

## Regular Meeting

December 27, 2017

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

Following the Pledge to the Flag, Chairman McGrath called for public comment on agenda items other than development or rezoning applications. Jack Grimm, Travelers Insurance Management Company, thanked Mr. McGrath for his service to the Township, and then noted that his company has served the Township since 2008. He stated that the Township renewed its multi-year agreement, executed on January 12, 2017, with a guaranteed rate increase of no more than 2% per year, with the opportunity for rates to decrease as well. Mr. Grimm said that he received an email on December 22<sup>nd</sup> stating that the Township will be moving its Workers Compensation program, and he felt that the Township was not being transparent. Treasurer Mark Zaksheske acknowledged notification of a rate increase, but stated that any insurance can be canceled by non-payment. Mr. Morgan asked him if he had issued an RFP (Request for Proposal) to other agencies for quotations, to which he responded that he did contact other vendors for quotations, but did not issue a formal RFP so as not to receive multiple quotes from brokers who work with multiple insurance agencies. He added that the insurance expires on December 31, 2017. Mr. Morgan clarified that this is an agreement but not a contract, to which Mr. Zaksheske said yes. Mr. Grimm disagreed, and opined that the Township violated the agreement, and was concerned that his company did not receive a request for quotations.

At 9:52 a.m., Mr. Groh moved and Mr. Morgan seconded the motion to adjourn for an Executive Session to discuss this matter. Motion carried by unanimous roll call vote.

At 9:58 a.m., Mr. Groh moved and Mr. Morgan seconded the motion to reconvene the meeting. Motion carried by unanimous roll call vote. Mr. McGrath announced that the Board decided that a second meeting is needed to further discuss the matter before awarding the insurance contracts. On motion by Mr. Morgan, seconded by Mr. Groh, it was carried by unanimous vote to table action on the matter and to hold a special meeting on Friday, December 29, 2017 at 9:30 a.m. to take action on awarding the insurance contracts.

It was moved by Mr. Groh, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the minutes of the Board's December 5, 2017 Regular Meeting.

It was moved by Mr. Groh, seconded by Mr. Morgan and carried by unanimous roll call vote to approve payment of the General Fund bills in the amount of \$323,082.05, and Sewer Revenue Fund bills in the amount of \$1,198,596.24.

Mr. McGrath reported that the proposed 2018 Preliminary Budget has been on display since December 5, 2017. Treasurer Mark Zaksheske reported that one item in the Parks and Recreation had been overlooked and has since been included, and that the budget is almost \$34 million, including \$5.5 million in capital improvements.

On recommendation of Mr. Zaksheske, it was moved by Mr. Morgan and seconded by Mr. McGrath to adopt the 2018 General Fund and Capital Fund budgets. Motion carried 2-1, with Mr. Groh voting no.

On recommendation of Mr. Zaksheske, it was moved by Mr. Morgan and seconded by Mr. McGrath to adopt the 2018 Sewer Revenue Fund budget. Motion carried by unanimous roll call vote.

Mr. McGrath announced that a 10-day extension of the contract for storm sewer pipe cleaning in the area of 17<sup>th</sup> Street and Peninsula is needed, as the pipe was blocked and the project is taking longer than anticipated. On recommendation of Sewer Foreman John Blose, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve the COSTARS contract extension with Insight Pipe Contracting LLC at the quoted rate of \$2,550.00 per day. Motion carried by unanimous roll call vote.

On recommendation of Traffic Department Manager Richard Whitbread, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve the budgeted purchase of 8 Signal Preemption traffic units at a total cost of \$36,000.00 from Emergency Traffic Systems, Inc. Motion carried by unanimous roll call vote.

It was moved by Mr. Groh and seconded by Mr. Morgan to adopt Resolution 2017-R-50, previously tabled from the December 5, 2017 meeting; A Resolution pursuant to Resolution 2015-R-20 and the Municipal Records Manual to approve proposed disposition of certain Township records. This authorizes disposal of police Dash Cam videos which may be discarded after the mandatory 180 days, and Streets Department records regarding CDL licenses, which have met the retention requirements for destruction per the Municipal Records Manual. Motion carried by unanimous roll call vote.

It was moved by Mr. Groh and seconded by Mr. Morgan to adopt Resolution 2017-R-51; A Resolution of the Board of Supervisors fixing the Millcreek Township tax rate for the year 2018 at 3.5537 mills. Motion carried by unanimous roll call vote.

It was moved by Mr. Groh and seconded by Mr. Morgan to adopt Resolution 2017-R-52; A Resolution to Amend Millcreek Township's Fiscal Year 2016 CDBG Action Plan. Motion carried by unanimous roll call vote.

On recommendation of Human Resource Manager Diane Lyons, it was moved by Mr. Groh, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the Collective Bargaining Agreement with Millcreek Police Association, which will expire in 2019.

