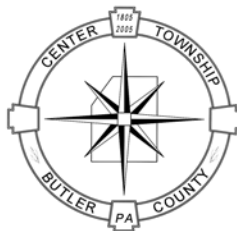


Board of Supervisors:  
Ronald Flatt, Chairman  
Andrew Erie, Vice Chairman  
Brian Hortert, Supervisor  
Edward Latuska, Supervisor  
Thomas Schiebel, Supervisor



Michael Gallagher, Solicitor  
Olsen & Associates, Engineer  
Stephanie Sellers, Secretary  
Anthony Amendolea, Treasurer  
Mark Lauer, Public Works Director

BOARD OF SUPERVISORS  
Regular Meeting  
February 14, 2007  
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 in addition to Chairman Flatt were: Vice Chairman Andrew Erie; Supervisor Ed Latuska, Brian Hortert and Tom Schiebel; Township Engineer Ron Olsen; Township Solicitor Mike Gallagher; Public Works Director, Mark Lauer; and Township Secretary, Stephanie Sellers.

**PUBLIC TO BE HEARD:** There was no public comment.

**MINUTES:**

- 1. Supervisor Latuska made a motion to approve the Agenda Setting Minutes held December 27, 2006. Supervisor Hortert seconded Motion carried unanimously.*
- 2. Supervisor Latuska made a motion to approve the Regular/Reorganization Meeting Minutes held January 2, 2007 with the correction of spelling of the word "which" on page 7. Hortert seconded. Motion carried unanimously.*
- 3. Supervisor Latuska made a motion to approve the Aubrey Public Hearing held on January 10, 2007. Supervisor Schiebel seconded the motion. Motion carried unanimously.*
- 4. Supervisor Latuska made a motion to approve the Communication Facilities Public Hearing held January 31, 2007. Schiebel seconded. The motion carried unanimously.*
- 5. Supervisor Schiebel made a motion to approve the Public Hearing Amending Chapters 14 and 20 held February 12, 2007. Hortert seconded. The motion carried unanimously.*

**TREASURER'S REPORT:**

1. *Supervisor Latuska made a motion to approve the December 2006 Treasurer's report. Hortert seconded. Motion carried unanimously.*
2. *Chairman Flatt made a motion to approve the 07-01-03 Warrant List. Supervisor Hortert seconded. The motion carried unanimously.*
3. *Supervisor Latuska made a motion to approve the 07-01-04 Warrant List. Supervisor Schiebel seconded. The motion carried unanimously.*
4. *Supervisor Latuska made a motion to approve the 07-02-05 Warrant List. Supervisor Schiebel seconded the motion. The motion carried unanimously.*

**ZONING REPORT:** January construction cost were \$844,500 and fees collected were \$2,690.

**SUBDIVISIONS:**

1. Ron Bole presented to the Board the Edinboro Minor Subdivision, #07-01-01, located at 151 Brandon Road for approval. *Chairman Flatt made a motion to approve the plan contingent upon removal of the accessory structure within six months. Vice Chairman Andrew Erie seconded the motion. Motion carried unanimously.*
  2. Ron Bole presented the Fleeger Minor Subdivision plan at 345 Jamisonville Road for approval. *Chairman Flatt made a motion to approve plan # 07-01-02 contingent upon the plan being approved by the DEP regarding "wetlands", should it be required. Vice Chairman Andrew Erie seconded. The motion carried unanimously.*
  3. Bret Ligo presented the 904 Sunset Drive, Smith Land Development for preliminary approval. *Chairman Flatt made a motion to approve preliminary approval of plan # 07-01-03 contingent upon DEP approvals and resolving the advertising issues for the deemed approval. Vice Chairman Erie seconded the motion. Motion carried 4 to 1 with Latuska voting against.*
  4. William McGarvey presented to the Board, Paraska Land Development # 07-01-04, 325 Sunset Drive for preliminary approval. *Chairman Flatt made a motion to approve a modification request of appendix B, Figure 20, from 24 feet to 20 feet. Hortert seconded the motion. Motion carried unanimously.*
- Also, Flatt made a motion to grant preliminary approval contingent upon execution of appropriate developers agreement including fees and postings of bonds, and the execution of bond agreement if necessary. Also, requiring clarification of impact fees. Erie seconded. Motion carried unanimously.*

**OLD BUSINESS:**

*Chairman Flatt made a motion to deny the rezoning request for Aubrey/Thomas property.*

The character of the applicant and critics played no part in the decision process. Flatt said his decision is based on the fact that he feels that at this time rezoning in the southern portion of the Township cannot be recommended because of the sewage problems, and although his decision is not based on the infrastructure, he feels that upgrading for development would be a concern.

*Latuska seconded the motion* because he believes it is spot zoning and that it would go against the Township's comprehensive plan.

