

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 5:30 p.m. by Chairman Daniel Ouellet in the Assembly Room of the Millcreek Township Municipal Building. Present were Mark Zaksheske, James Bock, Daniel Ouellet, Kim Clear, Chief Scott Heidt, Matthew Waldinger, Robert Donikowski, Mark Shaw, Esq. and Sheryl Williams.

Following the Pledge to the Flag, Mr. Ouellet announced that the regular meetings of the Millcreek Township Board of Supervisors are being televised live online via Go Live via YouTube.com, [www.millcreektownship.com/meetings](http://www.millcreektownship.com/meetings), with closed captioning available. Members of the public may attend in person in the General Assembly Room. Persons who wish to offer testimony at any hearing or to offer comments during the Public Comment portion of the meeting, but who do not wish to attend in person must contact the Township Secretary, Sheryl Williams, (814) 833-1111 or at [swilliams@millcreektownship.com](mailto:swilliams@millcreektownship.com) no later than 24 hours before the scheduled meeting to make arrangements to participate via telephone. Ms. Williams confirmed that no one had called to participate via telephone.

On recommendation of Solicitor Mr. Shaw, it was moved Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to add the following item to the agenda, per Section 712.1(e) of the Pennsylvania Right-to-Know Law, so that MPD can proceed to order and purchase the vehicle:

#### **8. DCED Grant Agreement for New Lenco BearCat MedEvac Rescue Vehicle**

The agenda was amended and will be posted on the Township website and in the Municipal Building within 24 hours.

On recommendation of Chief Scott Heidt, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to promote Corporal Robert Bucko to Sergeant. Sgt. Bucko is Supervisor of Property and Evidence and oversees the department's Taser program.

Mr. Ouellet called for Public Comment on agenda items other than development or rezoning applications. None was offered.

On motion by Mr. Bock, seconded by Ms. Clear, it was carried by unanimous roll call vote to approve the minutes from the January 3, 2022 Organizational and Regular Meetings.

On motion by Mr. Bock, seconded by Ms. Clear, it was carried by unanimous roll call vote to approve payment of the General Fund bills in the amount of \$350,625.15 and Sewer Revenue Fund bills totaling \$77,502.57.

On recommendation of Treasurer Mark Zaksheske, it was moved by Mr. Bock, seconded by Ms. Clear, and carried by unanimous roll call vote to extend the current agreement with Windstream until January 25, 2025 with a one-time credit of \$4,747.365 for telephone service.

On recommendation of Chief Heidt, it was moved by Mr. Bock, seconded by Ms. Clear, and carried by unanimous roll call vote to purchase five (5) WatchGuard camera systems for five (5) new patrol cars for \$29,646.25 from WatchGuard Video under COSTARS contract #012-073.

On recommendation of Chief Heidt, it was moved by Mr. Bock, seconded by Ms. Clear, and carried by unanimous roll call vote to lease one Ricoh IMC 3000 Color Copier and one Ricoh IM 2500 B&W copier from James B. Schwab Co., Inc. for 36 months at a monthly cost of \$165.83 and \$132.40 respectively under COSTARS contract #001-014.

On recommendation of Planning and Development Director Matthew Waldinger, it was moved by Mr. Bock, seconded by Ms. Clear, and carried by unanimous roll call vote to purchase a Canon Imagerunner Advance DX Copier, model C5840i, with additional feeding unit, staple finisher and fax board from Ford Office Technologies for a total price of \$7,897.29 with a monthly service contract (\$110.00), to be equally split between the Township General Fund and the Sewer Revenue Fund, under COSTARS contract #001-032.

On recommendation of Public Works Director Rob Donikowski, it was moved by Mr. Bock, seconded by Ms. Clear, and carried by unanimous roll call vote to authorize the Sewer Department to purchase a new control panel cabinet from Mayer Electric for the East Gore Pump Station Project at a cost of \$11,120.00.

