

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 7:00 p.m. by Chairman Groh in the Assembly Room of the Millcreek Township Municipal Building. Present were Mark Zaksheske, Brian McGrath, John Groh, John Morgan, Evan Adair, Esq., Sheryl Williams and Richard Morris, P.E.

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

It was moved by Mr. McGrath, seconded by Mr. Morgan and carried by unanimous vote to approve the minutes of the Board's February 9, 2016 regular meeting.

It was moved by Mr. McGrath, seconded by Mr. Morgan and carried by unanimous vote to approve payment of the weekly General Fund bills in the amount of \$648,293.10, and Sewer Revenue Fund bills in the amount of \$86,343.71.

A Public Hearing was held on the following Land Development Plan:

MILLCREEK TOWNSHIP SCHOOL DISTRICT – NEW MULTI-PURPOSE FIELD. Land Development Plan. A land development plan to show the removal of a portion of the existing parking lot and the construction of a new multi-purpose athletic field and a 3,755 square foot building with associated parking areas, pedestrian walkways and stormwater management facilities, located at the northeast corner of West 38th Street (S.R. 4016) and Caughey Road in Tract 84. Index 388-020.

Engineer Richard Morris reported that at the February 2, 2016 meeting, the Millcreek Township Planning Commission recommended approval with one requirement and one condition: Move proposed 38th Street sidewalk north as far as possible from the cartway and connect with existing sidewalk for CVS, and provide an easement to the public for any sidewalks constructed on Millcreek Township School District property.

Thomas DelFratte, MTSD Business Manager, stated that the school district will follow through with the Planning Commission's recommendations. He reported that Baldwin Brothers has given verbal permission to move the sidewalk at CVS north toward the retaining wall. He stated that there are no plans for construction of a sports building in the immediate future, but that the school district is making preparations for running water and sewer lines across Caughey, and the school district will do all stormwater management installation as well.

No one spoke in opposition to the land development plan; therefore on recommendation of Engineer Morris, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve the MTSD New Multi-purpose Field Land Development Plan with the requirement that the proposed 38th Street sidewalk is moved north as far as possible from the cartway and connected with existing sidewalk for CVS, and the condition that an easement is provided to the public for any sidewalks constructed on Millcreek township School District property. Motion carried by unanimous roll call vote.

It was moved by Mr. Morgan and seconded by Mr. McGrath to refer to the Planning Commission a Petition Requesting a Change in Zoning Classification for **The Humane Society of NW PA by Nicole Bawol**, for the property at 2433 Zimmerly Road, now zoned R-1 Single Family Residential District and RR Rural Residential District asking for a change of classification to C-1 Local

Commercial District. Township Index 614-006. County Index (33) 141-553-13. Motion carried by unanimous roll call vote.

Mr. McGrath announced the bids for trucking and hauling of aggregates, opened on February 23, 2016, as follows:

12,000 TONS BITUMINOUS ASPHALT SAND, TYPE B-3

Fiesler Sand and Gravel \$ 5.75/ton

		<u>Hauling</u>	<u>Combined Total</u>
Hauling Bidders:	Cindy Glover Trucking	\$ 4.69/ton	\$10.44/ton
	Carmeuse/Erie Sand and Gravel	NO BID	
	Tim's Maintenance	\$ 3.77/ton	\$ 9.52/ton
	Russell Standard Corp.	\$ 5.86/ton	\$11.61/ton

Girts Sand and Gravel, LLC \$ 4.00/ton

		<u>Hauling</u>	<u>Combined Total</u>
Hauling Bidders:	Cindy Glover Trucking	\$ 5.39/ton	\$ 9.39/ton
	Carmeuse/Erie Sand and Gravel	NO BID	
	Tim's Maintenance	\$ 4.90/ton	\$ 8.90/ton
	Russell Standard Corp.	\$ 6.78/ton	\$10.78/ton

10,000 TONS TYPE A CRUSHED AGGREGATE, AASHTO NO. 8, 1-B LIMESTONE

Erie Sand and Gravel/

Carmeuse Lime and Stone \$ 21.74/ton

		<u>Hauling</u>	<u>Combined Total</u>
Hauling Bidders:	Cindy Glover Trucking	\$ 2.55/ton	\$ 24.29/ton
	Carmeuse/Erie Sand and Gravel	\$ 2.75/ton	\$ 24.49/ton
	Tim's Maintenance	\$ 3.11/ton	\$ 24.85/ton
	Russell Standard Corp.	\$ 2.90/ton	\$ 24.64/ton

