

CENTER TOWNSHIP

419 Sunset Drive

Butler, PA 16001

Phone: (724) 282-7805

FAX: (724) 282-6550

Board of Supervisors:
Ronald Flatt, Chairman
Andrew Erie, Vice-Chairman
Brian Hortert, Supervisor
Edward Latuska, , Supervisor
Thomas Schiebel, Supervisor

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

BOARD OF SUPERVISORS

Regular Meeting Minutes

February 8, 2006

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 Ronald Flatt at the Center Township Municipal Building, 419 Sunset Drive, Butler, Penna.

ROLL CALL: Present were Chairman Flatt, Vice-Chairman Andrew Erie; Supervisors Brian Hortert, Ed Latuska, and Tom Schiebel; Solicitor Michael Gallagher; Engineer Ron Olsen; Public Works Director Mark Lauer; and Township Secretary Martha Hufhand

SYMPATHY: Chairman Flatt expressed sympathy to Anthony Amendolea in the death of his father and to Mark Lauer in the death of his cousin.

PUBLIC TO BE HEARD:

Beverly Schenck, 105 Iroquois Drive, expressed concern and provided information to the supervisors about supervisors receiving illegal increases of benefits in health insurance. Hortert made a motion to authorize the solicitor to review this matter through all appropriate resources as it relates to the Second Class Township Code . Latuska seconded. Motion carried unanimously.

George White, Palmer Road, thanked the township and particularly Mark Lauer, for the three recently installed hydrants on Palmer Road.

REGULAR MEETING MINUTES:

1. Hortert made a motion to approve the minutes of the Agenda Setting Meeting held December 28, 2005. Erie seconded. Schiebel and Latuska abstained because they were not in office on that date. Motion carried.

2. Schiebel made a motion to approve the minutes of the Reorganization and Regular Meetings held January 3, 2006. with the following changes: (1) Page 3.C.1. Reorganization minutes: Latuska wanted added the reason he voted no to the poll on the appointment of the solicitor as follows: "I voted no for the reappointment of our solicitor because I feel that there has been poor decision making with regard to rezoning in our township. I feel that the results of the last general election were a mandate from the voters that they want a change in this area. They do not want business as usual." (2) Regular Meeting Page 2 on Pelusi Rezoning it should be C-2 to M-1; and (3) page 2 Regular Meeting Public Works Director spelling of Flatt on page 2. Erie seconded. Motion carried unanimously.

3. Hortert made a motion to approve the minutes of the Special Meeting on Health Insurance held January 23, 2006. Latuska seconded. Motion carried unanimously.

TREASURER'S REPORT:

1. Flatt made a motion to approve the December 2005 Treasurer's Report. Hortert seconded. Schiebel and Latuska abstained because they were not in office on that date. Motion carried.

2. Latuska made a motion to approve the January 2006 Treasurer's Report. Hortert seconded. Motion carried unanimously.

3. Hortert made a motion to approve Warrant List 06-01-02. Schiebel seconded. Motion carried unanimously.

4. Flatt made a motion to approve Warrant List 06-01-03. Latuska seconded. Motion carried unanimously.

5. Latuska made a motion to approve Warrant List 06-02-04. Hortert seconded. Motion carried unanimously.

ZONING REPORT - January construction costs were \$1,317,600 and fees collected \$6,570.

OLD BUSINESS:

1. Bandura Conditional Use: Latuska made a motion to approve Conditional Use (as set forth in Chapter 20, Section 14-08, A-12, of the Zoning Ordinance) of Joseph Bandura's property at 1723 N. Main St. Ext. as an insurance office. Schiebel seconded. Motion carried unanimously. Gallagher stepped down during this item as Bandura is a client in his office.

NEW BUSINESS:

1. Heist/Diehl rezoning ordinance: Latuska made a motion to authorize advertising the Heist/Diehl rezoning ordinance. Hortert seconded. Motion carried unanimously.
2. Pelusi rezoning ordinance: Schiebel made a motion to authorize advertising the Pelusi rezoning ordinance. Latuska seconded. Motion carried unanimously.
3. Membership Renewal: Flatt made a motion to authorize the renewal of Richard Round's membership in the International Assoc. of Electrical Inspectors at a cost of \$90. Hortert seconded. Motion carried unanimously.
4. Legal Aspects of Code Administration: Flatt made a motion to approve this training to be held May 16, 2006, in Butler at a cost of \$95. Erie seconded. Motion carried unanimously.
5. Expired Building Permits: Schiebel agreed to work out the details of how this should be handled with Rich Round and present recommendations to the Board.
6. Consultant Fee Refunds: On the recommendation of the Treasurer, Latuska made a motion to release the unused portions of escrow of \$1,540 to Golden Dreams and \$137.50 to Kingman. Hortert seconded. Motion carried unanimously.
7. Pension Finding: Flatt made a motion to resolve the 2004 pension problem as recommended by the treasurer. Hortert seconded. Motion carried unanimously.
8. Kissling representation letter: Erie made a motion to authorize the Chairman to sign this letter. Latuska seconded. Motion carried unanimously.
9. Alternate ZHB Member: Erie made a motion to appoint Thomas Kuzora as the alternate Zoning Hearing Board member. Schiebel seconded. Motion carried unanimously.
10. Coverage for Bldg. Code Official: Latuska moved to ratify the action taken to solicit offerings for coverage during absences of the Building Code Official. Hortert seconded. Motion carried unanimously.