On recommendation of Recycling Coordinator Jessica Stutzman, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to purchase 112 35-gallon recycle toters from Rehrig Pacific at a cost of \$5,352.25, plus \$400.00 for branding and a \$150.00 freight charge, for a total price of \$6,329.60. Ms. Clear commented that smaller bins will be more manageable for many residents.

On recommendation by Chief Scott Heidt and Solicitor Mark Shaw, it was moved by Mr. Bock, seconded by Ms. Clear, and carried by unanimous roll call vote to approve DCED Grant Contract No. C000082281 in the amount of \$312,437.00 to reimburse the Township for the purchase of a new Lenco BearCat MedEvac Rescue Vehicle for the police department, and to authorize Treasurer Mark Zaksheske and Chairman Daniel Ouellet to execute the agreement. Mr. Shaw and the Board acknowledged Representative Ryan Bizzarro for securing the grant for the Township.

### **Consideration of Subdivision and Land Development Plans**

Planning and Development Director Matthew Waldinger reported that the Township received written notice from John Alberstadt on January 20, 2022 that he was withdrawing his subdivision plan application, and that the subdivision application was removed from the agenda and therefore will not be included in tonight's public hearing. He explained that since the application was withdrawn, it has been closed and any future proposed subdivision of the property would have to start from the beginning with a new application and drawings. Mr. Waldinger said that the new application would have to be presented to the Planning Commission for review before being presented to the Board of Supervisors, and that nearby property owners would be notified.

**GORDAN A. EVANS. Small Subdivision Plan. A subdivision plan to show the creation of Parcel "A", a 20,871 square foot lot, from tax parcel 33-043-229.0-014.0 with a residual lot of 2.00 acres along the north line of West Ridge Road across from Patio Drive, in Tract 310. Index 405-018**

Mr. Waldinger reported that at their regular meeting on January 4, 2022, the Planning Commission recommended approval with the following requirements: Provide the square footage of all the buildings on the plan; Provide the Township Engineer signature block on the plan. Mr. Waldinger also noted that if the application is approved, the Supervisors will need to approve a modification for a flag lot that has narrow frontage that widens out to the back.

Mr. Ouellet opened the public hearing, and Gordon Evans, 4390 West Ridge Road, appeared on behalf of the petition. There being no questions from the Board and no public comment, Mr. Ouellet closed the hearing.

On recommendation of Mr. Waldinger, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve the Gordan A. Evans Small Subdivision Plan with the requirements and modification stated above.

**DUDLEY MEDICAL BUILDING. Land Development Plan. A land development plan to show the construction of a 22,920 square foot medical building with associated off-street parking and stormwater management facilities along the west line of Peach Street, north line of Dudley Street, and east line of Richmond Street, in Tract 346. Index 727-060**

Mr. Waldinger reported that at their regular meeting on January 4, 2022, the Planning Commission recommended approval.

Mr. Ouellet opened the public hearing. Michael Sanford, 4721 Atlantic Avenue, stated he is the surveyor and engineer who prepared the plan. He explained that there are two (2) driveways, one off of Dudley Street and one off of Peach Street, which has been approved by PennDOT. Mr. Sanford reported that GPI Engineering and the Township Engineer have approved the stormwater plan, and he is anticipating approval from the Conservation District. He stated that they have complied with the ordinance, are not aware of any variances or modifications, and have shown adequate green space and parking. There being no questions from the Board and no public comment, Mr. Ouellet closed the hearing.

On recommendation of Mr. Waldinger, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve the Dudley Medical Building Land Development Plan.

On recommendation of Mr. Waldinger, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve a non-substantial amendment to the IHOP Land Development Plan – Scott’s Apple Meadville, Inc., Developer. The original plan was approved in October 2021, and Mr. Waldinger noted that this is the former IHOP restaurant on West 12<sup>th</sup> Street which is being remodeled to include an addition and patio seating.

Solicitor Mark Shaw reported that the Township recently discovered an incorrect statute reference in the Township Code which needs to be corrected. Subsequently, proposed Ordinance 2022-2 is being advertised and the Board will take action to amend the Code at the next meeting on February 8, 2022.