2,500 TONS TYPE A CRUSHED AGGREGATE, AASHTO NO. 57, 2-B LIMESTONE

Erie Sand and Gravel/

Carmeuse Lime and Stone \$ 21.74/ton

		<u>Hauling</u>	<u>Combined Total</u>
Hauling Bidders:	Cindy Glover Trucking	\$ 2.55/ton	\$ 24.29/ton
	Carmeuse/Erie Sand and Gravel	\$ 2.75/ton	\$ 24.49/ton
	Tim's Maintenance	\$ 3.11/ton	\$ 24.85/ton
	Russell Standard Corp.	\$ 2.90/ton	\$ 24.64/ton

Mr. McGrath explained that the Township combines aggregate material and hauling costs to obtain the lowest price per ton. On separate motions by Mr. McGrath and seconded by Mr. Morgan, the following contracts were awarded by unanimous roll call vote:

For 12,000 TONS BITUMINOUS ASPHALT SAND, TYPE B-3, the contract for material was awarded to Girts Sand and Gravel for \$4.00/ton, for a total of \$48,000.00, and the contract for hauling the sand was awarded to Tim's Maintenance for \$4.90/ton for a total of \$58,800.00.

For 10,000 TON TYPE A, CRUSHED AGGREGATE AASHTO NO. 8, 1-B LIMESTONE, the contract for material was awarded to Carmeuse Lime and Stone/Erie Sand and Gravel for \$21.74/ton for a total of \$217,400.00, and the contract for hauling the stone was awarded to Cindy Glover Trucking for \$2.55/ton for a total of \$25,500.00.

For 2,500 TON TYPE A, CRUSHED AGGREGATE AASHTO NO. 57, 2-B LIMESTONE, the contract for material was awarded to Carmeuse Lime and Stone/Erie Sand and Gravel for \$21.74/ton for a total of \$54,350.00, and the contract for hauling the stone was awarded to Cindy Glover Trucking for \$2.55/ton for a total of \$6,375.00.

Quotations for tree and stump removal were solicited and received by Pamela Fitzpatrick, Streets Department:

Corner of Summer and High Streets: Dibble Tree Service - \$900.00 including stump, Jake Thomas Tree Service - \$485.00 including stump, and Jefferson Tree Service - \$600.00 including stump. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract to Jake Thomas Tree Service for \$485.00. Motion carried by unanimous roll call vote.

2330 West 34th Street between Atlantic and Pacific Avenues: Dibble Tree Service - \$2850.00 including stump, Jake Thomas Tree Service - \$3490.00 including stump, and Jefferson Tree Service - \$1500.00 including stump. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract to Jefferson Tree Service for \$1500.00. Motion carried by unanimous roll call vote.

Asbury and Old Sterrettania Roads: Dibble Tree Service - \$550.00 including stump, Jake Thomas Tree Service – no response, and Jefferson Tree Service - \$525.00 including stump. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract to Jefferson Tree Service for \$525.00. Motion carried by unanimous roll call vote.

2706 Feasler Drive: Dibble Tree Service - \$1000.00 including stump, Jake Thomas Tree Service - \$1225.00 including stump, and Jefferson Tree Service - \$975.00 including stump. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract to Jefferson Tree Service for \$975.00. Motion carried by unanimous roll call vote.

Quotations for resurfacing the second floor of Asbury Barn were solicited and received from Ashley Marsteller, Director of Parks and Recreation:

Dana Floor Sanding, Inc. - \$4,930.00, Janitors Supply, Inc. - \$9,565.00, and Erie Floors – No Bid. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract to Dana Floor Sanding, Inc. for \$4,930.00. Motion carried by unanimous roll call vote.

Quotations for the repair of the return line of the small Belle Valley Pool were solicited and received by Ashley Marsteller, Director of Parks and Recreation:

Colley's - \$7,375.00, Motch Plumbing – No Bid, and North Coast Pool and Spa – No Bid. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract to Colley's for \$7,375.00. Motion carried by unanimous roll call vote.

