

The regular meeting of the Millcreek Township Board of Supervisors was called to order at 9:35 a.m. by Vice Chairman McGrath in the Assembly Room of the Millcreek Township Municipal Building. Present were Gerald Wolf, Richard Figaski, Brian McGrath, Evan Adair, Esq., Phyllis Vollbrecht, and Richard Morris, P.E.

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

There were no minutes to approve at this meeting.

It was moved by Mr. Figaski, seconded by Mr. McGrath and carried to approve payment of the weekly General Fund bills in the amount of \$625,154.67.

It was moved by Mr. Figaski, seconded by Mr. McGrath to approve a subdivision plan to show the creation of a 465 square foot parcel of land and 2,248 square foot parcel of land along the south line of Stone Creek Drive and east line of Forest Crossing in Tract 354. Both the 465 square foot and the 2,248 square foot parcels are to become an integral part of the neighboring property, Erie County Tax Parcel (33) 200-2-1. This plan was approved by the Planning Commission on December 10, 2013. Mike Sanford, 4721 Atlantic Avenue, spoke on behalf of the applicant. There were no questions or discussion. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski, seconded by Mr. McGrath, to approve Powell Avenue Place with the following stipulations:

1. That plantings are added in accordance with the zoning ordinance requirements.
2. That the plantings extend no further than five feet from Powell Avenue.

Powell Avenue Place is a land development plan with a high-rise development consisting of two buildings with a total of thirteen units and associated parking on a 1.40 acre plot along the west line of Powell Avenue north of West Ridge Road in Tract 20. Engineer Morris stated that there is additional requirement, that the developer provide a planting strip in accordance with Zoning Ordinances 4.055 and 3.214. Motion carried by unanimous roll call vote.

Mike Sanford, 4721 Atlantic Avenue, spoke on behalf of the applicant. He stated that there are some deciduous existing trees and low growth on the west and south borders; however, there are some gaps in the brush that will need to be filled to meet the zoning ordinance requirements, which require a visual screen of six foot within two years.

Rick Damico, 2404 Powell Avenue, is a neighbor of the proposed construction site. He stated that he is not sure that he wants a six foot arborvitae wall bordering his property, and asked if there are any other options. Mr. Figaski explained that the ordinance protects any current or future owners of that property, and that to allow changes in the plantings would violate the ordinance. The board agreed that the township must follow the ordinance.

It was moved by Mr. Figaski, seconded by Mr. McGrath, carried and approved to adopt Ordinance No. 2013-13; an Ordinance of the Township of Millcreek adopting with certain amendments the 2009 edition of the International Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of property in the occupancy of buildings and premises in the Township of Millcreek, providing for the issuance of permits and collection of fees therefore; providing for

administration and enforcement; establishing violations and imposing penalties for violation; and containing severability and repealor clauses. This ordinance will become effective on 1/1/2014.

It was moved by Mr. Figaski, seconded by Mr. McGrath, carried and approved to adopt Ordinance No. 2013-14. An Ordinance of the Township of Millcreek adopting a Property Maintenance Code of Millcreek Township; establishing standards for existing residential, industrial, commercial and other buildings and structures; providing for enforcement and administration of regulations and for penalties for violation; and containing severability and repealor clauses. Mr. Adair explained that this ordinance will allow the township to become more pro-active in identifying buildings in disrepair through routine inspection before they need to be demolished, and also to respond to complaints in a timely manner. Building Inspection Underwriters of Pennsylvania has been contracted for this service, and the ordinance will become effective January 1, 2014.

It was recommended by Engineer Morris, moved by Mr. Figaski, seconded by Mr. McGrath, to approve a Letter of Credit Reduction for Redman Development Corporation regarding *The Hammocks at Millcreek* by \$100,406.35, from \$494,034.55 to \$393, 628.20. Per Engineer Morris, the developer's request for a reduction in the security to the requested amount should be approved, the reduced security being more than sufficient to defray costs of completing the remaining required public improvements, which were storm sewer conveyance facilities. Motion carried by unanimous roll call vote.

It was moved by Mr. Figaski, and seconded by Mr. McGrath to approve a Referral to the Planning Commission of a Petition Requesting a Change in Zoning Classification for A Latif Panhwar, for property located on the north side of Haas Avenue in the 2900 block, now zoned R-1 Single Family Residential District and C-2 General Commercial District, asking for a change of classification to RC Resort Commercial District. Motion carried by unanimous roll call vote.

Communications:

1. It was moved by Mr. Figaski, seconded by Mr. McGrath, carried and approved to purchase 500 tons of anti-skid material from Fairview Township for \$10.50 per ton, delivered.
2. Mr. McGrath commended Jessica James, Recycling Coordinator, on her efforts in creating the 2013 Recycling Calendar and Recycling Guide. The Recycling Calendar received First Place and the Recycling Guide received Second Place in a contest sponsored by the Pennsylvania State Association of Township Supervisors.
3. Mr. McGrath commended the snowplow crews for keeping the roads clear, allowing the Millcreek Township School District to open on time after the snowstorm on December 16, 2013.
4. It was recommended by Engineer Morris, moved by Mr. Figaski, seconded by Mr. McGrath, carried and approved a Sidewalk Deferral Agreement for Dominic Maleno, 6060 Grubb Road, since there are no existing sidewalks nearby.

Citizens to be heard:

1. Joy Greco asked when the 2014 preliminary budget will available for perusal. Mr. McGrath replied that it is available on the township website.

Ms. Greco commented that she is hoping with the changes coming on the township board, that everyone moves forward.

Ms. Greco believes the citizens would like to see the township meetings televised again. Mr. Figaski responded that a plan is in the works to televise meetings again beginning in January 2014. If all goes as planned, a third party will be doing this at no cost to the township.

On behalf of the citizens of Millcreek Township, Ms. Greco thanked Mr. Kujawa for his thirty-five years of service to Millcreek Township.

2. Rick Damico, 232 California Drive, commented that he feels that the intent of the new property maintenance ordinance is vague. Mr. Adair explained that it is a two-pronged process, in that complaints to the township can be referred to BIU, and also that it will allow the township to identify properties in disrepair before they need to be demolished.

There being no further business to come before the Board, it was moved by Mr. Figaski and seconded by Mr. McGrath to adjourn the meeting at 9:50 a.m.

Sheryl A. Williams
Administrative Assistant

Approved December 23, 2013

Brian P. McGrath
Vice Chairman

Richard P. Figaski
Secretary