

CENTER TOWNSHIP

419 Sunset Drive

Butler, PA 16001

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Board of Supervisors:
Daniel Cox, Chairman
Andrew Erie, Vice-Chairman
Ronald Flatt, Supervisor
Brian Hortert, Supervisor
Daniel Plaisted, Supervisor

Michael D. Gallagher, Solicitor
Olsen & Assoc., Engineer
Martha Hufhand, Township Secretary

BOARD OF SUPERVISORS

Regular Meeting Minutes

December 14, 2005

6:30 p.m.

CALL TO ORDER: The Regular Meeting of the Center Township Board of Supervisors was called to order at 6:30 p.m. by Chairman Cox at the Center Township Municipal Building, 419 Sunset Drive, Butler, Penna.

ROLL CALL: Present were Chairman Cox; Vice-Chairman Andrew Erie; Supervisors Brian Hortert, Daniel Plaisted, and Ronald Flatt; Solicitor Michael Gallagher; Engineer Ron Olsen; Public Works Director Mark Lauer; and Township Secretary Martha Hufhand.

PRAYER & PLEDGE OF ALLEGIANCE

PUBLIC TO BE HEARD: James Soose told the Board that he would like to purchase a piece of property next to his father's property which is owned by Center Township. Flatt moved to authorize the solicitor to arrive at a value price either by appraisal or any other means on this property. Hortert seconded. Motion carried unanimously.

MINUTES:

1. Public Hearing - Elliott Rezoning - October 5: Flatt made a motion to approve the minutes of the Elliott Rezoning Public Hearing held October 5, 2005. Hortert seconded. Plaisted abstained because he did not attend the hearing. Motion carried.
2. Agenda Setting meeting - October 5: Flatt made a motion to approve the minutes of the Agenda Setting meeting held October 5, 2005. Hortert seconded. Plaisted abstained because he did not attend the hearing. Motion carried.
3. Regular Meeting - October 12: Flatt made a motion to approve the minutes of the Regular Meeting held October 12, 2005, contingent upon Guy Traglio be changed to Vince and the date corrected on pages 3, 4, 5, & 6. Hortert seconded. Plaisted and Cox abstained because they did not attend the meeting. Motion carried.
4. Public Hearing - Chilcott - November 7: Cox made a motion to approve the Chilcott Public Hearing of November 7, 2005. Flatt seconded. Hortert abstained because he did not attend the hearing. Motion carried.

5. Agenda Setting Meeting November 7: Flatt made a motion to approve the minutes of the Agenda Setting Meeting held November 7, 2005. Plaisted seconded. Hortert abstained because he did not attend the meeting. Motion carried.
6. Regular Meeting - November 9: Flatt made a motion to approve the minutes of the Regular Meeting held November 9, 2005. Plaisted seconded. Hortert and Cox abstained because they did not attend the meeting. Motion carried.
7. Special Meeting - Fuel/Oliver - December 2: Flatt made a motion to approve the minutes of the Special Meeting - Fuel/Oliver held December 2, 2005, contingent upon sentence in the 'Public to be Heard' section corrected Oliver's statement to 'even though it was less than *his own appraisal*. (Line 3) Cox seconded. Hortert and Plaisted abstained because they did not attend the meeting. Motion carried.
8. Public Hearing - Ordinance Amendments - December 7: Flatt made a motion to approve the minutes of the Public Hearing for Ordinance Amendments held December 7, 2005, contingent on correcting the numbering of the second ordinance to 2005-12-06. Hortert seconded. Plaisted abstained because he did not attend the hearing. Motion carried.

