

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
March 12, 2008
6:30 p.m.

CALL TO ORDER:

Chairman Ron Flatt called the regular meeting, of the Center Township Board of Supervisors, to order at 6:30 p.m. The meeting was held at the Township Building at 419 Sunset Drive, Butler, PA 16001.

ROLL CALL:

Present in addition to Chairman Flatt, were members Andrew Erie, Brian Hortert, Ed Latuska, and Tom Schiebel; Public Works Director Mark Lauer; Township Solicitor Mike Gallagher; and Township Engineer Ron Olsen.

PUBLIC TO BE HEARD:

Jim Eckstein – Butler Township resident, commented on the Mannupelli court case. He questioned why candidates were treated differently. Eckstein signs were removed when he did not post the \$200 deposit required by ordinance. He asked the Board to consider reducing the amount of deposit to make it viable for candidates to run for election.

MINUTES:

1. ***Latuska made a motion to approve the minutes of the Agenda Setting Meeting held on February 11, 2008. Hortert seconded. Motion carried unanimously.***
2. ***Latuska made a motion to approve the minutes of the Regular Meeting held on February 13, 2008. Erie seconded. Motion carried unanimously.***

TREASURER'S REPORT:

1. January 2008: Due to the 2007 Audit, the January report was unavailable for the February meeting. ***Hortert made a motion to approve the January Treasurer Report. Latuska seconded. Motion carried unanimously.***
2. February 2008: ***Erie made a motion to approve the February Treasurer***

Report. Hortert seconded. Motion carried unanimously.

3. Warrant List 08-02-04: **Schiebel made a motion to approve Warrant List 08-02-04. Hortert seconded. Motion carried unanimously.**
4. Warrant List 08-03-05: **Schiebel made a motion to approve Warrant List 08-02-04. Hortert seconded. Motion carried unanimously.**
5. The 2007 Financial Statement was presented. The fund balance for December 31, 2007 was \$5,185,317 an increase of \$156,291.00 for the year.

ZONING REPORT:

1. February: Construction costs for February was \$410,800.00. Fees collected totaled \$1,934.61.

SUBDIVISION & LAND DEVELOPMENTS:

Cleora McCandless Estate, 157 S Benbrook Rd, Major Subdivision #08-01-01, Plan Review Deadline April 22, 2008: Bill McGarvey presented the plan. The Planning Commission granted final approval, February 27, 2008, with the following contingencies (1) reservation of an additional seventeen feet (17') right-of-way for Lot 4; (2) a noted be added to the mylar that states no further development of Lot 4 shall occur unless served by a private or public street approved by Center Township; (3) the Impact Fee Statement be added to the mylar; and (4) the latest on-lot storm water sump detail be added to the plan, which were corrected on the mylar presented to the Board of Supervisors. Butler County Planning Commission will review the plan at their March 19, 2008 meeting. McGarvey stated he cleared the application for nonbuilding waiver with Tomissa Schneider, Department of Environmental Protection. In addition, he received details for what a nonbuilding waiver may be used for: (1) estate planning, (2) forestry, and (3) agricultural. **Flatt made a motion to grant preliminary approval with a contingency of any changes based on the potential recommendation of Butler County Planning Commission. Hortert seconded. Motion carried unanimously.**

NEW BUSINESS:

1. Appoint Township Secretary: The Board voted at the Agenda Setting Meeting, March 10, 2008, to extend an offer of employment to a person who declined the offer.
2. Unionville VFD Fundraisers/Trips: At the request of H. A. Thomson and EMC Insurance Company, Workers Compensation carrier, **Erie made a motion to approve the list provided by Unionville VFD for their 2008 fundraisers and trips. Hortert seconded. Motion carried unanimously.**
3. Kissling Representation Letter: **Erie made a motion to ratify the signing of the representation letter for the 2007 Audit by the Chairman and the Treasurer.**

Schiebel seconded. Motion carried unanimously.

4. Computer Purchase: The Treasurer submitted a request for the purchase of four computers for the office. The State Contract price is \$1,168.08 per computer. A customized system from Dell Computers is \$1,057.00 each. These computers will replace the current systems, which were purchased between 1998 and 2004. In addition, a request to purchase an external hard drives for backup of files. The proposed upgrade for four computers and the external hard drive is \$4,727.00. The 2008 budget for computer hardware and software is \$5,000.00. **Erie made a motion to purchase four computers and external hard drive for the office at the cost of \$4,727.00. Latuska seconded.** Schiebel is concerned the systems may not be adequate for future requirements. He does not want to replace the computers in three years. **Motion carried.** Schiebel continued to have reservations.