Quotations for a hot water pressure washer for the eastside garage were solicited and received by Bill Hitchcock, Operations Manager, Township Garage:

ADMAR Mi-T-M HSP-3504-3MGH - \$3,791.41 (includes freight), Sirco Industrial Supply – Gas powered 4 GPM 3500 PSI - \$3,895.14 (does not include freight), and Grainger Mi-T-M HSP-3504-3MGH - \$7,154.10. It was moved by Mr. McGrath and

seconded by Mr. Morgan to award the contract to ADMAR for \$3,791.41, including freight. Motion carried by unanimous roll call vote.

Quotations for a new snow plow truck (cab and chassis and dump body) for the Streets Department were solicited and received by Bill Hitchcock, Operations Manager, Township Garage:

<u>Supplier</u>	<u>Item</u>	<u>COSTARS Pricing</u>
Five Star International	Cab & Chassis	\$90,300.11 COSTARS Contract 025-005
US Municipal Supply	Dump Body and Plow Equipment	\$67,483.00 COSTARS Contract 025-012

Mr. McGrath noted that this is a 2016 budgeted purchase. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contracts to Five Star International for \$90,300.11 and US Municipal Supply for \$67,483.00, for a total of \$157,783.11. Motion carried by unanimous roll call vote.

Quotations for an air compressor/generator/welder combo unit for the garage service truck were solicited and received by Bill Hitchcock, Operations Manager, Township Garage:

ADMAR Mi-T-M Model AGW-SH22-20M - \$8,002.94, Grainger Speedaire 39GC06 - \$9,408.60, and Hovis Goodall GPC 01-105 - \$5,796.10. Mr. Hitchcock noted that the Hovis quote was for a smaller, less powerful unit, and recommended the ADMAR unit. It was moved by Mr. McGrath and seconded by Mr. Morgan to award the contract to ADMAR for \$8,002.94. Motion carried by unanimous roll call vote.

It was moved by Mr. Groh and seconded by Mr. McGrath to approve Resolution 2016-R-8; A Resolution to appoint voting delegates for the Erie County Tax Collection Committee. Treasurer Mark Zaksheske will be the voting delegate, with Mr. Groh and Mr. McGrath being alternates. Motion carried by unanimous roll call vote.

Solicitor Evan Adair explained that due to the sale of the Millcreek Township Water Authority, a procedure must be agreed upon to collect delinquent balances, because Erie Water Works will not be billing customers for money owed for water service prior to the sale. On recommendation by Mr. Adair, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve the Agreement with Millcreek Township Water Authority to Assign Claims and Liens. Motion carried by unanimous roll call vote.

On recommendation of Engineer Richard Morris, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve a Stormwater Management Maintenance Agreement with Erie Commerce, LLC – Erie Commerce, LLC, developer. Mr. Morris reported that the application was received on the standard approved form, and the owner will assume responsibility for stormwater maintenance for his property. Motion carried by unanimous roll call vote.

On recommendation of Ashley Marsteller, Director of Parks and Recreation, it was moved by Mr. McGrath and seconded by Mr. Morgan to approve the Spring Season Employees, with the exception of John Bucci and Gary Oblawanik, for whom job descriptions will be written.

<u>NAME</u>	<u>POSITION</u>	<u>HOURLY RATE</u>
Leona Carlson	Aquatic Director/WSI	\$ 10.50
Sarah Pelton	MIHS Pool Supervisor/WSI	\$ 10.50
Kathleen Magoon	Water Exercise/WSI	\$ 10.50

