

Regular Meeting

July 24, 2018

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., Matthew Waldinger, Gary Snyder and Sheryl Williams.

Following the Pledge to the Flag, 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 July 10, 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 \$846,123.49, Sewer Revenue Fund bills in the amount of \$1,313,341.00, and a bill from the Millcreek Township Water Authority Operating account in the amount of \$968.42.

Treasurer Mark Zaksheske presented the Financial Report for the Second Quarter, stating that revenue is \$135,000 behind last year at this time, which he attributes to the amount of snow in the first quarter possibly affecting realty transfers, and also operating grants for which the Township approved but has not yet received funding. He noted that expenses are also less than 2017, and other budget areas are favorable overall. Regarding the Capital Plan, of \$5.5 million budgeted, Mr. Zaksheske reported that \$3.4 million has been committed and \$2.1 million is uncommitted. There were no questions from the Board or the audience.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to amend the 2018 Capital Budget to include six line item category changes previously authorized by the Board, but with no change to the Grand Total of \$5,571,617.

Planning and Development Director Matthew Waldinger reported a partial culvert failure on Conrad Road which is currently stable but being monitored and needs to be replaced as soon as possible, according to Structural Engineer Consultant, Mark Corey P.E. 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 approve the contracting of Mr. Corey to create and complete a design not to exceed \$12,000 by August 30, 2018, using emergency liquid fuel funds and the Engineering Department's 2018 contingency/emergency funds, and to authorize Mr. Morgan to execute the final agreement.

Public Works Director Gary Snyder reported the Township still has three large 1994 dump trucks/salt spreaders for sale which were previous advertised in the spring, and that he has potential buyers for all three at an estimated cost of \$2,000 each. It was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to table action on the sale of the trucks until more information about the sale can be obtained.

A Public Hearing was held on the following Small Subdivision Plans:

QIAOXING ZHU & CHUNHUA LIU. Small Subdivision plan. A small subdivision plan to show the creation of a 100'x126' parcel "A", and a residue lot of 0.28+/- acres along the east line of Perkins Street, east of Laurie Lane in Tract 346. Index 723-010

Director of Planning and Development Matthew Waldinger reported that on July 3, 2018, the Planning Commission recommended approval. Kevin Farr of Laird Associates, 1557 W. 26th Street, was present to answer any questions. The Board did not have any questions or concerns, and no one else spoke in favor of or in opposition to the land development plan.

On recommendation of Mr. Waldinger, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call voted to approve the QIAOXING ZHU & CHUNHUA LIU Small Subdivision plan.

JUDY B. YATES. Small Subdivision plan. A small subdivision plan to show the creation of two identical lots of 60'x120' located along the west line of Chelsea Avenue, south of West 12th Street in Tract 11. Index 151-059

Director of Planning and Development Matthew Waldinger reported that on July 3, 2018, the Planning Commission recommended approval with the following Requirements: Provide correct Millcreek Township Index Number on the Mylar, and Provide correct adjacent property owner's information on the Mylar. Jim Welka, 3200 W. 32nd St., representing the developer, reported that the required changes have been made to the Mylar, and explained that previously 2 lots had been combined into one, and this plan will separate them into 2 lots again. Mr. Waldinger confirmed that the setback requirement is being met. The Board did not have any other questions or concerns, and no one else spoke in favor of or in opposition to the small subdivision plan.

On recommendation of Mr. Waldinger, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call voted to approve the JUDY B. YATES Small Subdivision Plan, as all requirements have been met.

It was moved by Mr. Groh and seconded by Mr. Bock to adopt Resolution 2018-R-30; 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 August 14, 2018. Motion carried by unanimous roll call vote.

Treasurer Mark Zaksheske explained that the BAI office manager is retiring and it is necessary to authorize her replacement's signature on the Township's Dental Account. On recommendation of Mr. Zaksheske, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to adopt Resolution 2018-R-31; A Resolution Changing Authorized Signers on the Dental Account (xx-xxxx-6285) at PNC Bank.

Solicitor Mark Shaw reported that the attorney handling the Griffith case has recommended that the Township file an appeal of the Erie County Court's decision. It was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to file an appeal of the Griffith Decision to Commonwealth Court.

