

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

BOARD OF SUPERVISORS
Regular Meeting Minutes
February 13, 2008
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; and Public Works Director Mark Lauer.

PUBLIC TO BE HEARD:

Flatt noted at last month's public to be heard a resident, Todd Karman, 300 Mahood Road, had concerns with speeding of the trucks hauling coal from the Amerikohl operation in Clay and Center Township. Flatt contacted Amerikohl who promptly issued instructions to their haulers to obey all posted speeds.

MINUTES:

1. ***Latuska made a motion to approve the minutes of the Agenda Setting Meeting held January 2, 2008. Schiebel seconded. Motion carried unanimously.***
2. ***Latuska made a motion to approve the Reorganization/Regular meeting held January 7, 2008. Schiebel seconded. Motion carried unanimously.***

TREASURER'S REPORT:

1. January 2008 Treasurer's Report will be available for the March meeting due to the 2007 Audit still in progress.

2. ***Schiebel made a motion to approve Warrant List 08-01-02.*** Latuska questioned a \$75.00 payment to the Allegheny County Sheriff, check number 10886 dated January 22, 2008, for Burd violation. Treasurer reported that the property owner lives in Allegheny County who had to be served since they refused to sign for certified letter sent by the Building Code Official/Zoning Officer. ***Hortert seconded. Motion carried unanimously.***
3. ***Hortert made a motion to approve Warrant List 08-02-03. Schiebel seconded. Motion carried unanimously.***
4. ***Erie made a motion to ratify CD investment of \$228,208.56 to the Capital Projects Building Fund on January 18, 2008 with First National Bank of Pennsylvania for 360 days at 4.25 percent. Hortert seconded. Motion carried unanimously.***
5. ***Erie made a motion to ratify CD investment of \$300,000.00 to the Capital Projects Fund on January 25, 2008 with S & T Bank for 180 days at 3.38 percent and \$25,071.00, interest, deposited in the Capital Projects Checking Account. Hortert seconded. Motion carried unanimously.***

ZONING REPORT:

January construction costs were \$3,250.00 and fees collected were \$184.40.

SUBDIVISIONS & LAND DEVELOPMENTS:

Cleora McCandless Estate Subdivision, 157 South Benbrook Road, Major Subdivision 08-01-02. With no representation, ***Flatt made a motion to table consideration of preliminary approval. Erie seconded. Motion carried unanimously.***

OLD BUSINESS:

1. Glenwood Way Bridge Audit - The Township received Federal and State monies in 2006 which required an audit to be performed. The audit, performed by Kissling and Associates, is scheduled to be completed no later than March 31, 2008 in conjunction with the current 2007 Audit. The fee will be \$2,000.00 or less.

NEW BUSINESS:

1. Junk Yard License Transfer - Mr. Stephen Tenney purchased the Pelusi property at 1087 Sunset Drive. He has applied to transfer junk yard license from Joseph Pelusi to himself which requires Board approval. Upon recommendation of the Building Code Officer/Zoning Official, ***Flatt made a motion to approve the junk yard license transfer to Mr. Stephen Tenney with the following stipulations; (1) public or patron entry onto the property is prohibited and (2) all vehicle entry must occur from William Flynn***

Highway drive location. Erie seconded. Motion carried unanimously.

