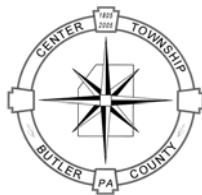


Board of Supervisors:  
Ronald Flatt, Chairman  
Andrew Erie, Vice Chairman  
Brian Hortert, Supervisor  
Edward Latuska, Supervisor  
Thomas Schiebel, Supervisor



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

Board of Supervisors  
Regular Meeting  
August 13, 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; also present was Township Engineer, Ron Olsen; Township Solicitor, Mike Gallagher; Public Works Director, Mark Lauer and Township Secretary, Crystal Wilson.

**PUBLIC TO BE HEARD:**

**MINUTES:**

1. Agenda Setting Meeting – July 7, 2008  
***Motion to approve the Agenda Setting Minutes for July 7, 2008 was made by Latuska; seconded by Schiebel. Motion carried unanimously.***
2. Regular Meeting – July 9, 2008  
***Motion to approve the Regular Meeting Minutes for July 9, 2008 was made by Latuska; seconded by Erie. Motion carried unanimously.***

**TREASURER'S REPORT:**

1. July Treasurer's Report- ***Motion to approve July Treasurer's report was made by Hortert, seconded by Schiebel. Motion carried unanimously.***
2. Warrant List 08-07-14- ***Motion to approve was made by Schiebel, Seconded by Hortert. Motion carried unanimously.***

3. Warrant List 08-08-15- ***Motion to approve was made by Schiebel, seconded by Hortert. Motion carried unanimously.***
4. Ratify Building Fund CD- ***Motion to ratify the investment of \$298,211.94 at 2.94% for 90 days with First National Bank of Pennsylvania was made by Schiebel; Seconded by Hortert. Motion carried unanimously.***
5. Ratify Capital Project CD- ***Motion to ratify the investment of \$280,000.00 at 3.27% for 365 days with PNC Bank and deposit \$25,000.00 in the Capital Projects Checking Account was made by Schiebel; Seconded by Hortert. Motion carried unanimously.***

## ZONING REPORT: July 2008

### SUBDIVISION & LAND DEVELOPMENTS:

1. Collins Subdivision- Mr. Ron Bole represented the Collins Subdivision. Olsen discussed the many contingencies on this plan and determined they were completed prior to the meeting. Therefore, there are no more contingencies for the preliminary approval to be granted on this plan. The concern of underground mines was brought to the Boards attention and Mr. Bole assured them no underground mines exist on the property. In accordance to Olsen's letter of contingencies and suggestions, a modification can be requested from 14-403 B 3e for consideration by the Planning Commission and Board of Supervisors. ***Flatt made a motion to grant the request for the modification to section 14-403 B 3e in the Township Ordinances related to underground mines; Seconded by Erie. Motion carried unanimously.***  
***Flatt then made a motion to grant preliminary approve of the Collins Subdivision; Seconded by Erie. Motion carried unanimously.***
2. Adamosky Subdivision- Since there was no contingencies and based on the recommendation of the Planning Commission, ***Flatt made a motion to approve the Adamosky Subdivision; Seconded by Erie. Motion carried unanimously.***

### NEW BUSINESS:

1. Release Consultant Fees- The release of the Sloan Land Development fees are on hold due to Olsen's office performing inspections on drainage of removal of retention pond. Based on the recommendation of the Treasurer ***Flatt made a motion to release the consultant fees; Holt lot line revision \$180.00, SBA minor Subdivision \$ 105.00, SBA Land development \$1,879.55, Revelli Minor Subdivision \$105.50, McCandless Major Subdivision \$1,560.25, Croll Minor Subdivision \$260.80; Seconded by Erie. Motion carried***

