

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:32 a.m. by Chairman Kujawa in the Assembly Room of the Millcreek Township Municipal Building. Present were Gerald Wolf, Richard Figaski, Joseph Kujawa, Evan Adair, Esq., Phyllis Vollbrecht, Julie Maggio and Peter Dion. Mr. McGrath was attending a PSATS meeting.

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

It was moved by Mr. Figaski, seconded by Mr. Kujawa and carried to approve the minutes of the Board’s October 22, 2013 meeting.

It was moved by Mr. Figaski, seconded by Mr. Kujawa and carried to approve payment of the following weekly bills:

General Fund - October 29, 2013	\$671,030.77
General Fund - November 11, 2013	\$165,455.20
Brick Fund	\$ 1,309.04
Sewer Revenue Fund - October 28, 2013	\$ 78,706.39
Sewer Revenue Fund - November 11, 2013	\$177,643.82

Regarding the announcement of the proposal received on property maintenance and fire code services Mr. Kujawa said that in mid-October, Millcreek Township advertised its request for proposals to provide professional services in the administration and enforcement of Property Maintenance and Fire Codes that the Board intends to adopt in the near future. The deadline for receipt of proposals was November 6 and the Township received one proposal from Building Inspection Underwriters of Pennsylvania. These are not services that are easy to quantify and the Board did not presume to know all of the details that would be involved. So the RFP made it clear that the Township would meet with the firm having the lowest price proposal to firm up details and costs. The RFP and BIU’s proposal are available for review by contacting the Assistant Secretary. BIU proposes to do property maintenance inspections where complaints are received at a cost of \$60.00 or \$70.00 each, depending on whether a violation notice must be mailed. It proposed to do full property maintenance inspections for \$60.00 per dwelling unit with additional costs if more than two inspections are required. BIU proposes to do fire safety inspections on request by an owner for \$60.00 and it provided a fee schedule for fire inspections of commercial properties. The Board will meet soon with BIU to discuss specifics. Action regarding award of a contract will take place in a regular Board meeting later this year.

A public hearing was held on the following petition requesting a change in zoning classification:

**Tenth Street Building Corporation of Erie, for property located at 2206 West 15th Street, now zoned I-1 Light Industrial District, asking for a change in classification to C-4 Regional Commercial District.**

Mrs. Maggio reported that the Millcreek Township Planning Commission recommended approval, Erie County Department of Planning stated that the proposed rezoning change is generally consistent with the Erie County Comprehensive Plan, and the Millcreek Township Future Land Use Plan shows this parcel as commercial.

Greg Baldwin, 2540 Village Common Drive, said the two acre parcel currently has a building with four separate tenant spaces occupied by two tenants who

lease under variances to allow them to locate in the light industrial use. Over the last ten years, the character of the neighborhood has changed with a mix of retail, office and some light industry.

It was moved by Mr. Figaski and seconded by Mr. Kujawa to approve the rezoning. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski and seconded by Mr. Kujawa to approve Ordinance No. 2013-8; an Ordinance to amend the Millcreek Township Zoning Ordinance, No. 2011-8, as amended, by changing the classification of certain parcels of land situate in the Township of Millcreek, Erie County, Pennsylvania, described as follows: Property at 177 Richmond Street, now zoned R-1 Residential District, to be rezoned to C-1 General Commercial District; and Property at 2301-2311 West 12th Street, now zoned I-1 Light Industrial District, to be rezoned to C-4 Regional Commercial District. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski and seconded by Mr. Kujawa to approve Resolution 2013-R-25; a Resolution pursuant to Section 6(s) of the Municipal Authorities Act to approve the plan of construction and estimated project costs of the Millcreek Township Sewer Authority's Garries Road Area Sanitary Sewer Extension Project. Rob Rodemoyer, Millcreek Sewer Authority, explained the project. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski and seconded by Mr. Kujawa to approve Resolution 2013-R-26; a Sewer Planning Module for Powell Avenue Place located on the west side of Powell Avenue north of Route 20. Rob Rodemoyer also explained this project. Motion carried by unanimous roll call vote.