PUBLIC WORKS DIRECTOR:

1. New vehicles: Schiebel made a motion to authorize Mark Lauer the authority to sign for the new vehicles on delivery. Erie seconded. Motion carried unanimously.

2. Benbrook Rd.: Hortert made a motion for the Chairman to send a letter to PennDot outlining the township's concern about increased traffic on this road considering the condition of the road and to request an update on the intersection of Route 8 and Benbrook. Erie seconded. Motion carried unanimously.

3. 2006 Municipal Road Maintenance Symposium: Flatt made a motion to authorize the Public Works Director to attend this PSATS symposium to be held in conjunction with the State Convention in Hershey April 23-25 covering the \$50 registration fee and normal costs associated with lodging. Erie seconded. Motion carried unanimously.

ENGINEER'S REPORT:

1. Glenwood Way: Schiebel made a motion to authorize the solicitor to examine and take necessary action to prepare an agreement to be presented to the board concerning the costs of flagging at the railroad crossing. Erie seconded. Motion carried unanimously. Penna. American Water Co. has provided information to be included in the bridge contract for laying a water line across the bridge. The power company needs to move a pole. Hortert made a motion authorizing the engineer to write a letter to the Power company fulfilling their request for a letter from the township. The motion to include authorizing the chairman to sign the letter if necessary. Erie seconded. Motion carried unanimously.

2. Orthophoto Map: Erie made a motion authorizing the Chairman to sign the agreement with BASA for obtaining this map. Schiebel seconded. Motion carried unanimously.

3. Release Pierrel Enterprises: Erie moved to release the unused portion of \$650.40 to Pierrell from his escrow account. Schiebel seconded. Motion carried unanimously.

SOLICITOR'S REPORT:

1. Morgan/Montgomery Sewage Problem: Schiebel made a motion to authorize the solicitor to send the letter he drafted by adding the date of March 14, 2006, at 6:30 p.m. for a meeting with the Board Meeting to be held if action has not been taken by the resident as required by the sewage enforcement officer. Erie seconded. Motion carried unanimously.

2. Thompson vs Schenck, Latuska, Plaisted: Solicitor said this case has been concluded by the insurance company paying Thompson \$12,500. There were four cases involving Thompson which have now all been concluded. The other three cases were defended by the solicitor and were dismissed.

3. Dunbar: Flatt made a motion authorizing the solicitor to monitor but not participate in the Zoning Hearing Board hearing requested by Audie Dunbar to be held on March 9, 2006. Hortert seconded. Motion carried unanimously. Solicitor will notify the Zoning Hearing Board of this decision.

4. Montgomery gray water run-off: Solicitor said that resident was told by SEO Colombo to get the gray water on his property into the septic system. That action has not been taken. The solicitor sent Montgomery a letter telling him he must take action. If action is not taken in response to this letter by February 15, Hortert made a motion authorizing the solicitor too move forward to take legal action to require this problem to be corrected. Erie seconded. Motion carried unanimously.

5. Holding Tank Ordinance: Without exception, Chairman added this item to the agenda. Latuska made a motion to ask the solicitor to develop an ordinance for holding tanks. Erie seconded. Motion carried unanimously.

MISCELLANEOUS:

1. Union Contract: Flatt made a motion to authorize the solicitor to review the Union contract for discrepancies or errors. Hortert seconded. Motion carried unanimously.

2. Schiebel asked if attorney fees caused by people not complying with the ordinances can be charged to the resident. The solicitor will research to find out if there are appropriate ways to recover these fees.

ADJOURNMENT: Latuska made a motion to adjourn at 7:57 p.m. Erie seconded. Motion carried unanimously.

MARTHA A. HUFHAND
Township Secretary

RONALD FLATT
Chairman

ANDREW ERIE
Vice-Chairman

EDWARD LATUSKA
Supervisor

BRIAN HORTERT
Supervisor

THOMAS SCHIEBEL
Supervisor