Solicitor Mark Shaw explained that taking into account the new internal changes within the Township, the Township will now take the lead in Code Enforcement and BIU (Building Inspection Underwriters) will assist the Code Enforcement department, at the current rates, and will also be trained in the use of the new inspection software. Mr. Morgan gave credit to Emergency Management and Code Enforcement Director Matt Exley for this change. On recommendation of Mr. Shaw, it was moved by Mr. Groh and seconded by Mr. Morgan to approve the Building Inspection Underwriters (BIU) contract with Millcreek Township for one year. Motion carried by unanimous roll call vote.

Mr. Shaw reported that the District Justice Office Lease Agreement with Erie County was previously approved by the Supervisors, but Erie County requested a six month provision for relocation from the Township Building, so it needs to be amended and approved. On recommendation of Mr. Shaw, it was moved by Mr. Groh and seconded by Mr. Morgan to approve the Amendment of the District Justice Office Lease Agreement with Erie County. Motion carried by unanimous roll call vote.

Mr. Shaw reported that West Lake Fire Department Council contacted the Township, stating they plan to close on the purchase of a new fire truck at the end of December and need the Board's approval in order to qualify for special tax treatment. Mr. Shaw clarified that this process had begun long before the creation of the Fire and EMS Commission, and noted that a Public Hearing on the matter was held on December 5, 2017. On recommendation by Mr. Shaw, it was moved by Mr.

Groh and seconded by Mr. Morgan to approve the purchase of a fire truck by West Lake Fire Department at a cost of \$513,644, with the Township assuming no financial obligation. Motion carried by unanimous roll call vote.

It was moved by Mr. McGrath and seconded by Mr. Groh to approve the extension of the Sewer Billing Agreement with Erie Water Works (EWW) until December 31, 2023. Motion carried by unanimous roll call vote.

Mr. Shaw reported that the Township has various snow plowing agreements with developers and residents located in newer subdivisions where their roads have not yet been dedicated as public roads. On recommendation of Mr. Shaw, it was moved by Mr. McGrath and seconded by Mr. Groh to authorize the Chairman of the Board of Supervisors to sign and execute Snow Plowing Agreements for Indigo Run and Speciale Properties 7A and 7B in Whispering Woods. Motion carried by unanimous roll call vote.

Engineer Richard Morris reported that the Township received a request for Financial Security Release from DUFALA RESIDENCE – Greg and Katie Dufala, Developer. On recommendation of Mr. Morris, it was moved by Mr. Morgan and seconded by Mr. Groh to deny release of Marquette Saving Bank Check #166782 in the amount of \$10,000.00. Motion carried by unanimous roll call vote. On recommendation of Mr. Morris, it was moved by Mr. Morgan and seconded by Mr. Groh to reduce Marquette Saving Bank Check #166782 from \$10,000.00 to \$1500.00 to ensure completion of the required vegetative cover. Motion carried by unanimous roll call vote.

Mr. Morris reported that the Township received a Financial Security Release Request from LAUREL SPRINGS PH. 5B – Pastore, Inc. (Developer), and all public improvements have not been met. However, the developer has replaced PNC Bank Letter of Credit #18118235-00-000 in the amount of \$20,020.00 with PNC Bank Check #38082 in the same amount. On recommendation of Mr. Morris, it was moved by Mr. Groh and seconded by Mr. Morgan to approve the release of PNC Bank Letter of Credit #18118235-00-000 in the amount of \$20,020.00. Motion carried by a unanimous roll call vote.

Mr. Morris reported that the Township received a Financial Security Release Request from SHENANDOAH MEADOWS SUBDIVISION No. 4 – Pastore, Inc. (Developer), and all public improvements have not been met. However, the developer has replaced PNC Bank Letter of Credit #00264160-00-000 in the amount of \$18,544.00 with PNC Bank Check #5543 in the same amount. On recommendation of Mr. Morris, it was moved by Mr. Groh and seconded by Mr. Morgan to approve the release of PNC Bank Letter of Credit #00264160-00-000 in the amount of \$18,544.00. Motion carried by a unanimous roll call vote.

Mr. Morris reported that the Township received a Financial Security Release Request from ASBURY WOODS ESTATES SUBDIVISION No. 4 – Pastore, Inc. (Developer), and all public improvements have not been met. However, the developer has replaced PNC Bank Letter of Credit #00252915-00-000 in the amount of \$122,650.00 with PNC Bank Check #5542 in the same amount. On recommendation of Mr. Morris, it was moved by Mr. Morgan and seconded by Mr. Groh to approve the release of PNC Bank Letter of Credit #00252915-00-000 in the amount of \$122,650.00. Motion carried by a unanimous roll call vote.

Mr. Groh summarized the Township’s building construction report for the month of November 2017, and announced that the report will be available on the Township website and in the Zoning Office.