NAME	POSITION	HOURLY RATE
Jamie DiFrank	Asst. Supervisor/WSI	\$ 10.00
Olivia Menc	WSI	\$ 9.50
Ashley Warner	WSI	\$ 9.50
Karen Link	WSI	\$ 9.50
Kylie Howland	WSI	\$ 9.50
Leah Perkins	WSI	\$ 9.50
Alex Bartlebaugh	WSI/Sub	\$ 9.50
Robert Sprickman	WSI/Sub	\$ 9.50
Katy Howland	WSI/Sub	\$ 9.50
Kristen Owens	WSI/Sub	\$ 9.50
Jacob Parmeter	Lifeguard	\$ 8.45
Bridget Riley	Lifeguard	\$ 8.45
Melanie Franz	Lifeguard	\$ 8.45
Nathaniel Schweitzer	Lifeguard	\$ 7.95
Annie DiFrank	Lifeguard	\$ 7.95
John Bauer	Lifeguard	\$ 7.95
James Galvin	Lifeguard	\$ 7.65
Carol Gilbo	Adult Dance Supervisor	\$ 10.50
Haley Haggerty	Adult Dance Supervisor	\$ 10.50
Mark Coursey	Gourmet Grilling	\$ 10.50
Karlie Lyons	Kickbox, Tabata Supervisor	\$ 10.50
Nylene Baney	Body Sculpt Supervisor	\$ 10.50
Laurie King	Aerobics Supervisor	\$ 10.50
Susan McCall	Zumba Supervisor	\$ 10.50
Susan McCall	Sing Dance Play Supervisor	\$ 10.50
Kathy Smith	Yoga Supervisor	\$ 10.50
Nancy Rovin	Yoga Supervisor	\$ 10.50
Dave Wayman	Tai Chi Supervisor	\$ 10.50
Kathy Wayman	Qi Gong Supervisor	\$ 10.50
Shannon Eggleston	Piloslide Supervisor	\$ 9.50
Darlene Bennett	Art Supervisor	\$ 10.50
Charles Elliott	Basket Making Supervisor	\$ 10.50
Arlene Elliott	Knit & Crochet Supervisor	\$ 10.50
Sam Steiner	Table Tennis	\$ 8.45
Evelyn Bossar	Barn Supervisor	\$ 9.50
Robert Fuller	Barn Supervisor	\$ 9.50
Charles Elliott	Barn Supervisor	\$ 9.50
Arlene Elliott	Barn Supervisor	\$ 9.50
Eileen Burger	Office Part Time	\$ 8.45
Jennifer Timmons	Youth Dance Supervisor	\$ 10.50
John Bucci	Part Time Maintenance	\$ 13.00
Gary Oblywanik	Part Time Maintenance	\$ 12.19
Eric Nuara	Golf Maint. Part Time	\$ 11.00
Joe Logue	Tuite Supervisor	Volunteer
Kathy Piotrowicz	Bead Weave Supervisor	Volunteer
Chet Moffett	Open Gym Supervisor	Volunteer
Chet Vendetti	Open Gym Supervisor	Volunteer
Xingang Wang	Badminton Supervisor	Volunteer
JJ Zhang	Badminton Supervisor	Volunteer
John Schardt	Radio Control Airplane	Volunteer
William Brown	Millcreek Community Band	Volunteer
Charlotte Haggerty	Adult Dance	Volunteer

Motion carried by unanimous roll call vote.

It was requested by Bill Hitchcock, Operations Manager, Township Garage, moved by Mr. McGrath and seconded by Mr. Morgan to permit Larry Manus and Andrew Tucholski to attend an OBD II (On-Board Diagnostics) Recertification Emissions class on March 1, 2016 for a total cost of \$110.00. Motion carried by unanimous roll call vote.

On recommendation of Director of Police Mike Tesore, it was moved by Mr. Groh and seconded by Mr. McGrath to authorize the purchase of one Nikon D3200 Camera with Three-Lens Kit from Red Tag Camera, one Nikon Zoom Lens from Red Tag Camera and one Nikon Zoom Lens from Kenmore Camera, via ebay, for a total of \$2,296.85, to be funded by donations from American Legion Post #773. Motion carried by unanimous roll call vote.

On recommendation of Director of Police Mike Tesore, it was moved by Mr. Groh and seconded by Mr. McGrath to permit Patrolman Shollenberger and Patrolman Inman to attend "Technical Collision Investigation" training from May 16-27, 2016 in Meadville at no cost to the Township. Motion carried by unanimous roll call vote.

Mr. Groh read a statement regarding the Board's recent decision to appeal former Supervisor Richard Figaski's Unemployment Compensation determination and questioned the motivation behind it. Mr. Groh stated that he is not in favor of Mr. Figaski receiving Unemployment Compensation, but also is not in agreement regarding the Board's appeal, and feels that the matter should have been discussed in executive session rather than at a public meeting. He would also support a Resolution by PSATS (Pennsylvania State Association of Township Supervisors) to close the loophole in the Second Class Township Code which currently allows former Supervisors to apply for Unemployment Compensation. Mr. Groh then expressed displeasure in the way the Board is being portrayed in the *Erie Times-News* regarding this issue.