2. Codification Book - Former Planning Commission Chairman, Jeff Olen, has declined to return his Codification Book to the Township. **Hortert made a motion to authorize the Treasurer to invoice Jeff Olen \$50.00, cost of publication. Erie seconded. Motion carried unanimously.**
3. Know Your Codes Training - No members desired to attend the training session.
4. Acting Secretary - Since the Township does not have a Secretary, **Flatt made a motion to appoint Schiebel as Acting Secretary, for purposes of signatures, until the position has been filled. Erie seconded. Schiebel abstained. Motion carried.**
5. Community Conservation Partnership Agreement - **Schiebel made a motion authorizing the Chairman to sign Resolution 2008-02-04. Erie seconded. Motion carried unanimously.**
6. Chapters 7 and 13 Amendments - Amendments were proposed by the Building Code Official/Zoning Officer for Chapter 7, Business Regulations, and Chapter 13, Property Maintenance, of the Center Township Codified Ordinances. **Hortert made a motion to authorize placement of the ad, Intent to Adopt Chapters 7 and 13 Ordinance Amendments at the March 12, 2008 meeting, in the February 26, 2007 edition of the Butler Eagle. Schiebel seconded. Motion carried unanimously.**
7. Mannupelli Appeal - Building Code Official/Zoning Office initiated a civil complaint against Mr. Mark Mannupelli for non removal of political signs. District Justice Judge Stoughton ruled, January 2, 2008 hearing, in favor of the Township in the amount of \$200.00 plus court costs of \$66.50. Mr. Mannupelli appealed to the Court of Common Pleas. **Schiebel made a motion to authorize the Solicitor to proceed with the defense of this case. Hortert seconded. Motion carried unanimously.**
8. Release of Consultant Fees - Based on the recommendation of the Treasurer, **Hortert made a motion to release the following consultant fees; (1) Aggas Subdivision in the amount of \$346.25, (2) Liberty Towers Land Development in the amount of \$1,606.25, and (3) Morgan Lot Line Revision in the amount of \$360.00. Schiebel seconded. Motion carried unanimously.**
9. Tax Maps Purchase - **Flatt made a motion to authorize the purchase of the electronic GIS format of the tax maps for \$100.00. Erie seconded. Motion carried unanimously.**
10. National Incident Management System (NIMS) - **Flatt made a motion to appoint Mark Lauer, Emergency Management Coordinator, as the point of contact for NIMS. Erie seconded. Motion carried unanimously.**

PUBLIC WORKS DIRECTOR:

1. Allegheny Wood Products Road Bond - Based on the recommendation of the Public Works Director of waiting until April's meeting, ***Flatt made a motion to table Allegheny Wood Products road bond. Erie seconded. Motion carried unanimously.***
2. McIntire Coal Road Bonds - Based on the recommendation of the Public Works Director of waiting until April's Meeting, ***Flatt made a motion to table McIntire Coal road bonds. Erie seconded. Motion carried unanimously.***
3. Road Salt Status - Due to the weather on February 8, 2008 and the snow received February 11 through 13, 2008, the Township salt supply is down to one load. The Public Works Director has eleven loads of salt back ordered.

ENGINEER'S REPORT:

1. Stratford Heights Performance and Maintenance Bonds - The Township adopted Henley Drive at the January 7, 2008 meeting. The developer has Phase I and Phase II approved. The Township Engineer, prepared a letter to the Township, states a 15% Maintenance Bond be maintained for Phase I and recommending adequate Performance Surety be maintained for Phase II. The construction costs were provided by Kress Brothers when the development was first approved and the Engineer updated those costs. Based on the recommendation of the Engineer not to take any action until the developer makes the necessary arrangements of posting the Performance and Maintenance Bonds, ***Flatt made a motion to table the Performance and Maintenance Bond until further information is received. Hortert seconded. Motion carried unanimously.***
2. Route 8/Benbrook Road Intersection - ***Erie made a motion to authorize the Chairman and one other Supervisor to meet with the Engineer and, if necessary, PennDot to discuss the options available to the Township.***

SOLICITOR'S REPORT:

1. Canadian National Railroad Invoice - The Solicitor has made several attempts to contact Canadian National Railroad to remedy this matter. The Township could file a lawsuit against Canadian National Railroad for the overpaid fees or convince PennDot to reimburse the funds. The Chairman asked the Treasurer to contact Penndot to see if the reimbursement of the Federal and State funds could be adjusted for the questionable items.
2. Corner Properties Rezone Request - ***Erie made a motion to hold a Public Hearing for Corner Properties on Thursday, March 27, 2008 at 6:30 p.m. Schiebel seconded. Motion carried unanimously.***

ADJOURNMENT:

1. The Board adjourned at 7:26 p.m. to an executive session to clarify issues of personnel and property acquisition, with a possibility of a decision being rendered. The Board reconvened at 8:10 p.m. ***Schiebel made a motion to authorize the Solicitor to write a letter, as detailed in the executive session, to the property owners that has been under discussion and the potential purchase of property. Erie seconded. Motion carried unanimously.***

2. ***Hortert made a motion to adjourn at 8:13 p.m. Schiebel seconded. Motion carried unanimously.***

RONALD E FLATT
Chairman

ANDREW ERIE
Vice Chairman

BRIAN K HORTERT
Supervisor

EDWARD G LATUSKA
Supervisor

THOMAS G SCHIEBEL
Supervisor