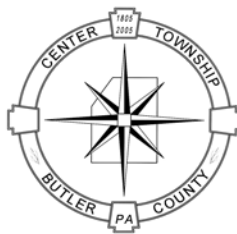


Board of Supervisors:  
Ronald Flatt, Chairman  
Andrew Erie, Vice Chairman  
Brian Hortert, Supervisor  
Edward Latuska, Supervisor  
Thomas Schiebel, Supervisor



Michael Gallagher, Solicitor  
Olsen & Associates, Engineer  
Stephanie Sellers, Secretary  
Anthony Amendolea, Treasurer  
Mark Lauer, Public Works Director  
Richard Round, BCO/Zoning Official

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**BOARD OF SUPERVISORS**  
Regular Meeting Minutes  
November 14, 2007  
6:30 p.m.  
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**CALL TO ORDER:** Chairman Flatt called the Regular Meeting to order at 6:30 P.M. at the Center Township Municipal Building, 419 Sunset Drive, Butler, Penna.

**ROLL CALL:** Present in addition to Flatt were; Vice Chairman Andrew Erie; Supervisors, Ed Latuska, Brian Hortert, and Thomas Schiebel; Township Solicitor, Mike Gallagher; Township Engineer, Ron Olsen; Public Works Director, Mark Lauer; and Township Secretary, Stephanie Sellers

**PUBLIC TO BE HEARD:** Byron Locke and Randy Guy from Troop D of the State Police Barracks in Butler, introduced themselves and discussed the types of crimes committed in Center Township.

Also, Jim Corbelli, Attorney representing Paul Brown and Crowne Development, introduced himself and the reason for the appeal of conditional uses for Liberty and SBA Cell towers. It is his belief that the applicants do not meet the requirements of Center Township's cell tower ordinance, specifically, the distances between the towers.

**MINUTES:**

*1. Supervisor Schiebel made a motion to approve the October 9, 2007 Agenda Setting Mtg. Minutes. Supervisor Hortert seconded the motion. The motion carried unanimously.*

*2. Supervisor Hortert made a motion to approve the October 10, 2007 Regular Mtg. Minutes. Supervisor Schiebel seconded the motion. The motion carried unanimously.*

**TREASURER'S REPORT:**

*1. Supervisor Latuska made a motion to approve the October, 2007, Treasurer's report. Supervisor Schiebel seconded the motion. The motion carried unanimously.*

*2. Supervisor Hortert made a motion to approve Warrant List 07-10-22. Supervisor Latuska seconded the motion. The motion carried unanimously.*

*3. Chairman Flatt made a motion to approve Warrant List 07-11-23. Supervisor Schiebel seconded the motion. The motion carried unanimously.*

4. The 2008 Proposed Budget will be available to view on the 19<sup>th</sup> of November at Township Building and on the Township's website.

5. *Vice Chairman Erie made a motion to authorize advertising for the 2008 Proposed Budget. Supervisor Hortert seconded the motion. The motion carried unanimously.*
6. *Chairman Flatt approved Resolution 2007-11-11, for appointment of a CPA firm for the 2007 audit. Vice Chairman Erie seconded the motion.*
7. *Vice Chairman Erie made a motion to authorize the Chairman to sign an agreement for Kissling & Associates to perform the audit at a cost of \$11,750.00. Supervisor Schiebel seconded the motion. The motion carried unanimously.*

**ZONING REPORT-** Construction cost for the month of October were, \$1,194,888. Fees collected totaled \$3,436.42.

#### **SUBDIVISIONS AND LAND DEVELOPMENT:**

1. Jon Snyder of HRG presented to the Supervisors, Land Development #07-08-15, 800 Mercer Road, for final approval. *Supervisor Hortert made a motion to grant final approval contingent on developers agreement, posting the road bond, the sewage module approved by the DEP, and the impact fee statement on the mylar with the amount approved by Olsen's office. Paul Yoe, Project Manager agreed the building permit would not be issued until contingencies were met. Vice Chairman Erie seconded the motion. The motion carried 4 to 0 with Flatt abstaining.*
2. Jim Auld, representative for SBA presented to the Supervisors a land development for a cell tower at 114 Muddy Creek Drive. *Chairman Flatt made a motion to grant final approval of #07-10-21, based on the recommendations of the Planning Commission and the Township Engineer. Also, to withhold the appropriate signatures on the mylar until the written approval of the Butler County Planning Commission is received. Erie seconded the motion. The motion carried unanimously.*
3. Hillorie Morrison presented to the Supervisors a land development for a cell tower at 1309 Sunset Drive. *Based on the recommendations from the Planing Commission and the Township Engineer, Chairman Flatt made a motion to grant final approval withholding the appropriate signatures on the mylar until the letter of approval is received by the Butler County Planning Commission. Hortert seconded the motion. The motion carried unanimously.*
4. *Chairman Flatt made a motion to grant preliminary approval of The Woods at Duffy, a major Subdivision, #07-09-17, at 474 N. Duffy Rd., Contingent upon a note added to the plan stating that public street access is required for each lot and approval of the plan is not approval of individual driveway permits. Supervisor Hortert seconded the motion. The motion carried unanimously.*
5. Jim Aggas of Pine Tract Road, presented to the Supervisors a minor subdivision. *Based on the recommendations of the Planning Commission and the Township Engineer, Chairman Flatt made a motion to grant preliminary and final approval of plan #07-10-18. Vice Chairman Erie seconded the motion. The motion carried unanimously.*
6. Alan Morgan of Morgan Lane, presented to the Supervisors a Lot Line Revision. *Based on the recommendations of the Planning Commission and the Township Engineer, Chairman Flatt made a motion to grant preliminary and final approval of plan # 07-10-20. Vice Chairman Erie seconded the motion. The motion carried unanimously.*