TREASURER'S REPORT:

1. November 2005: Plaisted made a motion to approve the November 2005 Treasurer's Report Hortert seconded. Motion carried unanimously.
2. Warrant List 05-11-24: Plaisted made a motion to approve Warrant List 05-11-24. Hortert seconded. Motion carried unanimously.
3. Warrant List 05-12-25: Plaisted made a motion to approve Warrant List 05-12-25, but abstained voting on checks #9237 and #9271 from Lou Negley Bottled Water, a client of his. Hortert seconded. Motion carried unanimously.
4. 2006 Levy Resolution 2005-12-23: Plaisted made a motion to adopt Resolution 2005-12-23 which levies a 1 mill general purpose tax and a 1.5 mills fire protection tax. Hortert seconded. Motion carried unanimously.
5. 2006 Budget: Cox read the preamble to the Budget. Plaisted made a motion to adopt the 2006 Budget. Hortert seconded. Motion carried unanimously.
6. CD 50009811547-10: Plaisted made a motion to authorize the Treasurer to receive rates for reinvestment of \$350,000 from a CD which matures December 25, 2005, with rates for 90 days, 6 months, and 12 months. Flatt seconded. Motion carried unanimously.

ZONING REPORT - November: Construction costs were \$184,000 and fees collected \$1,485.

SUBDIVISIONS & LAND DEVELOPMENTS: None

OLD BUSINESS: Code Inspector Position: The Chairman advised that the supervisors met in executive session on November 18 & 26 and December 12 to consider candidates for this position. No decision were made. Supervisors are permitted to hold executive sessions to discuss all areas of employment.

NEW BUSINESS:

1. Adopt Ordinance Amendments 2005-12-05 & 2005-12-06: (These are technical corrections to the consolidated ordinance.) Flatt made a motion to adopt Ordinance 2005-12-05. Hortert seconded. Motion carried unanimously. Flatt made a motion to adopt Ordinance 2005-12-06. Cox seconded. Motion carried unanimously.
2. Appoint Building Code Official/Zoning Officer: Cox made a motion to employ employee Richard Round effective January 1, 2006, at a yearly rate of \$36,000 plus township benefits as the Building Code Official Zoning Officer. Erie seconded. Motion carried unanimously.
3. Engineering & Construction Mgmt System Agreement & Resolution 2005-12-24: Plaisted made a motion to adopt Resolution 2005-12-24 and authorize the Chairman and the Secretary to sign the resolution which authorizes electronic access to PennDot Systems. Hortert seconded. Motion carried unanimously.
4. Medical Insurance: Flatt made a motion to authorize the treasurer to submit the quote received from Highmark Blue Cross/Blue Shield for medical insurance for township employees to the union for consideration and recommendation or acceptance. Erie seconded. Motion carried unanimously.
5. Impact Fee Program: Cox made a motion to set the preferred level of service for township intersections at Level D and the roadways at Level C. Plaisted seconded. Motion carried unanimously.
6. Humane Society Agreement: Plaisted made a motion to approve the Municipal Agreement with the Butler County Humane Society for 2006 with no changes from the previous year. Hortert seconded. Motion carried unanimously.
7. Charitable Contributions: Plaisted made a motion to contribute \$10,000 to the Unionville Volunteer Fire Department and \$10,000 to the Oneida Valley Fire Department. Cox seconded. Motion carried unanimously. Flatt made a motion to contribute \$1,000 to the Family Life Ministries for the Food Bank which services 25 families in Center Township. Erie seconded. Motion carried unanimously. Cox moved to contribute \$6,000 to the County Library. Erie seconded. Motion carried unanimously.
8. Telephonic conferencing: Flatt made a motion to adopt Resolution 2005-12-25 which authorizes supervisors and planning commissioners to vote by phone. Plaisted seconded. Plaisted Cox, Flatt, Hortert and Plaisted voted yes, Erie voted no. Motion carried.