Regarding the request to release Erie Bank Check 2492 in the amount of \$60,555.00 for Pine Valley Subdivision (South Shore Construction Management, Inc.), Mr. Dion said the Engineering Department recommended release; however, a question arose whether the trees being planted would be six feet tall within two years as required. If they are not, an estimate to tear out 28 existing arborvitae and replace with 28 six foot dark green arborvitae from Miaczynski Landscaping and Services was received in the amount of \$5,200.00. The proper height of the trees is a requirement of the Final Plan approval according to Atty. Adair. It was moved by Mr. Figaski and seconded by Mr. Kujawa to retain 110% of the landscaper's estimate of \$5,200.00 and release the remainder of Erie Bank Check 2492 (\$60,555.00) to the developer. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski and seconded by Mr. Kujawa to table action on the release of Citizens Bank Letter of Credit S700118 in the amount of \$15,200.00 for Briarwood Village No. 7 until the Board's meeting on December 3, 2013 because of an issue with outstanding invoices and a flooding problem at one of the homeowners in the area. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski and seconded by Mr. Kujawa to approve the License and Maintenance Agreement with Zuck Realty, LLC for a portion of property at 2660 Zuck Road which will provide for some parking at that location. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski and seconded by Mr. Kujawa to approve a change order for the Montpelier Avenue Storm Sewer Replacement project which will add \$28,285.55 to the Amendola Development Company contract price of \$75,262.50. A large portion of the change order was the inclusion of concrete driveway restorations which will save a lot of upkeep time over the winter by our crews. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski and seconded by Mr. Kujawa to approve Change Order No. 2 for the Sidewalk Accessibility Alterations Project – Phase II which will add \$8,890.00 to the Vavala Concrete Construction contract price of \$104,248.00. Six other ramps were added after approval of Change Order #1. Motion carried by unanimous roll call vote.

Mr. Kujawa presented the Building Construction Report for October as follows:

Total Residential Structures	\$1,754,500.00
Total Non-residential Structures	<u>\$4,967,400.00</u>
	<b>\$6,721,900.00</b>
Zoning Permits Issued	30
Zoning Permit Fees	\$ 18,400.00

It was moved by Mr. Figaski and seconded by Mr. Kujawa to authorize the temporary suspension of "No Parking provisions on the south side of East Grandview Boulevard from noon to 3:30 p.m. on November 3, 2013 for Mercyhurst Preparatory High School's annual open house event. No public comment was offered. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski and seconded by Mr. Kujawa to authorize Capt. Randy Fairpler and Cpl. Tony Chimera to attend the AAA Community Traffic Safety Program Awards luncheon in Cranberry Township on November 3, 2013 at noon. There was no cost and travel was by Township vehicle. The last two requests were approved by the Board but since there were no meetings for two weeks, they could not be "officially" approved. No public comment was received. Motion carried by unanimous roll call vote.

Jim Sperry, Parks and Recreation Director, requested approval of Nancy Rowin as a yoga instructor at \$9.50/hour for the 2013 fall season staff. It was moved by Mr. Figaski and seconded by Mr. Kujawa to approve the request. No public comment was received. Motion carried by unanimous roll call vote.

Mr. Kujawa thanked all veterans who have served this Country.

Mr. Kujawa thanked all his supporters who work so hard during this past election.

Mr. Kujawa said he would make available to the media a copy of the 2014 Police budget which requested the hiring of six additional police officers.

It was recommended by the Engineering Department, moved by Mr. Figaski and seconded by Mr. Kujawa to approve the Highway Occupancy Permit for the stormwater tie-in into the State's catch basin on West 6th Street for Sheetz El Patio (Peninsula Drive and West Lake Road). No public comment was offered. Motion carried by unanimous roll call vote.

There being no further business to come before the Board or citizens to be heard, it was moved by Mr. Figaski and seconded by Mr. Kujawa to adjourn the meeting at 10:00 a.m.

Phyllis A. Vollbrecht  
Assistant Secretary

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APPROVED: November 26, 2013

Joseph S. Kujawa  
Richard P. Figaski