Treasurer Mark Zaksheske reported that PennDOT is requiring signature authorization and a hauling permit to move the brush grinder machine from the Recycling Center to the Township Garage for repairs. On recommendation of Mr. Zaksheske, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to authorize the Supervisors to sign and execute PennDOT Township hauling permits. No public comment was offered.

On recommendation of Human Resources Manager Diane Lyons, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve the hiring of the following Streets Maintenance Laborers at an hourly rate of \$19.68:

Michael Kleiner, starting date retroactive to July 23, 2018
James Horn, starting date retroactive to July 23, 2018
Brian Jenkins, starting date July 30, 2018
Joshua Sturgeon, starting date August 20, 2018

On recommendation of Human Resources Manager Diane Lyons, it was moved by Mr. Groh, seconded by Mr. Bock and carried by unanimous roll call vote to approve the hiring of the following new employees:

Benjamin Steiner, Public Safety/Public Works Dispatcher, starting date July 27, 2018, \$18.67/hour

Kaelin O'Leary, Emergency Management/Code Enforcement Clerk, starting date August 9, 2018, \$17.50/hour

Mr. Groh reported that the Millcreek Golf and Learning Center (MGLC) driving range has been open 7 days/week from 11:00 a.m. – 7:00 p.m. since June 20, 2018 and has been extremely busy.

It was requested and moved by Mr. Groh and seconded by Mr. Bock to authorize Mr. Groh, in his capacity as Municipal Administrator, to travel to Harrisburg to complete a Municipal Administrators training course on Tuesday, July 31, 2018, with approximate lodging cost of \$200.00, plus meal allowance and use of a Township vehicle. Motion carried by unanimous roll call vote.

Mr. Groh sadly announced that Millcreek's National Night Out celebration has been canceled for this year because Belle Valley Fire Department is unable to host it this year. Mr. Groh commended BVFD for the wonderful job they have done in the past, and it is hoped that alternative arrangements can be made next year. In the meantime, Mr. Groh encouraged residents to go out and enjoy August 7th as a community this year.

Mr. Morgan reported that the Board met with Solicitor Mark Shaw in Executive Session on July 10 and 19, 2018 to discuss legal and personnel matters.

On recommendation of Chief Heidt, it was moved by Mr. Bock, seconded by Mr. Groh, and carried by unanimous roll call vote to approve the following MPD requests:

Permission for one officer to attend an Undercover Techniques and Survival training course at PSP Hershey from October 1-5, 2018 at a total cost of \$1507.75.

Permission for three officers to attend a Police Supervisor Training course in Franklin, PA from September 10-14, 2018 with a total cost of \$2,600.00, with reimbursement for 2 of the officers to be paid by the Northwest PA Chiefs of Police.

Mr. Groh announced the passing of State Representative Florindo “Flo” Fabrizio today, noting he was a friend to the “working man.” He will be sadly missed and Mr. Groh offered thoughts and prayers to his family.

Mr. Groh commended Parks and Recreation employee Tim Brooks and his wife Nancy for coming to the aide of a young woman who was recently viciously attacked with a knife. He also noted that Mr. Brooks and his wife were recently given an award for their service by Erie Mayor Joseph Schember.

Randy Ross, 2540 Colonial Avenue, asked if the Noise Ordinance has a provision to limit the duration of a construction project, to which Solicitor Mark Shaw replied there is no such provision, but that there is a limit to the hours during which someone can operate construction equipment in residential zoning districts. Mr. Ross voiced additional concerns about his neighbor using woodworking tools, to which Mr. Morgan suggested he schedule an appointment to meet with the Supervisors to further discuss the matter.

Roland Ciacchini, 1130 Spring Valley Drive, reported that he has periodically had standing water in his back yard since the 1980’s when Beaver Run was “tubed in” to solve some drainage problems. He stated that the tube in his back yard has raised the slope and water cannot drain downhill, thereby causing it to lay in his yard. He offered some suggestions and requested that the Township fix the problem; however, the Board stated the Township does not go onto private property and will not be proceeding with any action.

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 7:56 p.m.

Sheryl A. Williams
Township Secretary

Approved: August 14, 2018

John E. Morgan _____

John H. Groh _____

James S. Bock _____