PUBLIC WORKS DIRECTOR:

1. Signs: Flatt made a motion to award the bid for signs to Custom Products Corporation of Jackson, Mississippi as the lowest bidder. Plaisted seconded. Motion carried unanimously.
2. Anti-skid: Cox made a motion to award the bid for antiskid of \$7.25/ton, and total bid of \$21,750 to Troy Sand & Gravel of New Castle, Pa. Hortert seconded. Motion carried unanimously.
3. Bituminous material: Plaisted made a motion to award the bid of \$50.95/ton for a total of \$17,832.50 for bituminous material to Heilman Pavement of Sarver, Pa. Cox seconded. Motion carried unanimously.
4. Fuel: No bids were received. Cox moved to authorize re-advertising for bids for fuel. Plaisted seconded. Motion carried unanimously.
5. Superpave Course: Plaisted made a motion to authorize the Public Works Director to attend the Superpave Course in Penn Township on 1/20/06 at a cost of \$10; Hortert seconded. Motion carried unanimously.
6. Purchase of trucks: Flatt made a motion to authorize advertising for two fleet vehicles, a pick-up and a SUV. Erie seconded. Motion carried unanimously.

ENGINEER'S REPORT:

1. Glenwood Way Bridge: Plans have been submitted to PennDot and two teams are working on getting the review done quickly. Steve Bender from the railroad and the Township Solicitor are negotiating an agreement concerning the railroad flagging fees.
2. Henley Dr. adoption: The engineer recommended not making a decision on adopting this road at this time. Cox moved to authorize the solicitor and the engineer to write a letter to Kress Brothers advising that with the way the plan was designed it cannot be fully inspected and a recommendation cannot be made to adopt the road.. Erie seconded. Motion carried unanimously.

SOLICITOR'S REPORT:

1. Cell Tower Registration: The solicitor has sent a letter to T-Mobile concerning nonpayment of the 2005 license fee.
2. Allegheny Power Registration: UCC inspectors no longer have to obtain separate approval from Allegheny Power. Cut in cards are accepted from any UCC inspector appropriately certified by Labor & Industry.
3. Oliver Property Condemnation: Plaisted moved to authorize the solicitor to prepare a mutual release with Oliver and for the chairman to sign the release when it is completed. Erie seconded. Motion carried unanimously.

4. Thompson vs Center Township: The court dismissed Center Township from this case and Pinehurst has withdrawn its cross claims against the Township.
5. Thompson vs Schenck, Plaisted & Latuska: Thompson sued these three individuals separately. The case is scheduled for pretrial in late Jan. or early February. There is a possibility it will be settled by the insurance company before that time. The Board gave the solicitor the authority to act but the solicitor wants this reconfirmed. Cox made a motion to authorize the solicitor to notify the insurance company that they can offer to drop the charges against Thompson and her sewage system problem as a part of a settlement. Hortert seconded. Motion carried unanimously.
6. Center Township vs McCall: A court hearing is scheduled for January 3, 2006, on McCall's non compliance in securing a building permit for a home he built without the proper permits. Flatt moved to authorize the solicitor to proceed on the third to act in the Township's interest.. Erie seconded. Motion carried unanimously.
7. Center Township/Morgan Agreement: Flatt moved to authorize two supervisors to sign the agreement of action required to correct a sewage control problem subject to working out the details. Cox seconded. Motion carried unanimously.

MISCELLANEOUS: Mark Lauer thanked Cox and Plaisted for the job they have done as supervisors and said that it was great working with both of them. Flatt said that in the last 4 years with this board significant progress has been made with upgrading equipment, improvements of the roadways, solving problems and deficiencies. From the time they were elected litigation costs are down from \$90,000, because they were able to work out differences thanks to Cox's leadership. He thanked Dan Plaisted for getting him into politics. Gallagher said they think they learn from him but he has learned from both of them. Cox said this board of five people are honorable gentlemen. He has never detected any ulterior motives in the way the board has acted. All of them cared for the well being of the township. Every vote has done a lot of good in the last 4 years for long term improvement for the citizens of center township. He said he learned a lot and enjoyed it.

ADJOURNMENT: Plaisted made a motion to adjourn at 8:10 p.m. Cox seconded. Motion carried unanimously.



MARTHA A. HUFHAND
Township Secretary

DANIEL COX
Chairman

ANDREW ERIE
Vice-Chairman

RONALD FLATT
Supervisor

BRIAN HORTERT
Supervisor

DANIEL PLAISTED
Supervisor