

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  
Crystal Wilson, Secretary  
Anthony Amendolea, Treasurer  
Mark Lauer, Public Works Director  
Richard Round, BCO/Zoning Official

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Board of Supervisors  
Regular Meeting Minutes  
May 14, 2008  
6:30 p.m.

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**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; Township Solicitor Mike Gallagher; and Township Engineer Ron Olsen; Secretary Crystal Wilson and Public Works Director Mark Lauer.

**PUBLIC TO BE HEARD:**

**MINUTES:**

1. ***Latuska made a motion to approve the minutes of the Agenda Setting Meeting held on April 7, 2008. Schiebel seconded. Motion carried unanimously.***
2. ***Latuska made a motion to approve the minutes of the Regular Meeting held on March 12, 2008 Hortert seconded. Motion carried unanimously.***

**TREASURER'S REPORT:**

1. April 2008: ***Schiebel made a motion to approve the April 2008 Treasurer report. Erie seconded. Motion carried unanimously.***
2. Warrant List 08-04-08: ***Schiebel made a motion to approve Warrant List 08-03-06. Hortert seconded. Motion carried unanimously.***
4. Warrant List 08-05-09: ***Schiebel made a motion to approve Warrant List 08-04-07. Hortert seconded. Motion carried unanimously.***

**ZONING REPORT:**

1. April 2008: Construction costs for March were \$232,100.00. Fees collected totaled \$2,089.40.

**SUBDIVISION & LAND DEVELOPMENTS:**

1. Paul Yoe reintroduced the plan for Community Alliance Church to the board and the public. Ron Olsen also helped to reintroduce this plan. Yoe said that they have verbal agreement from neighboring property owners to run the force main thru their properties. He stated that he just has to get the agreements in writing but there is no conflict. Yoe is working with the Butler Area Sewer Authority to get a sewerage permit. Since the Planning Commission already voted to rescind the original plan and gave approval to start Phase 1 provided that BASA gives them a sewerage permit. The Board saw no conflict in doing the same.

***Motion was made by Hortert to rescind previous approval by this board based on the recommendation of the Planning Commission and the request of the applicant; Seconded by Erie. Motion carried unanimously.***

***Hortert then made a motion to grant preliminary and final phase 1 approval contingent upon Butler Area Sewer Authority granting sewerage permit so that Center Township can issue the Building permit; Seconded by Erie. Motion carried unanimously.***

**OLD BUSINESS:**

1. Codification Book Return; Signed documentation was located to prove that Jeff Olen knew he had to return this book after his term. After several attempts by the Treasurer Anthony Amendolea to recover this book or the cost of this book(\$50) the board has decided to take it to the magistrates office. ***Schiebel made a motion to authorize our Solicitor Mike Gallagher to take this to the magistrate not only for the book but any legal cost incurred as well; Seconded by Hortert. Motion carries 4 to 1, Flatt opposed.***

**NEW BUSINESS:**

1. Refund Smith Rezoning Fee: Mr. Smith withdrew his original application for a public hearing regarding a portion of his property be rezoned. Since, we did not submit to the solicitor for review, place the necessary ad, or send notification letters, Township Treasurer; Anthony Amendolea requested his opinion of refunding the application fee of \$500.00 to Mr. Smith. ***Flatt made a motion to refund the application fee of \$500.00 to Mr. Smith; Seconded by Erie. Motion carried unanimously.***

2. MPC Made Easy-June 12 or 17-Crawford Co or Westmoreland Co-\$25: Secretary Crystal Wilson requested approval to register Ken Frenchak and A.J. Lynd for this class. ***Flatt made a motion to sent Ken Frenchak and A.J. Lynd to the class in Crawford County, June 12, 2008, for \$25 each; Seconded by Schiebel. Motion carried unanimously.***

3. Cell Tower Registration: Verizon Wireless is not wanting to pay the registration fee because they do not own the tower. Twp. Treasurer Anthony Amendolea's memo to the board states that they are responsible for paying the fee in accordance to Codified Ordinances, Chapter 20, Article 14, Section 20-1408, Sub-section 29. **Flatt made a motion to authorize Twp. Treasurer to communicate with William Slingwine by letter and inform him of what he informed us in the memo of Chapter 20, Article 14, Section 20-1408, Sub-Section 29v specifying that it is the owner operator of Commercial Communication facilities that would be required to pay this fee; Seconded by Hortert. Motion carried unanimously.**
4. Shook Agreement: **Flatt made a motion to authorize Building Code Official Rich Round to sign the Shook Agreement; Hortert Seconded. Motion carried unanimously.**
5. Appoint Open Records Officer: Township Treasurer Anthony Amendolea opted to appoint Township Secretary Crystal Wilson to be the Open Records Officer. **Motion was made by Flatt to appoint Township Secretary Crystal Wilson as Open Records Officer; Seconded by Erie. Motion carried unanimously.**
6. Chapter 7 and 13 Ordinance Amendments: **Hortert made a motion to authorize an ad for chapter 7 & 13 Ordinance Amendments; Seconded by Erie. Motion carried unanimously.**
7. Chapter 14 and 20 Ordinance Amendments: **Erie made a motion to authorize both a hearing on June 9<sup>th</sup> 2008 at 6:00pm and advertising for Chapter 14 & 20 Ordinance Amendments; Seconded by Schiebel. Motion carried unanimously.**
8. Testing of Residential Building Sewers: No motion was needed or made.