Mr. McGrath responded to Mr. Groh's comment regarding the motivation behind the appeal, explaining that there is a distinction between Mr. Figaski and other former Supervisors who have applied for Unemployment Compensation, in that Mr. Figaski chose not to seek re-election, while the other men ran and lost their bids for re-election. He added that in order to secure the services of an attorney for the appeal, the matter would have to be discussed publicly to a degree in order to vote on it. Mr. Morgan stated that he is in agreement with the appeal and has contacted State Representative Ryan Bizzarro regarding the correction of the loophole in the law. Mr. Groh reported that the Township is still waiting to hear from the Unemployment Compensation office regarding their second review.

Mr. Morgan announced that Tom Hoffman was recently elected Chair, and he was elected Vice Chair of the Erie Metropolitan Planning Organization (MPO). He reported that PennDOT is currently updating its Capitol Budget and should be allocating federal funds to local projects. He recently sent a letter to PennDOT requesting that four proposed transportation projects in Millcreek be advanced: Wattsburg Road and Norcross Road/Henderson Road Intersection Improvement, Perry Highway and Young Road/Glenwood Park Avenue/Evans Road Intersection Improvement, Peach Street and Kuntz Road Sidewalks, and Colonial Avenue Reconstruction – West 38th Street to Old Sterrettania Road.

Mr. Morgan reported that he contacted Scott Maas of the Erie County Planning Department regarding a proposed realignment of the parcel boundaries of 1330 and 1340 Kuntz Road. The Township is trying to resolve a property boundary issue with Madeline Trimble, owner of 1340 Kuntz Road, to alleviate encroachment upon the Township's property at 1330 Kuntz Road. The proposed realignment involves 2310 square feet, and Mr. Maas has assessed its value at \$270.00. Solicitor Adair explained that a subdivision can only be approved if it becomes an integral part of the owner's property, and this requires an attorney to create a deed. Ms. Trimble was in

attendance at the meeting and gave Mr. Adair verbal permission for him to contact her directly. Mr. Morgan moved and Mr. McGrath seconded the motion to establish the asking price at \$270.00 for the 2310 square foot parcel of the Township's property, with all related fees to be the responsibility of the property owner, Ms. Trimble, and to authorize the appropriate Township staff to arrange the sale. No public comment was offered. Motion carried by unanimous roll call vote.

Gary Behr, 4045 Feidler Drive, reported that the website link to Supervisor Meeting broadcasts on YouTube is not working. He also asked the Board to consider doing a study of the asphalt plant to see if it is cost efficient for the Township. Mr. Morgan agreed that it would be appropriate to start a study to track costs to see if the Township's paving is competitive with private contractors. Mr. McGrath reported that he conducted cost analyses for ten years and consistently found that the Township was realizing a 15% savings versus outsourcing paving projects. He also noted that if the Township ceases the production of asphalt, it must discontinue paving as well, and the Township has a significant investment in its asphalt plant.

Michael Michaelson, 3104 McKee Road, reported that a co-worker had reported a stolen identity incident to the Millcreek Police Department and was told that since his losses were less than \$1,000, it would be a waste of taxpayer money to prosecute. Mr. Michaelson also suggested an ordinance be enacted requiring that lids be put on recycling containers to keep the contents from spilling into the street during windy weather. Mr. Groh asked Mr. Michaelson to call him to further discuss these issues.

Mr. Groh summarized the Township's building construction report for the month of January 2016:

Total Residential Structures	\$	0.00
Total Non-residential Structures		<u>395,280.00</u>
	\$	395,280.00
Zoning Permits Issued		4
Zoning Permit Fees	\$	2,350.00

There being no other citizens to be heard or any further business to come before the Board, it was moved by Mr. McGrath and seconded by Mr. Groh to adjourn the meeting at 8:07 p.m.

Sheryl A. Williams
Assistant Secretary

Approved: March 8, 2016

John H. Groh
Brian P. McGrath
John E. Morgan