

## Regular Meeting

January 10, 2012

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:30 a.m. by Chairman Figaski in the Assembly Room of the Millcreek Township Municipal Building. Present were Gerald Wolf, Joseph Kujawa, Richard Figaski, Evan Adair, Esq., Phyllis Vollbrecht, Richard Morris, P.E. and Chief Thomas Carlotti. Mr. McGrath was on vacation.

Following the Pledge to the Flag, Chairman Figaski called for public comment on agenda items other than development or rezoning applications. No comments were received.

It was moved by Mr. Kujawa, seconded by Mr. Figaski and carried to approve the minutes of the Board's Reorganization Meeting of January 3, 2012. It was moved by Mr. Kujawa, seconded by Mr. Figaski and carried to approve the minutes of the Board's Regular Meeting of January 3, 2012.

It was moved by Mr. Kujawa, seconded by Mr. Figaski and carried, to approve payment of the weekly General Fund bills in the amount of \$334,681.35.

On motion by Mr. Kujawa, seconded by Mr. Figaski, Ordinance No. 2012-1 was approved to amend and restate Ordinance No. 99-8, commonly known as the Millcreek Township Sewer Rental Ordinance, as amended and restated by Ordinance Nos. 2004-15, 2006-14 and 2010-1, to increase from \$80.00 to \$84.00 the quarterly rental assessment per equivalent domestic unit effective January 1, 2012; containing severability and repealor clauses. Mr. Kujawa said the increase was necessary because of an increase in transportation and treatment costs charged by the City of Erie. Mr. Figaski said other municipalities have also had to increase their rates. Motion carried by unanimous roll call vote.

On the recommendation of Engineer Morris, it was moved by Mr. Kujawa and seconded by Mr. Figaski to approve a 60-day extension on the approval of the Herman Klauk Subdivision to allow the potential buyer to obtain the proper financing. Motion carried by unanimous roll call vote.

It was recommended by Treasurer Wolf, moved by Mr. Kujawa and seconded by Mr. Figaski that Shawn McClelland, Sewer Authority employee, be permitted to participate in the Township's benefit program, pension plan and hospitalization effective January 1, 2012. The Sewer Authority will reimburse the Township any incurred expenses. No public comment was received. Motion carried by unanimous roll call vote.

It was moved by Mr. Kujawa and seconded by Mr. Figaski to approve the purchase of a 2013 International cab and chassis (Model 7500 SBA) from Five Star International for \$89,249.26 through the Costars Contract #025-005. The Streets Department would like to put the truck in service by July. No public comment was received. Motion carried by unanimous roll call vote.

Mr. Figaski requested permission to attend, in his capacity as Administrator of Administrative Services, a Municipal Separate Storm Sewer System (MS4) DEP Permit Workshop on February 2, 2012 at the Tom Ridge Environmental Center. Engineer Morris has already been approved to attend. There is no registration fee and travel will be by Township vehicle. It was moved by Mr. Figaski and seconded by Mr. Kujawa to approve the request. No public comment was offered. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski and seconded by Mr. Kujawa that Engineer Morris be permitted to attend the Sterrettania Road Bridge Pre-construction Conference at PennDOT in Oil City on January 12, 2012. Travel will be by Township vehicle. No public comment was received. Motion carried by unanimous roll call vote.

Engineer Morris requested permission for Matt Waldinger to attend an Asbury Bike Lane Project meeting with PennDOT officials prior to the Sterrettania Road Bridge meeting on January 12, 2012 in Oil City. It was moved by Mr. Kujawa and seconded by Mr. Figaski to approve the request. No public comment was offered. Motion carried by unanimous roll call vote.

Chief Carlotti requested approval for the hiring of Christopher Ryan Buckner as a Probationary Patrol Officer effective January 16, 2012. It was moved by Mr. Figaski and seconded by Mr. Kujawa to approve the hiring. No public comment was offered. Motion carried by unanimous roll call vote. The Oath of Office will be administered to Officer Buckner on January 17, 2012.

Phyllis Hlavin, 4214 Dion Court, appeared with the following questions and comment: (1) could the "public comments on agenda items" be changed to allow the public to speak after individual agenda items are brought up; (2) are there going to be any expenses for the driving range this year or not; (3) does the Township get reimbursement from drug raids in the Township or not; (4) what is going to be done about abandoned properties; and (5) the public should know that the Study Commission has a budget of \$29,550. Mr. Figaski responded that the projected budget for the Study Commission is for a period of 18 months; however, they will only be in existence for nine months unless they recommend a Home Rule Charter which they cannot do. Chief Carlotti said he will be discussing the commitment of a full-time officer to the drug task force with the District Attorney. Regarding the relocation of poles at the golf course driving range, Mr. Kujawa said an attempt was made to work with the Airport's contractor, the bids received twice were over budget, it will be put out to bid again, and discussions will continue with the Airport. Regarding abandoned property, Mr. Figaski said there is no sense in a property maintenance ordinance if you don't have the personnel to enforce it.

Lou Aliota, 538 Margo Court, appeared regarding his most recent Right-to-Know request for copies of all contracts, agreements on a case-by-case basis for all attorneys and law firms who have an association or provided legal consultations for the Township, particularly Atty. Tim Wachter regarding RTK requests. The request was partially granted and partially denied. Mr. Aliota appealed that response. He then submitted a letter with many questions about the same subject which he asked the Chairman to address at today's meeting. Mr. Figaski told Mr. Aliota that there are no formal contracts, but perhaps there should be. These are professional services precluding it from being bid out. The RTK law permits access to records and not to be utilized as a quiz. He recommended that Mr. Aliota rephrase his request to ask for documents that relate to his questions. Because of the many requests and questions submitted by Mr. Aliota in the past, Mr. Kujawa suggested that Atty. Wachter be asked to attend next week's meeting.

There being no further business to come before the Board or citizens to be heard, it was moved by Mr. Kujawa and seconded by Mr. Figaski to adjourn the meeting at 10:08 a.m.

Phyllis A. Vollbrecht  
Assistant Secretary

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APPROVED: January 17, 2012

Richard P. Figaski  
Joseph S. Kujawa