's plan. On recommendation of Mr. Zaksheske, it was moved by Mr. Groh and seconded by Mr. McGrath to approve the Investment Policy Statement for the Millcreek Township Aggregated Pension Plan. Motion carried by unanimous roll call vote.

Mr. McGrath explained that neighboring municipalities sometimes contact the Township to contract services for line painting by our Traffic Department. It was moved by Mr. McGrath and seconded by Mr. Groh to approve an Inter-municipal Shared Services Agreement between Millcreek and Girard Township for six miles of double yellow line painting at the current cost for paint, use of the painting truck and labor. Motion carried by unanimous roll call vote.

Mr. McGrath reported that a similar request was received from Harborcreek Township, but has since been withdrawn. No action on this item was required.

Solicitor Mark Shaw explained that there are two issues from the LECOM settlement that need action, the first being that two properties were inadvertently included in the PILOT settlement which should not have been included. On recommendation of Atty. Shaw, it was moved by Mr. Groh and seconded by Mr. McGrath to approve the amendment of that exhibit of the settlement to reflect the deletion. Motion carried by unanimous roll call vote.

Secondly, the property at 5201 Peach Street is pending an assessment appeal. The property was initially assessed at \$178,000, LECOM purchased it for \$700,000, and the assessment office put a value of \$500,000 on it, which LECOM appealed. MTSD and LECOM are willing to agree to a value of \$400,000, and would like the Township to agree to that amount as well. On recommendation of Atty. Shaw, it was moved by Mr. Groh and seconded by Mr. McGrath to approve \$400,000 as the settlement amount for the appeal. Motion carried by unanimous roll call vote.

On request of Treasurer Mark Zaksheske, it was moved by Mr. Groh and seconded by Mr. McGrath to table until the next meeting the agenda item, "Agreement Between Millcreek Township and BAI." No public comment was offered. Motion carried by unanimous roll call vote.

Engineer Richard Morris reported that for safety reasons, curbing needed to be added at three locations along Amherst Road and some ramps and transitions needed to be reconfigured for the Millcreek Township Sidewalk Accessibility Project – Phase V. This will be funded through CDBG. Therefore, on recommendation of Engineer Morris, it was moved by Mr. Groh and seconded by Mr. McGrath to approve Millcreek Township Sidewalk Accessibility Project – Phase V Change Order #2 for \$5,088.00, bringing the new contract total to \$179,838.00. Motion carried by unanimous roll call vote.

On recommendation of Engineer Richard Morris, it was moved by Mr. Groh and seconded by Mr. McGrath to approve a Sidewalk Deferral Agreement for 3531 Muriel Drive – Derek B. Sanford, Developer. Mr. Morris reported that the application was completed on the Township approved form and there are no sidewalks in the area. Motion carried by unanimous roll call vote.

Engineer Richard Morris reported that the Township received a Financial Security Release Request from Birch Run Residue – Baldwin Brothers, Developer, and all requirements have satisfactorily been met. On recommendation of Mr. Morris, it was moved by Mr. Groh and seconded by Mr. McGrath to approve the release of Citizens Bank Check #78235 in the amount of \$30,343.00. Motion carried by unanimous roll call vote.

Engineer Richard Morris reported that the Township received a Financial Security Release Request from JP Realty Group – JP Realty Group, LLC, Developer, and all requirements have satisfactorily been met. On recommendation of Mr. Morris, it was moved by Mr. Groh and seconded by Mr. McGrath to approve the release of Erie Bank Letter of Credit #1501 in the amount of \$12,595.00. Motion carried by unanimous roll call vote.

Treasurer Mark Zaksheske announced that the Township will receive approximately \$1,731,000 in Liquid Fuels Allocation from PennDOT this year.

On motion by Mr. Groh, seconded by Mr. McGrath, it was approved by unanimous vote to send a letter to PennDOT, retroactive to September 6, 2017, approving emergency services and traffic control for the Barber Institute “Beast on the Bay” event on September 9, 2017. Motion carried by unanimous roll call vote.

It was requested by Chief Scott Heidt, moved by Mr. Groh and seconded by Mr. McGrath to authorize permission for two Firearms Instructors to attend Taser Instructor training on October 23-24, 2017 at Thiel College at a total estimated cost of \$1,365.50. Motion carried by unanimous roll call vote.

On recommendation of EMA Coordinator Matt Exley, it was moved by Mr. Groh and seconded by Mr. McGrath to approve Ramona Junkins as a volunteer for the Office of Emergency Management. She has completed her PSP Criminal History and has all of the proper credentials. Motion carried by unanimous roll call vote.

