

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

Following the Pledge to the Flag, Mr. Bock asked everyone to bow their heads for a moment of silence in remembrance of the victims of the school incident in Florida. Chairman Morgan then called for public comment on agenda items other than development or rezoning applications. There was no public comment.

It was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve the minutes from the January 23, 2018 meeting. It was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve the minutes from the February 13, 2018 meeting.

It was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve payment of the General Fund bills in the amount of \$237,202.91, Sewer Revenue Fund bills in the amount of \$204,379.37, and one bill from the former MTWA account in the amount of \$25.33.

Quotations for the removal of several trees behind the Township's gas well were solicited and received by Facilities Maintenance Bureau Chief Jerry Burger as follows: Leopold's - \$2,500.00, Dibble Tree Service - \$2,200.00, J. Thomas Tree Service - \$3,125.00. On recommendation of Public Works Director Gary Snyder, it was moved by Mr. Groh and seconded by Mr. Bock to award the contract to Dibble Tree Service for \$2,200.00. Motion carried by unanimous roll call vote.

Mr. Groh reported that bids for Aggregate street materials have been advertised and were opened February 23, 2018, with results as follows:

Bid Tabulation - Aggregate Materials

6,000 TON TYPE A, CRUSHED AGGREGATE AASHTO NO. 8, 1-B LIMESTONE

Carmeuse Lime and Stone \$22.65/ton Total - \$135,900

6,000 TON TYPE A, CRUSHED AGGREGATE AASHTO NO. 9 LIMESTONE

Carmeuse Lime and Stone \$21.95/ton Total - \$131,700

14,000 TON BITUMINOUS ASPHALT SAND, TYPE B #3

Carmeuse Lime and Stone \$19.00/ton Total - \$266,000

Girts Sand and Gravel, LLC \$ 4.70/ton Total - \$ 65,800

1,250 TON AASHTO NO. PG64-22, PETROLEUM ASPHALT CEMENT - includes delivery

Russell Standard Corporation \$491.92/ton **based on Feb. 2018 zone 3 index PennDOT price*

Total - \$614,900

Mr. Groh reported that after the Hauling bids have been opened on March 12, 2018, the aggregate and hauling contracts will be awarded at the March 13, 2018 meeting.

Quotations for the purchase of two MSA G1 Self Contained Breathing Apparatus and two spare cylinders were solicited and received by Matthew Exley, Director of Emergency Management and Code Enforcement, as follows: Fire Force - \$13,000.00, The Fire Store – No Quote, Kaza Fire Equipment - \$13,960.00. On recommendation of Mr. Exley, it was moved by Mr. Groh and seconded by Mr. Bock to award the contract to Fire Force for \$13,000.00. Motion carried by unanimous roll call vote.

Mr. Exley explained that a truck cap is needed for the Township's new 922 vehicle, but was not budgeted for this year. However, previous purchases of Self Contained Breathing Apparatus and an ID Card printer have been significantly under budget and will leave enough money in the capital budget to allow for this purchase.

Treasurer Mark Zaksheske recommended a Capital Budget amendment to allow for the shift in funds within the Emergency Management Budget. It was moved by Mr. Groh and seconded by Mr. Bock to approve the Capital Budget Amendment by reducing the Personal Protective Equipment line by \$2,000 and the ID Card line by \$510.00, and adding a line item for the truck cap of \$2,195.00. Motion carried by unanimous roll call vote.

Quotations for the purchase of a truck cap for the new 922 vehicle were solicited and received by Mr. Exley, as follows: Boyer RV Center - \$2,196.00, Leer – \$2,652.00, Fabin's - \$2,370.00. On recommendation of Mr. Exley, it was moved by Mr. Groh and seconded by Mr. Bock to award the contract to Boyer RV Center for \$2,196.00. Motion carried by unanimous roll call vote.

Mr. Bock reported the Township received a retroactive request from the Fleet Maintenance Department for approval of the acquisition of a 2012 Dodge Ram Truck from Humes Dodge in Waterford in exchange for trade-in of two current Township vehicles, with no expense to the Township. It was moved by Mr. Groh and seconded by Mr. Bock to approve the acquisition of the 2012 Dodge Ram Truck. Motion carried by unanimous roll call vote.

BRIAN & KAREN DALTON. Small Subdivision Plan. A small subdivision plan to show the creation of a 3.8 acre parcel "1" and a 5.5 acre parcel "2," Erie County Tax Parcel 33-21-117-4, located along the south line of Wolf Road and across from Elizabeth Lane. Index 117-019.