#### **OLD BUSINESS:**

*1. Vice Chairman Erie made a motion to Ratify the attendance of the Treasurer at the RT Tech Seminar in Penn Township on November 7, 2007 at a cost of \$25.00. Supervisor Hortert seconded the motion. The motion carried unanimously.*

#### **NEW BUSINESS:**

*1. Vice Chairman Erie made a motion to release consultant fees for Bandura's land development, in the amount of \$1,631.60. Supervisor Schiebel seconded the motion. The motion carried unanimously.*

*2. Based on the recommendation of the Treasurer, Vice Chairman Erie made a motion to continue with the employee health plan. Supervisor Latuska seconded the motion. The motion carried unanimously.*

*3. Supervisor Schiebel made a motion to donate \$3,500. to the Center Township Food Bank. This donation will help feed approximately 50 families in Center Township. Vice Chairman Erie seconded the motion. The motion carried unanimously.*

4. Chairman Flatt noted that we will continue service with Paychex for payroll.

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

*1. Vice Chairman Erie made a motion to release the McNanny Road Bond. Supervisor Horter seconded the motion. The motion carried unanimously.*

*2. Chairman Flatt made a motion to authorize advertising for anti-skid. Supervisor Hortert seconded the motion. The motion carried unanimously.*

*3. Supervisor Hortert made a motion to authorize advertising for bituminous. Vice Chairman Erie seconded the motion. The motion carried unanimously.*

*4. Chairman Flatt made a motion to authorize advertising for traffic signal maintenance. Vice Chairman Erie seconded the motion. The motion carried unanimously.*

*5. Supervisor Hortert made a motion to authorize advertising for signs. Supervisor Schiebel seconded the motion. The motion carried unanimously.*

*6. Supervisor Hortert made a motion to approve the purchase of a salt spreader for \$4,111.11 from Henderson Township, Jefferson County. Vice Chairman Erie seconded the motion. The motion carried unanimously.*

#### **ENGINEER'S REPORT:**

*1. Chairman Flatt made a motion to release Nebel Escrow fees in the amount of \$1,650.00. Vice Chairman Erie seconded the motion. The motion carried unanimously.*

2. Ron Olsen mentioned the DEP Special Study has been approved by DEP.

#### **SOLICITOR'S REPORT:**

1. Mike updated the Supervisors that he is still trying to schedule a meeting with Canadian National Railroad in regard to an Invoice.

**2. Vice Chairman Erie made a motion to extend the Center Township Athletic Association's lease to a 10 year agreement with a payment of \$1500 per year. Hortert seconded the motion. The motion carried 4 to 1 with Latuska voting no. Latuska thinks we have been patient enough.**

3. Mike notified the Supervisors that Manor Development will not appeal the conditional use decision.

4. The Township Solicitor advised the Supervisors of options in regard to the SBA / Liberty appeal by Crown Towers. **Supervisor Hortert made a motion to not be involved and let the companies work out the differences among themselves. Supervisor Schiebel seconded the motion. The motion carried unanimously.**

5. Mike explained to the Supervisors that the District Attorney's office will not pursue a complaint made of unfair campaigning practices. **Vice Chairman Erie made a motion to not investigate internally. Supervisor Schiebel seconded the motion. The motion carried unanimously.**

**6. Chairman Flatt made a motion to authorize the Solicitor to re-word the proposed agreement with Sunbury Fields to make a yearly donation in lieu of taxes. Supervisor Schiebel seconded the motion. The motion carried unanimously.**

**MISCELLANEOUS:** There was no topic for discussion.

**ADJOURNMENT:** At 8:35 p.m. the Supervisors held an executive session with no action to be taken to discuss the union contract. It reconvened at 8:55 P.M. **Supervisor Hortert made a motion to adjourn the meeting at 8:55 P.M. Supervisor Schiebel seconded the motion. The motion carried unanimously.**

STEPHANIE SELLERS  
Township Secretary

RONALD FLATT  
Chairman

ANDREW ERIE  
Vice-Chairman

EDWARD LATUSKA  
Supervisor

BRIAN HORTERT  
Supervisor

THOMAS SCHIEBEL  
Supervisor