It was moved by Mr. Groh and seconded by Mr. McGrath to authorize Mr. Groh, in his capacity as Municipal Administrator, to attend the 2017 PA Governor’s Emergency Preparedness Summit on Floodplain Management on September 30, 2017, with total cost to include lodging only and use of a Township vehicle. Motion carried by unanimous roll call vote.

It was requested by Bill Martin, Executive Director of MPS, moved by Mr. Groh and seconded by Mr. McGrath, to allow the sale of a used 2010 Ford Crown Victoria with 133,282 miles for \$1,000.00. Mr. McGrath noted that this was one of the items on the list approved at the August 29, 2017 meeting. No public comment was offered. Motion carried by unanimous roll call vote.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Mr. McGrath and seconded by Mr. Groh to approve three part-time employees for the Fall Season: Megan Mitchell, WSI - \$9.50/hour, Laurel Kurtic, Lifeguard - \$7.95/hour, Christian Fortin, Lifeguard Sub - \$7.95/hour. Motion carried by unanimous roll call vote.

On request of McDowell Advisor Pamela Miller, it was moved by Mr. McGrath, seconded by Mr. Groh and approved by unanimous vote to make the following temporary traffic changes on October 6, 2017 for the McDowell High School Homecoming Parade: No Parking signs to be placed along Homestead Drive (North and South of Meadow) and West 27th Street (between Caughey and

Homestead); Permission to open the fire exit gates at MIHS at 5:10 to start the parade procession; Police presence on Caughey; and closure of Caughey Road to traffic from 5:25 through 6:45 p.m. Motion carried by unanimous roll call vote.

Mr. McGrath reported that the Board met in Executive Session with Solicitor Mark Shaw to discuss legal matters on August 11, 17, and 24, 2017, and on September 5, 2017.

Mr. McGrath reported that since the last meeting, the Supervisors and Engineering staff met with PennDOT representatives on September 7, 2017 to discuss the June 18, 2017 flooding issues in the 28th Street and Contessa Lane area. They learned that the 60" pipe underneath West 26th Street was installed in 1941, and the 42" and 48" extension pipes were installed in 1955. No one knew why they had been downsized. PennDOT suggested they should do an extensive study to determine the best way to solve the problem, because to tear out pipes could cause catastrophic damage to the railroad tracks and to properties downstream where there is only a 24" pipe.

In the meantime, to alleviate water coming up through the sanitary sewer drains in residents' basements, Sewer Authority Engineer Rob Rodemoyer reported to Mr. McGrath that rubber seals or "dishes" have been installed under the manhole covers and are working well, and a grouting contractor will be on-site in a few weeks to grout any joints in the sanitary sewer lines to keep any ground water from flowing into the sanitary sewer system. Meters have been installed in the sanitary sewer lines to analyze infiltration, and our Sewer I & I foreman will begin investigating once ground water starts to increase in late fall or early spring. The Supervisors are considering allowing residents who had water come up through their drains to be permitted to install backflow preventors in the future. Mr. McGrath encourages residents to call the Supervisors or talk to Township employees who are working in the area if you have any questions.

Mr. Groh stated that there is no easy solution nor is there an inexpensive one, and there are many legal considerations as well. The Township must plan carefully, and the Supervisors appreciate hearing comments from residents.

Student Ambassador Lilly Hanko reported that the Girls Club has been busy preparing for the Homecoming Parade and Dance, and Student Ambassador Aaron Boyd announced that the Explorer Club collected \$785.00 during lunch periods to donate to hurricane relief efforts.

Solicitor Mark Shaw reported that the EMS and Fire Commission is studying the cost and options for various tax incentives for volunteer firemen.

Open Records Officer Sheryl Williams gave the August Right-to-Know Report, noting there were 10 requests requiring 27.5 hours of response preparation time.

Zoning Administrator Charles Pierce gave the Code Enforcement Summary Report from 8/23/17 through 9/11/17, noting 17 Property Maintenance Complaints sent to BIU, with 282 PMC complaints handled to date, 8 Zoning Complaints, and 31 Temporary signs removed from the Right-of-Way.

Mr. Pierce presented the August Building Construction report as follows, which is available on the Township website and also in the Zoning Office.

<u>August 2017:</u>	Total Residential Structures	\$ 472,500.00
	Total Non-residential Structures	<u>1,087,671.00</u>
		\$ 1,560,171.00
	Zoning Permits Issued	23
	Zoning Permit Fees	\$ 4,350.00

Mr. McGrath announced the next meeting will be held on September 26, 2017 at 7:00 p.m.

There being no citizens to be heard or any further business to come before the Board, it was moved by Mr. Groh and seconded by Mr. McGrath to adjourn the meeting at 10:25 a.m.

Sheryl A. Williams
Assistant Secretary

Approved: September 26, 2017

Brian P. McGrath _____

John H. Groh _____

John E. Morgan _____