Engineer Richard Morris reported that on February 6, 2018, the Planning Commission recommended approval. Kathy Rafferty, the Listing and Selling Real Estate Agent, stated the existing house on the property is being sold and the remaining parcel will remain vacant. No one else spoke in favor of or in opposition to the subdivision plan. On recommendation of Mr. Morris, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve the Brian and Karen Dalton Small Subdivision Plan.

Matthew Exley, Director of Emergency Management and Code Enforcement, explained that the proposed Burning Ordinance is modeled after the National Fire Code, addresses problems within the Township and his department wants to educate the public on issues regarding burning. He reported that he has received some comments regarding the ordinance, which have been helpful, but feels that no changes are needed at this time. Solicitor Mark Shaw echoed Mr. Exley's comments and recommended approval as advertised. The Supervisors commented in favor of the ordinance as well and Mr. Morgan invited public comment, but there was none. On recommendation of Mr. Exley and Mr. Shaw, it was moved by Mr. Groh and seconded by Mr. Bock to enact Ordinance 2018-2; An Ordinance to Replace the Existing Burning Code. Motion carried by unanimous roll call vote.

It was moved by Mr. Groh and seconded by Mr. Bock to adopt Resolution 2018-R-10; 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 Administrative records ranging from 1957-2015. Motion carried by unanimous roll call vote.

Mr. Morgan explained that proposed Resolution 2018-R-11 would update the names of Supervisors authorized as signatories on PennDOT documents, and the Township Secretary to attest. It was moved by Mr. Groh and seconded by Mr. Bock to adopt Resolution 2018-R-11; A Resolution to Authorize and Delegate Signature Authority with Respect to the Agreement to Authorize Access to PennDOT Systems and Other Agreements and Documents Pertaining to said Department. Motion carried by unanimous roll call vote.

Solicitor Mark Shaw explained that the Township has been in negotiations with MTSD regarding the use of a School Resource Officer (SRO) from MPD. He explained that the purpose for an SRO is to foster education and respect for the law, become part of the school system, and to ensure aid with any criminal activity in the school. He added that MTSD will finance 75% of the annual cost, which is equal to approximately 180 days in the school year. Mr. Bock reported that Officer Spiker has a background in education and has been working at McDowell High School for the past year, directing traffic and assisting with bus traffic. He feels that the Township and school district are creating a good partnership and with recent events, the timing is good as well. The other Supervisors agreed. On recommendation of Mr. Shaw, it was moved by Mr. Groh and seconded by Mr. Bock to approve the SRO Agreement with Millcreek Township School District. Motion carried by unanimous roll call vote.

Treasurer Mark Zaksheske reported that the 2009 agreement of the Township's pension plans needs to be updated to reflect some changes in the plan, including restructuring the consultant's professional fee from a fixed amount to a percentage of the assets, which will be approximately \$42,000 annually. On recommendation of Mr. Zaksheske, it was moved by Mr. Groh and seconded by Mr. Bock to approve the Agreement for Non-Discretionary Investment Advisory Services between both the Millcreek Township Police Pension Plan and the Millcreek Township Employees Pension Plan and Morrison Fiduciary Advisors, Inc. Motion carried by unanimous roll call vote.

On recommendation of Mr. Zaksheske, it was moved by Mr. Groh and seconded by Mr. Bock to approve a one year extension of the Tyler Technologies software agreement for maintenance and support services, with additional automatic renewal unless advised in writing. Motion carried by unanimous roll call vote.

Public Works Director Gary Snyder explained that the Township has an opportunity to extend the grinding and profiling/milling contract from 2017 at last year's rates, thereby saving costs and enabling an earlier start to prepare the roads for paving this season. On recommendation of Mr. Snyder, it was moved by Mr. Groh and seconded by Mr. Bock to approve an Agreement Extension with Donegal Construction Corporation for \$62,608.00. Motion carried by unanimous roll call vote.

Engineer Richard Morris reported receiving a Financial Security Release request from POWELL AVENUE PLACE – Euliano Family Limited Partnership, Developer, and all requirements have been satisfied. On recommendation of Mr. Morris, it was moved by Mr. Groh and seconded by Mr. Bock to approve the release of BNY Mellon, NA Letter of Credit #S00064267 in the amount of \$18,509.00. Motion carried by unanimous roll call vote.

On recommendation of Mr. Morris, it was moved by Mr. Groh and seconded by Mr. Bock to approve a Stormwater Management Plan and Maintenance Agreement for Marshall Drive, south of West 12th Street – Benjamin D. Leopold, Developer. Mr. Morris reported that everything was submitted on the Township approved form and that the developer will own and maintain the stormwater facility. Motion carried by unanimous roll call vote.