On recommendation of Chief Scott Heidt and IT Manager Kris Filson, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to adopt Resolution 2022-R-4; A Resolution pursuant to Resolution 2015-R-20 and the Municipal Records Manual to approve proposed disposition of certain Township records. Mr. Ouellet noted that the records to be disposed are police DashCam videos which will reach the end of their retention period between January 26, 2022 and February 8, 2022.

Solicitor Mark Shaw explained the Township wishes to continue to enforce the provisions of the Millcreek Township Noise Control Ordinance, Ordinance 2017-15, regarding amplified music, other entertainment and/or the advertisement thereof, being heard beyond PLCB licensees’ property lines. He explained that the PCLB granted the Township a 1-year exemption from Section 493(34) of the Pennsylvania Liquor Code in 2018, a 3-year exemption in 2019, and in 2022 the Township is eligible to apply for a 5-year exemption. On recommendation of Mr. Shaw,

it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to adopt Resolution 2022-R-5; A Resolution of Millcreek Township Board of Supervisors pursuant to Section 493.1(b) of the Pennsylvania Liquor Code requesting exemption from Section 493(34) of the Pennsylvania Liquor Code.

Planning and Development Director Matthew Waldinger presented the 2021 Annual Report of the Planning Commission which included the annual total number of subdivisions, land development plans, rezoning and ordinance amendments. The Planning Commission recommended continued updating of the Zoning Ordinance, Subdivision and Land Development Ordinance and Zoning Map to be consistent with the new Comprehensive Plan and Future Land Use Plan.

On recommendation of Mr. Waldinger, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve the release of ERIE BANK Letter of Credit #1614 in the amount of \$171,719.00 for ERI SNOW REMOVAL BUILDING – Erie Regional Airport Authority, Developer.

On recommendation of Mr. Waldinger, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve a Stormwater Management Maintenance Agreement and Stormwater Management Plan for the SAINT MARY'S HOME OF ERIE LAND DEVELOPMENT PLAN – Saint Mary's Home of Erie, Developer.

On recommendation of Mr. Waldinger, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve a sanitary sewer easement agreement with Loretta and Gregory F. Findlay, 5401 Woodside Drive, subject to the Findlays executing the agreement. The easement will allow the Township to complete the Wolf Run Forcemain Project and the Findlays will be compensated \$1,500.00.

On recommendation of Chief Scott Heidt and Solicitor Mark Shaw, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve a Memorandum of Agreement (MOU) between the Millcreek Police Department and the United States Secret Service for reimbursement of costs and other expenses regarding the Cyber Fraud Task Force, and to authorize Chief Heidt to sign the agreement.

On recommendation of Human Resources Coordinator Shawn McClelland, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to approve the hiring of Kyle Nordstrom as a part-time Police Dispatcher at the hourly rate of \$12.00, effective January 27, 2022.

On recommendation of Public Works Director Robert Donikowski, it was moved by Mr. Bock, seconded by Ms. Clear and carried by unanimous roll call vote to authorize six (6) employees to attend the Water & Wastewater Equipment, Treatment and Transport Show in Indianapolis, IN from February 21-24, 2022, at a total cost of \$7,371.36 for registration, lodging and per diem expenses.

Mr. Ouellet reported that the Board met with Solicitors Mark Shaw and Lydia Caparosa in Executive Session on January 14 and 20, 2022 to discuss legal and personnel matters.

Erica McAllister, 1415 Hillborn Avenue, stated that she has been receiving citations erroneously from the police department. Ms. Clear replied that she will gather the information needed and assist Ms. McAllister in trying to resolve the issue.

Ms. Clear thanked the residents in attendance for coming to the meeting and taking interest in their community.

There being no further business to come before the Board or any other Citizens to be Heard, it was moved by Mr. Bock and seconded by Ms. Clear to adjourn the meeting at 6:22 p.m.

Sheryl A. Williams  
Township Secretary

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APPROVED: February 8, 2022

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Daniel P. Ouellet

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James S. Bock

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Kim Clear