*Erie voted against with no comment.*

*Hortert voted against stating several reasons why this re-zone would be in accordance with the comprehensive plan. However, he feels there are several overriding factors, including the current BASA issues that make not rezoning the property, the appropriate action, at this time.*

*Schiebel voted against the rezoning because the residents he spoke with were against it and he wants to do what the residents want. His vote is based on the concerns voiced at the hearing.*

*Motion carried unanimously against the rezoning 5 - 0.*

**Communication Facilities Ordinance No. 2007-02-02**

*Chairman Flatt made a motion to approve the Communication Facilities Ordinance. Erie seconded the motion. The motion passed with a 4 - 1 vote.*

*Supervisor Latuska voted against because even though there were no negative comments at the public hearing he believes that the people will not want this. Also, he feels that it should stay in the M-1 area and supports the Planning Commission, that already voted against.*

*Vice Chairman Erie voted for it because he recalls an accident last year in a dead area of the Township where 911 could not be reached. Especially for emergency situations he favors this motion.*

*Chairman Flatt voted for it because the Township employees and Fire Department personnel need cell service for safety reasons. Also, because he received no negative responses from the hearing or the survey on our Township website.*

*Supervisor Hortert favors the motion because he wants there to be service in those areas for safety reasons.*

*Supervisor Schiebel favors the motion because he feels that real estate becomes more desirable in locations that have full wireless availability.*

*Chairman Flatt made a motion to approve Zoning Amendments Ordinance No. 2007-02-03. Supervisor Schiebel seconded the motion. The motion carried unanimously.*

*Chairman Flatt made a motion to approve Non-Zoning Amendments Ordinance No. 2007-02-04. Supervisor Hortert seconded the motion. Motion carried unanimously.*

#### **NEW BUSINESS:**

*Supervisor Hortert made a motion to approve Chairman Flatt attending Open Meeting/Records training at the Sheraton North- March 7, 2007 for a fee of \$25. Vice Chairman Erie seconded the motion. Motion carried unanimously.*

*Supervisor Hortert made a motion to set the Hearing date for the Blain re zoning request for April 9, 2007 at 6:00 p.m. Supervisor Latuska seconded the motion. The motion carried unanimously.*

*Chairman Flatt made a motion to approve Bob Sloan and John Keffalas attending "Duties of a Planning Commission" on March 20, 2007 from 6:00 to 9:00 p.m. in Meadville, at a cost of \$25. Supervisor Schiebel seconded the motion. Motion carried unanimously.*

*Chairman Flatt made a motion to set a hearing date for Professional/Medical Office amendment, for April 11, 2007 at 6:00 p.m. Vice Chairman Erie seconded the motion. Motion carried unanimously.*

*Supervisor Schiebel made a motion to authorize the Chairman of the Board to sign the Butler County Mutual Aid Agreement. Supervisor Latuska seconded the motion. The motion carried unanimously.*

*Hortert made a motion to authorize the Chairman to sign the Kissling Disclosure Letter. Vice Chairman Erie seconded the motion. Motion carried unanimously.*

Regarding the CTAA Sewage Overflow: Chairman Flatt stated that the Athletic Association will pay BASA a fine of \$1,193.16, and will comply with BASA requirements.

#### **PUBLIC WORKS DIRECTOR:**

*Vice Chairman Erie made a motion to approve Greg Brewster and Jeff Winchester attending the Road Maintenance Seminar-April 10<sup>th</sup>, 2007-Crawford County for \$35.00. Supervisor Schiebel seconded the motion. Motion carried unanimously.*

*Vice Chairman Erie made a motion to approve Mark Lauer's attendance at the Road Maintenance Symposium- April 22 thru the 24<sup>th</sup>, 2007 at Hershey for \$50 registration and lodging expenses. Supervisor Schiebel seconded the motion. The motion carried unanimously.*

*Chairman Flatt made a motion to approve the purchase of an excavator for \$45,427. Vice Chairman Erie seconded the motion. The motion carried unanimously.*

**SOLICITOR'S REPORT:**

*Chairman Flatt made a motion for the Township's Solicitor to start proceedings in the Beacon Light Mobil Home Park sewage problem by sending a letter and working with John Colombo in resolving this issue. Vice Chairman Erie seconded the motion. Motion carried unanimously.*

*Supervisor Schiebel made a motion for the Township's Solicitor to start legal proceedings in the Morgan sewage issue. Vice Chairman Erie seconded the motion. Motion carried unanimously.*

**ENGINEER'S REPORT:**

Township Engineer Ron Olsen presented the completed Consent Order Agreement and Resolution 2007-02-04 for signing. *Vice Chairman Erie made a motion to approve the resolution. Supervisor Hortert seconded the motion. The motion carried unanimously.*

Ron Olsen reported that the data from Wooster & Associates is complete and would like the Public Works Director, two Supervisors and himself to meet and review before he finalizes the report.

**ADJOURNMENT:** *Vice Chairman Erie made a motion to adjourn the meeting at 8:35 p.m. Supervisor Hortert seconded the motion. All were in favor.*

STEPHANIE SELLERS  
Township Secretary

RONALD FLATT  
Chairman

ANDREW ERIE  
Vice-Chairman

EDWARD LATUSKA  
Supervisor

BRIAN HORTERT  
Supervisor

THOMAS SCHIEBEL  
Supervisor