- unanimously.**
2. Worker's Compensation Physicians Panel- **Flatt made a motion to authorize the Township Solicitor Mike Gallagher to review to issue of Workmen's Compensation Physician Panel for the Board to make recommendation as to the requirements; Seconded by Erie. Motion carried unanimously.**
  3. Trinity Lutheran Church Solicitation Fee- The Board is in receipt of a letter from Township Code Enforcement Officer; Rich Round in regards to the Solicitation fees for the selling of corn by the Church; the church is asking the fees be waived because it is a fund raiser for their youth group.  
**Flatt made a motion to exempt them from solicitation fees and to return to them any fees that they have paid; Seconded by Erie. Motion carried unanimously.**
  4. Records Destruction Resolution 2008-08-08-**Flatt made a motion to approve Resolution 2008-08-08; Seconded by Erie. Motion carried unanimously.**
  5. Community Alliance Church Resolution 2008-08-09- based on the signature and recommendation of the Butler Area Sewer Authority Officer Jim Tomazich, Center Township is committed by signature to have the sewage be under the authority of Butler Area Sewer Authority. **Erie made to motion to authorize approval of Resolution 2008-08-09 including signature from the Secretary and any other Township Officer as maybe required; Seconded by Schiebel. Motion carried unanimously with Ron Flatt abstaining due to his relationship with the Church.**
  6. Gray Water at 250 Holyoke Rd.-The Board is in receipt of a letter written by Code Enforcement Officer; Rich Round in regards to his finding of what appears to be gray water runoff at the right rear corner of this lot. After approaching and discussing the situation with the property owner, the property owner stated the water wasn't coming from his home. Mr. Tomazich from the Butler Area Sewer Authority recommended Rich find out where the gray water is coming from before going any further. Center Township Sewage Enforcement Officer John Colombo was contacted and the property owner stated that he would grant approval for testing be done but he would have to be present for it. This would cause extra cost for John Colombo as he would have to go to the property in the evening to meet with the property owner to complete the testing. The estimated cost is between \$250.00 and \$300.00 for Mr. Colombo to complete the inspection with no guarantees the water is coming from the home. **Hortert made a motion to authorize the expenditure of less than \$500.00 for the purpose of exploring this gray water situation; Seconded by Erie. Motion carried unanimously with Schiebel abstaining due to this property is near to his.**

**PUBLIC WORKS DIRECTOR:**

1. Request for Signage- Waiting for the School District to get back to Mr. Lauer on the School Bus Stop signs. No motion was needed nor made.
2. 2008 Leaf Collection- October 20, 2008 is the scheduled start for this year Leaf Collection. No motion was needed nor made.
3. Wiest Paving- Lost 528 tons of asphalt due to price increase. ***Flatt made a motion to approve the amended paving project fee with the amount of dollars spent consistent with the previous bid for the amount of materials received reduced consistent with regulations specified in Penn Dot publication 408; Seconded by Hortert. Motion carried unanimously.***
4. Authorize Bids on Salt Building- Lauer stated we are ready to start the bid process for the salt building. ***Erie made a motion to authorize the bid process for the Salt Building; Seconded by Schiebel. Motion carried unanimously.***

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

1. Benbrook Rd. and Rt. 8- Penn Dot responded to the letter that was sent on the traffic study. Penn Dot wants some verifications or revisions to the plan. They want clarifications on the traffic study and a left turning lane for south bound traffic on Rt. 8 that will be turning left onto North Benbrook. No motion was needed nor made.
2. Henricks Rd. Property Design- Olsen had to change the original position of the salt building due to property lines. He staked out the wetlands and the property lines on property. No endangered species were located anywhere else on the property. Wetlands will not be built upon or disturbed in anyway.
3. Blossom Ridge Letter of Credit (Phase II & IV) - ***Flatt made a motion that if the Treasurer recommend Flatt as Chairman that we follow thru with the Solicitors whether or not Flatt would be authorized to have Mike send that letter prior to our next meeting to seek to have this situation clarified and to have this letter of credit scored; Seconded Erie. Motion carried unanimously.***

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

1. Center vs McCall- Township Solicitor, Mike Gallagher suggested that we wait one more month to see where we are with the sewage after that we will go and complete the UCC inspections. If he fails then he will receive a letter from Rich and is in threat, at that point of getting his electric shut off. If for some reason Rich is unable to complete the UCC inspections or refuses to give a UCC occupancy permit because the walls are already closed in, then it would be up to

a judge to rule whether or not to take the walls apart.

**ADJOURNMENT:**

***Motion was made by Flatt to adjourn to executive session to discuss property at Swamp Run Rd and Rt. 8, at 7:50pm; Seconded Hortert. Motion carried unanimously.***

Meeting reconvened at 8:12pm with no action taken.

***Motion to adjourn was made by Hortert at 8:12pm; Seconded by Schiebel. 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