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

1. Award Bid for Excavator/ Operator; received two bids; Larry Blain \$110.00 an hour and Alan Smallwood \$75.00 an hour. **Motion was made by Erie to approve the Alan Smallwood bid for \$75.00 per hour for Heinz Road project; Seconded by Hortert. Motion carried unanimously.**
2. Appoint Summer Student Hires; **Flatt made a motion to approve the hiring of Nathan Wolf and Jace Lumley for the summer; Seconded by Erie. Motion carried unanimously.**
3. Authorize for Aggregate: **Hortert made a motion to authorize approval to place an ad for the annual Aggregate Bid; Seconded by Erie. Motion carried unanimously.**
4. 2007-2008 Salt Consumption; **Schiebel made a motion to approve the purchase of salt up to the maximum we can store, not to exceed \$23,349.48; Seconded by Erie. Motion carried unanimously.**

5. Authorize Ad for 2008 Paving Program: **Hortert made a motion to authorize the aid for the 2008 paving program; Seconded by Erie. Motion carried unanimously.**
  
6. Line Painting; **Hortert made a motion to authorize the ad for the annual Line Painting; Seconded by Erie. Motion carried unanimously.**
  
7. Casual Work Employee; An employee is needed to fill in for Gregory Brewster who will be out 6 to 8 weeks due to knee surgery. It has been discussed to hire a casual work employee to fill in at \$12.00 an hour just until Gregory Brewster returns. Bob Faulk a retired Penn Dot employee agreed to work casually for \$12.00 an hour until Brewster's return. He understood that this a casual job with no benefits. **Erie made a motion to approve the hire of Bob Faulk as a casual employee at the rate of \$12.00 an hour; Seconded by Schiebel. Motion carried unanimously.**
  
8. Public Works Building Struck by Lightning; The Guardian Security System was damaged beyond repair on Saturday May 3, 2008 due to lightning. The system has been checked by Guardian and repairs are not feasible due to the age of this system. Based on the information received by the Guardian Specialists; Public Works Director Mark Lauer opted to replace the system with approval from the board. **Erie made to motion to approve the replacement of the Guardian Security System; Seconded by Hortert. Motion carried unanimously.**

#### ENGINEER'S REPORT:

1. Route 8/Benbrook Road Intersection: Earlier today Ron Olsen, Ron Flatt, and Andy Erie met with two representatives from Penn Dot to discuss the intersection. Olsen updated the board on what was established at the meeting. He stated that the main problem with the intersection is that Benbrook Road crosses Rt. 8 at a very bad angle. Talked about the possibility of improving the intersection at South Benbrook and Rt.8. If Penn Dot would approve, they would install a new curb, plus intersection; abandoning the fly off altogether. Penn Dot stated that if we do that, we do not need to meet the curb geometry for the 45 MPH straight thru intersection. Penn Dot stated that if this plan was put into place, they would require at least a 100 ft. stacking lane north bound on Rt.8 turning left onto South Benbrook. Penn Dot is requesting that there be a new traffic counting study done at this intersection to determine how long the stacking lane needs to be and to see if this intersection even warrants a traffic signal. Minutes and the drawing of the plan from today's meeting will be printed up and sent to our office as well as Penn Dot. **Flatt made a motion for the Engineer to send copies of minutes from our meeting with Penn Dot today including the drawings as discussed at the meeting and presented tonight and to authorize the expenditure of \$3000.00 for the Engineer to study traffic counts on this South Benbrook/ Rt.8 intersection; Seconded by Hortert. Motion carried unanimously.**

2. Henley Drive: Kress Brother has submitted a revised bond for Henley Drive in the amount that we suggested. Ron stated that we have previously agreed to adopt Henley Drive pending that bond. As per their previous motion Ron is to advertise. Then get back to us at the June meeting.

3. Location for New Public Works Facilities and Municipal Offices: Ron gave his recommendation for the new site of the Public Works facility and eventually the office as well. He stated that we are not going to find a better place to put the new facilities other than the land that we already own behind the Clearview Mall on Henricks Rd. He stated that the land would be perfect for that use. He showed potential plans for both the Public Works and Office Facilities but focused more on the need for a Public Works Building. He emphasized on the fact that we haven't found anything better yet and that the price was right for the land because it was donated to us from the owner of the Clearview Mall for that purpose. ***Erie made a motion to authorize the Township Engineer to prepare a Land Development to locate the Public Works Facility and the Township Office Building on the site of property owned by the township and to do so in phases, Phase 1 being the Public works Facility and to coordinate the preparation with the Public Works Director; Seconded by Schiebel. Motion carried unanimously.***

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

1. Crown Castle –vs- Center Township Supervisors: Withdrawn their appeals
2. Rite-Aide: Appealed to the Zoning Hearing Board; ***Flatt made a motion to authorize our Solicitor Mike Gallagher to represent the Township at the hearing; Seconded by Latuska. Motion carried unanimously.***

**ADJOURNMENT:**

1. The Board adjourned to executive session at 07:49 p.m. to discuss the appeal of the decision made by the Board; not to rezone the property across from the Clearview Mall. No action or discussion will be taken upon return.
2. The meeting reconvened at 8:20 p.m. after the executive session with no action taken. ***Flatt made a motion to adjourn the meeting at 8:21 p.m. Hortert seconded. Motion carried unanimously.***

CRYSTAL WILSON  
Township Secretary

RONALD E FLATT  
Chairman

ANDREW ERIE  
Vice Chairman

BRIAN K HORTERT  
Supervisor

EDWARD G LATUSKA  
Supervisor

THOMAS G SCHIEBEL  
Supervisor