Mr. Morgan reported that the MTSD School Board took action last night to approve a PILOT agreement with LECOM regarding the Millcreek Manor senior living center, noting it was not a part of the original PILOT agreement. He explained that Sen. Dan Laughlin had initiated discussions with the taxing municipalities involved, who expressed their preference to maintain language consistency in the PILOT agreements as well as with the tax percentages. Mr. Bock thanked Mr. Morgan for attending the meetings, felt the agreement was fair, and looks forward to a continued good relationship with LECOM. Mr. Groh also felt the agreement was a good step. Mr. Shaw added that this agreement is retroactive to 2015 and will be in effect through 2026. In 2027, Millcreek Manor will return to taxable status, at which time LECOM will have the option to renegotiate its tax status, if it so chooses. He also recommended that approval of this agreement be conditional upon the tax exemption appeal of 3929 West 38th Street being dismissed with prejudice. Mr. Groh noted that this property is the former Westminster Family Practice, which used to be a taxable property. It was moved by Mr. Groh and seconded by Mr. Bock to approve the LECOM Millcreek Manor PILOT Agreement, on condition that the tax exemption appeal of 3929 West 38th Street be dismissed with prejudice. Motion carried by unanimous roll call vote. Mr. Morgan acknowledged Sen. Laughlin's efforts to coordinate this effort.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous vote to approve the following training requests:

Permission for Phil Falbo and Scott Bridger to attend a recertification course in Girard for Park/School Pest Control - PA State Dept. of Agriculture Pesticide Applicator licensing, on March 6, 2018, at a total cost of \$50.00, with one hour of overtime and use of a Township vehicle.

Permission for Phil Falbo to attend a recertification course at Eastside YMCA - Erie on April 5, 2018 for Swimming Pool - PA State Dept. of Agriculture Pesticide Applicator licensing, at a total cost of \$145.00, with two hours of overtime and use of a Township vehicle.

Permission for Ashley Marsteller to attend the PA Park and Recreation Society Conference March 27-30, 2018 in Poconos Manor, PA, with an estimated total cost of \$1,014.68. Applicable mileage reimbursement from Erie to Poconos Manor, and from Poconos Manor to Erie was also suggested and approved, since Ms. Marsteller is using her own personal vehicle.

It was requested and moved by Mr. Groh and seconded by Mr. Bock to authorize Mr. Groh, in his capacity as Municipal Administrator, to register for and attend a municipal online training course from February 2018 through July 31, 2018 with the PA Municipal League Administration Training Center in Harrisburg, with a tuition cost of \$750.00. Mr. Groh explained that topics will include communications, planning, finance, labor relations, and technology. Motion approved by unanimous roll call vote.

On recommendation of Parks and Recreation Director Ashley Marsteller, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve the following part-time employees for the 2018 Spring Season:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>	<u>HIRE DATE</u>
MIHS POOL			
Leona Carlson	Aquatic Director	\$13.00	
Kathleen Magoon	Water Ex. Supervisor	\$10.50	
Karen Link	WSI	\$ 9.50	
Kristen Owens	Pool Supervisor/WSI	\$10.50	

