

## Regular Meeting

July 10, 2018

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:30 a.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., Matthew Waldinger, Gary Snyder and Sheryl Williams.

Following the Pledge to the Flag, Planning and Development Director Matthew Waldinger reported that at their July 3, 2018 meeting, the Planning Commission recommended approval of the Embrace Millcreek Comprehensive Plan to the Board of Supervisors. During the ensuing 45-day Public Comment period ending on August 19, 2018, residents may address the Board at its regular meetings or submit comments in writing to the Planning and Development Office. Following a Public Hearing on August 28, 2018 at 7:00 p.m., the Supervisors will take action on the Comprehensive Plan. Mr. Groh welcomed the opportunity for residents to offer their opinion. Chairman Morgan called for public comment on the Comprehensive Plan. No public comment was received.

Chairman Morgan called for public comment on agenda items other than development or rezoning applications. No public comment was received.

It was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve the minutes from the June 26, 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 \$913,957.68.

Quotations for the removal of two trees on the east side of Cider Mill Road were solicited and received by the Streets Department as follows: J. Thomas Tree Service - \$1820.00, Leopold Tree Service - \$2800.00, Dibble Tree Service - \$1800.00. On recommendation of Public Works Director Gary Snyder, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to award the contract to Dibble Tree Service for \$1800.00.

Planning and Development Director Matthew Waldinger reported that three quotations for the Township's Flood Detention Basins (FDBs) 2018 Mowing, Tree Cutting and Removal Project were solicited on June 22, 2018 and opened on July 6, 2018. Manzi Services was the sole bidder at \$16,030.00. Mr. Waldinger stated that the project came in under budget and includes the maintenance of 7 FDBs, one of which the Township has taken over because the developer abdicated responsibility. Therefore, the Township will use the developer's financial security money to complete the work on that basin, amounting to \$800.00. On recommendation of Township Engineer Anne Sokol, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to award the contract to Manzi Services for \$16,030.00. Mr. Bock asked for assurance that once the FDBs have been properly cleaned, that Township personnel will continue to maintain them, to which Mr. Waldinger replied yes.

On recommendation by Zoning and Development Officer Matthew Puz, Jr., it was moved by Mr. Groh, seconded by Mr. Bock, and carried by approved by unanimous roll call vote to enact Ordinance 2018-4; 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: 3303 West 26th Street, now zoned R-1 Single Family Residential District to be rezoned to C-1 Local Commercial District.

On recommendation by Zoning and Development Officer Matthew Puz, Jr., it was moved by Mr. Groh, seconded by Mr. Bock, and carried by unanimous roll call vote to enact Ordinance 2018-5;

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: 2055, 2103, 2155 and 2209 Edinboro Road, Erie, Pennsylvania, now zoned RR District to be rezoned to R-4 District.

On recommendation by Zoning and Development Officer Matthew Puz, Jr., it was moved by Mr. Groh, seconded by Mr. Bock, and carried by approved by unanimous roll call vote to enact Ordinance 2018-6; 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: 4341 West Ridge Road and 0 West Ridge Road, Erie, Pennsylvania, now zoned C-2, C-3 and R-1 District to be rezoned to R-4 District.

It was moved by Mr. Groh and seconded by Mr. Bock to adopt Resolution 2018-R-28; 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 after the mandatory 180 days through July 24, 2018. Motion carried by unanimous roll call vote.

Mr. Bock explained that in the past, the Township has granted licenses for door-to-door and fireworks sales, as well as other types of sales, but there is a need for setting a criteria to obtain a license. He stated that Proposed Resolution 2018-R-29 will disqualify an applicant if they have violated the PA Crime Code. It was moved by Mr. Groh and seconded by Mr. Bock to adopt Resolution 2018-R-29; A Resolution Adopting an Administrative Policy Governing the Applicant Investigation and Determination for Transient Merchant Licenses. Motion carried by unanimous roll call vote.

Mr. Groh reported that the Township's composting grinder at the Millfair Recycling and Compost Center is broken, and Mayor Joe Schember of the City of Erie has agreed to loan their composting machine free of charge to the Township for one month. Mr. Morgan thanked Mayor Schember for his willingness to work with the Township and other municipalities, and also Public Services Director Judy Zelina for reaching out to the City of Erie. On motion by Mr. Groh, seconded by Mr. Bock, it was carried by unanimous roll call vote to approve the Composter Lease Agreement with the City of Erie.

On recommendation of Zoning and Development Officer Matthew Puz, Jr., it was moved by Mr. Groh and seconded by Mr. Bock to approve a Sidewalk Deferral Agreement for 1708 Wilkins Road. Planning and Development Director Matthew Waldinger noted that there are no sidewalks in the area, but that the drawing shows where future sidewalks would be, if necessary. Solicitor Mark Shaw added that the agreement will be recorded stating that it will apply to any future owners of the property as well. Motion carried by unanimous roll call vote.

Mr. Groh summarized the Township's building construction report for the month of June 2018, and noted that the report can be found on the Township website and in the Zoning Office:

<b><u>June 2018:</u></b>	Total Residential Structures	\$ 589,185.00
	Total Non-residential Structures	<u>1,391,832.00</u>
		<b>\$ 1,981,277.00</b>
	Zoning Permits Issued	33
	Zoning Permit Fees	<b>\$ 5,600.00</b>

Mr. Morgan reported that the Board met with Solicitor Mark Shaw in Executive Session on July 2 and 15, 2018 to discuss legal and personnel matters.

On separate motions by Mr. Bock, seconded by Mr. Groh, it was carried by unanimous roll call vote to approve the following MPD requests from Chief Heidt:

Permission for Patrolman Perkins to attend the following training courses at PSP Northwest Training Center, at no cost to the Township and with use of a department vehicle: Tactical Carbine for Responding Officers August 7-9, 2018 and Vehicle Stop Tactics November 19-20, 2018.

Permission to send two officers to Active Shooter Instructor training August 21-22, 2018 in Albion at a total cost of \$1,190.00 with use of a department vehicle.

Open Records Officer Sheryl Williams reported that for the month of June there were seven Right-to-Know requests requiring eight hours of response preparation time. Three requests were granted and four were partially denied.

Planning and Development Director Matthew Waldinger announced a Pennsylvania Department of Environmental Protection (DEP) grant opportunity for the Township for the construction of the PRP Pollutant Reduction Plan (PRP) for Scott Run, in which the Township would pledge a cash match of \$175,960.00 which is 16% of the project, and in turn the grant would fund 84%. On recommendation of Mr. Waldinger, it was moved by Mr. Groh and seconded by Mr. Bock to authorize sending a commitment letter for the PA DEP's Growing Greener Grant Match for the Scott Run Project, contingent upon the Scott Run PRP being approved by the DEP, and with authorization for the Board to execute a proper Resolution, if required by DEP. No public comment was offered. Motion carried by unanimous roll call vote.

Planning and Development Director Matthew Waldinger reported that the Township received a request from DJC Associates stating they are being required to add an additional restroom, which will add 100 sq. ft. to the building and decrease the parking area by 100 sq. ft., but will not decrease the total amount of parking spaces. On recommendation of Mr. Waldinger, it was moved by Mr. Groh and seconded by Mr. Bock to approve the Non-substantial Land Development Plan Amendment for DJC Associates. No public comment was offered. Motion carried by unanimous roll call vote.

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 10:00 a.m.

Sheryl A. Williams  
Township Secretary

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Approved: July 24, 2018

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

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

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