Total Residential Structures	\$ 2,288,300.00
Total Non-residential Structures	<u>866,550.00</u>
	<b>\$ 3,154,850.00</b>

Zoning Permits Issued	9
Zoning Permit Fees	<b>\$ 3,150.00</b>

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Groh, seconded by Mr. Morgan and carried by unanimous roll call vote to approve the 2018 IRS Mileage Rate of 54.5 cents per mile.

On recommendation of Mr. Zaksheske, it was moved by Mr. Morgan and seconded by Mr. Groh to approve a Kronos software maintenance fee for 2018 in the amount of \$4,831.55, which is transferable from the old system to the new system. No public comment was offered. Motion carried by unanimous roll call vote

On recommendation of Chief Heidt, it was moved by Mr. Groh, seconded by Mr. Morgan and carried by unanimous roll call vote to authorize the following training courses at the PSP Northwest Training Center in Meadville at no cost to the Township, with no scheduled overtime, and with use of a department vehicle:

Jan. 10, 2018 - "Force Options Continuum Interactive Simulator"  
Officers Hauber, Mays, H. Lucas and Sorokes

Jan. 15-17, 2018 – "Interview and Interrogation"  
Officers Makowski, Sorokes and Brocklehurst

Jan. 31, 2018 - "Force Options Continuum Interactive Simulator" - Officer Giuca

Feb. 20, 2018 – "Understanding the Sovereign Citizen"  
Officers Makowski, Sorokes and Skonieczka

March 12-13, 2018 – "Managing the Crime Scene" - Officers Makowski and Washek

March 20-21, 2018 – "Building Search Techniques"- Officers Giuca and Washek

April 12, 2018 – "Vehicle Search and Seizure" - Officer Buckner

May 23, 2018 – "Force Options Continuum Interactive Simulator"- Officer Washek

June 11-13, 2018 – "Tactical Carbine for Responding Officers"- Officers Guica and Buckner

On recommendation of Public Works Director Gary Snyder, it was moved by Mr. McGrath and seconded by Mr. Groh to approve Jacob Ouellet and Nick Langford as part time winter season workers in the Sewer Department. Motion carried by unanimous roll call vote.

On recommendation of Public Works Director Gary Snyder, it was moved by Mr. McGrath and seconded by Mr. Groh to authorize Sewer Department employees Mark Wells, Burt Maio, Matt Stephens and Keith Lawson to attend Water and Wastewater Workplace Safety training on Jan. 30, 2018 at the Ambassador Conference Center at a total cost of \$620.00, which is a mandated requirement for their sewer operator license. Motion carried by unanimous roll call vote.

It was moved by Mr. McGrath and seconded by Mr. Groh to accept a letter of resignation from Parks and Recreation Commissioner Edward Peck. Motion carried by unanimous roll call vote. Mr. McGrath wished him well, and welcomed any residents who are interested in serving on this commission to contact the Township.

Mr. McGrath reported that the Board met in Executive Session with Solicitor Mark Shaw to discuss legal matters on December 12 and 21, 2017, and today, December 27, 2017.

On recommendation of Human Resource Manager Diane Lyons, it was moved by Mr. Morgan and seconded by Mr. Groh to approve Matthew Puz, Jr. as Zoning and Development Officer, effective Jan. 8, 2018, at an annual salary of \$55,000. Motion carried by unanimous roll call vote.

Mr. Morgan announced that over 2,000 residents participated in Phase 1 of "Embrace Millcreek," and two open house meetings have been scheduled for the next phase: Jan. 24, 2018 at McDowell Intermediate High School, and Jan. 25, 2018 at J.S. Wilson Middle School. Both meetings will take place from 6:00 – 8:00 p.m.

Student Ambassador Lilly Hanko announced recent events at McDowell High School, including students placing 1<sup>st</sup> in Mercyhurst University's Forensics Escape Room competition in conjunction with the Tom Ridge Environmental Center. The Performing Arts Center presented "White Christmas" December 7-10<sup>th</sup>, and on December 20<sup>th</sup> the Business Club competed in District Competition at Bradford, with all 10 competitors qualifying to compete in the state tournament in Hershey.

Mr. McGrath reflected on his 25 years as Millcreek Township Supervisor, thanking his family, the voters, and many local public servants who influenced and supported him through the years. He stated that it was most rewarding see projects through to fruition, and although many decisions had to be made along the way, it was always easy to choose right vs. wrong. Mr. Groh wished Mr. McGrath well, and Mr. Morgan thanked him for many years of service and for being his mentor. Those in attendance responded in appreciation with applause.

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. Morgan to adjourn the meeting at 10:45 a.m.

Sheryl A. Williams  
Assistant Secretary

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Approved: January 23, 2018

John H. Groh \_\_\_\_\_

John E. Morgan \_\_\_\_\_

James S. Bock \_\_\_\_\_