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>	<u>HIRE DATE</u>
Annie DiFrank	WSI	\$ 9.50	
Nate Schweitzer	WSI	\$ 9.50	
Abby Kurczewski	WSI	\$ 9.50	
Victoria Sanders	WSI	\$ 9.50	
Stephen Owens	WSI	\$ 9.50	
Sara Prischak	WSI	\$ 9.50	
Olivia Menc	WSI	\$ 9.50	
Maggie Radu	WSI	\$ 9.50	
Hope Nuzback	WSI	\$ 9.50	
Maggie Fortin	Lifeguard	\$ 8.45	
Emily Kehl	Lifeguard	\$ 8.45	
Robert Bolmanski	Lifeguard	\$ 8.45	
Emma Louie	Lifeguard	\$ 7.95	Rate Change
Leah Prischak	Lifeguard	\$ 8.45	
Celia Fortebraccio	Lifeguard	\$ 8.45	
Angelina Altadonna	Lifeguard	\$ 8.45	
Olivia Sanders	Lifeguard	\$ 8.45	Rate Change
Jakob Parmeter	Lifeguard	\$ 8.45	
Laurel Kurtic	Lifeguard	\$ 8.45	
Christian Fortin	Lifeguard	\$ 8.45	
CHILDREN'S PROGRAMS			
Samantha Howard	Supv. Youth Dance	\$10.00	Rate Change
ADULT FITNESS			
Haley Haggerty	Supv. Adult Dance	\$10.50	
Charlotte Haggerty	Supv. Adult Dance	\$10.50	
Karle Lyons	Supv. Tabata	\$10.50	
Dave Wayman	Supv. Tai Chi	\$10.50	
Kathy Wayman	Supv. Qi Gong	\$10.50	
Laurie Gualtier-King	Supv. Aerobics	\$10.50	
Susan McCall	Supv. Zumba	\$10.50	
Shannon Eggleston	Supv. Piloslide	\$10.50	
Nylene Baney	Supv. Body Sculpt	\$10.50	
Nancy Rovin	Supv. Yoga	\$10.50	
Kathy Smith	Supv. Yoga	\$10.50	
ADULT FITNESS			
Susan McCall	Supv. Zumba	\$10.50	
Shannon Eggleston	Supv. Piloslide	\$10.50	
Sam Steiner	Supv. Table Tennis	\$ 8.45	
ADULT LIESURE			
Jim Oldham	Supv. Mahjong	\$10.50	
Laura Oldham	Supv. Mahjong	\$10.50	
Darlene Bennett	Supv. Art	\$10.50	
Lauren Ertgard	Supv. Knitting	\$10.50	
Charles Elliott	Supv. Seat Weave	\$10.50	
Mark Coursey	Supv. Grilling	\$10.50	
Alberta DeCrease	Supv. Art (Sub)	\$10.00	
Jensen Elliott	Supv. Knitting (Sub)	\$ 9.50	
BARN SUPERVISOR			
Evelyn Bossar		\$ 9.50	
Charles Elliott		\$ 9.50	Rate Change
Susan Shickler		\$ 9.00	Rate Change
Lauren Ertsgard		\$ 8.50	Rate Change

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>	<u>HIRE DATE</u>
VOLUNTEERS			
Joe Logue	Tuite		
Carl Werner	QiGong		
Amy Easly	QiGong		
Mary Desmone	Tai Chi		
Carol Stitzinger	Tai Chi		
Bonita Faulkner	Mahjong		
Susan Moore	Knitting		
Tom Womack	Model Airplane		
William Brown	Community Band		
Chet Vendetti	Open Gym-JS Wilson		
Xingang Wang	Badminton		
JJ Zhang	Badminton		

On recommendation of Diane Lyons, Human Resource Manager, it was moved by Mr. Groh and seconded by Mr. Bock to approve the following staff increases at the Millfair Recycling Center, effective March 26, 2018: Steve Cornelius – hourly rate increased to \$14.00, and Elena Bliley – hourly rate increased to \$10.50. Discussion ensued, and Mr. Morgan recommended denying the request and revisiting next year during the budget process. Mr. Groh replied that it is difficult to find and keep skilled equipment operators when other municipalities are paying higher wages. Motion carried 2-1 with Mr. Morgan voting no.

On recommendation of Chief Heidt, it was moved by Mr. Bock and seconded by Mr. Groh to authorize approval to hire John Drozdowski of Erie, Michael Weschler, Jr. of Edinboro, and Jason Niggel of Pittsburgh to begin their probationary period on March 5, 2018. Motion carried by unanimous roll call vote. Mr. Bock clarified that these officers will be replacing Student Resource Officer Nathan Spiker and two officers on the police force who are retiring.

Mr. Morgan reported that the Board met in Executive Session on February 22, 2018 with Solicitor Mark Shaw to discuss legal and personnel matters.

On recommendation of Director of Planning and Development Matthew Waldinger, it was moved by Mr. Morgan and seconded by Mr. Groh to authorize Zoning and Development Officer Matthew Puz to submit an application for the FEMA Training Course in Maryland, and if selected, there would be no cost to the Township. No public comment was offered. Motion carried by unanimous roll call vote.

Student Ambassador Lilly Hanko announced that the McDowell Boys Basketball team won the District 10 Championship last week, and two students from the business club, DECA, took 2nd Place in the state competition in Hershey and qualified for the international competition to be held in Atlanta. The McDowell Speech and Debate team won the District 1 Championship, with over 30 students qualifying for the state competition in March, and the Mock Trial team competed today against Meadville and is moving on to State competition.

Mr. Groh announced that Township Engineer Richard Morris will be retiring tomorrow after 20 years of service with the Township, offered his congratulations, and wished him and his family well. Mr. Morgan thanked him for being a tireless advocate for the infrastructure and public safety of the Erie region and for mentoring him over the years.

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. Bock to adjourn the meeting at 8:03 p.m.

Sheryl A. Williams
Township Secretary

Approved: March 13, 2018

John E. Morgan _____

John H. Groh _____

James S. Bock _____