5. Spithaler Building Permit Refund: The Building Code Official received a request from David and Dana Spithaler for a refund of \$195.08 they paid for a building permit to install an above ground pool, which will not be installed. Based on the recommendation of the Building Code Official, **Flatt made a motion to approve the reimbursement of \$195.08 for the unused building permit. Erie seconded. Motion carried unanimously.**

6. Recycling Grant Seminar: On March 26, 2008, the Department of Environmental Protection will hold a recycling grant seminar in Meadville, PA from 9:00AM to 12:00PM with no fee. The purpose of the seminar is to discuss the Act 101 requirements and grant applications. **Flatt made a motion to approve the attendance of Supervisor Erie and Building Code Official Round at the Regional Recycling Grant seminar in Meadville, PA on March 26, 2008. Hortert seconded. Erie abstained. Motion carried.**

7. Chapter 14 and 20 Amendments: The Board was given a copy of the proposed Chapter 14 and 20 amendments to the Codified Ordinances proposed by Zoning Officer Round. In addition, the Board received recommendations from the Planning Commission. A review by the Board is required prior to the amendments being given to the Solicitor's review.

PUBLIC WORKS DIRECTOR:

1. PA Clean Up Day: On Saturday, April 19, 2008, the Township will participate in the PA Clean Up Day. There will be two sites set up for collection points. One will be located at the Maintenance Building, 1161 Sunset Drive, and the second site will be located at the Township property behind the Clearview Mall on Henricks Road. Hours of operation will be from 8:00 a.m. through 12:00 p.m. Last year, 9.57 tons of trash was taken to the Northwest Sanitary Landfill. The Township received \$74.40 for recycling 1,240 pounds of scrap metal. **Flatt made a motion to authorize the Township to participate in the PA Clean Up Day on April 19, 2008 including the use of four employees from 7:30 a.m. to 12:30 p.m. Erie seconded. Motion carried**

unanimously.

2. Street Sweeping: Lauer will be placing requests for street sweeping. He projects the street sweeping to last up to fifteen (15) days.
3. 2008 Paving: Lauer will comprise a list of streets to be paved for April or May meeting.

ENGINEER'S REPORT:

1. Kress Brothers' Bond: Olsen received a call from Mr. Kress, who is on an extended vacation. Upon his return, he will contact the Treasurer to make arrangements to have his bond partially released.
2. Route 8/Benbrook Road Intersection: Flatt was unable to meet with Olsen to discuss the intersection. He will attempt to meet before April meeting.
3. Impact Fees: Olsen will review the impact fee calculation provided by the developer's engineer. If the Township has any contemplation of additional commercial development, Olsen suggests the Impact Fee Committee could be reconvened to amend the Impact Fee Ordinance, which is authorized by law. Flatt will coordinate with Olsen, Jeff Pierce and possibly Dan Santoro to review procedures to make appointments to the committee. Latuska asked if the entire ordinance or portions of the ordinance would be amended. Olsen stated only portions would be amended.

SOLICITOR'S REPORT:

1. Summer Paving Program: Commonwealth Court case on December 24, 2007 held the Summer Paving Program is subject to prevailing wage because it is considered reconstruction. Some municipalities are being reaudited based on the Commonwealth Court case.
2. Canadian National Invoice: Neither Gallagher or the Treasurer have heard from PennDot on partial reimbursement.
3. 2007 Audit – As part of the audit, Gallagher is required to provide a list of litigation the Township is involved in. The Board has made a significant improvement in reducing lawsuits against the Township. The four cases against the Township are; (1) Mrs. Schenck vs Center Township (Right-to-Know) is before the Supreme Court; (2) Hawk and Rodgers vs Center Township (Writ of Summons); (3) personal injury case for vehicle accident on Mercer Road was turned over to the insurance company (statute of limitations due to expire May 2008); and (4) Mannupelli vs Center Township (political signs).

ADJOURNMENT:

1. The Board adjourned to executive session at 7:42 p.m. for discussion of personnel as noted earlier in the meeting. No action or discussion will be taken upon return.
2. The meeting reconvened at 7:50 p.m. after the executive session will no action taken. ***Hortert made a motion to adjourn the meeting at 7:53 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