

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  
October 8, 2008  
6:30 p.m.

**CALL TO ORDER:**

Vice Chairman Andrew Erie 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 Vice Chairman Erie, were members, Ed Latuska, Brian Hortert, and Tom Schiebel; Township Engineer Ron Olsen; Township Solicitor Michael Gallagher; Public Works Director Mark Lauer and Township Secretary Crystal Wilson. Chairman Ron Flatt was absent.

**PUBLIC TO BE HEARD:**

1. Theodore Lowe-639 west Sunbury Rd. - Mr. Lowe talked in length about his situation of replacing a septic tank on his property. He stated that he is trying to cooperate with the township with getting this matter fixed, however he has a problem getting the money to put up for escrow. He stated he has the money to pay for the system but we require that 10% of the total cost be held in escrow. He just doesn't have the extra 10,000.00 to give to the Township, he stated that he could get a bond for \$750.00 but wasn't sure if the was acceptable or not. He asked the board for some compassion in this matter because he is truly trying to get this problem resolved. The Township Solicitor, Mike Gallagher told Mr. Lowe that it would be in his best interest to try and get the bond for \$750.00 because then he wouldn't have to come up with the \$10,000.00 for escrow, the bond would be sufficient. No motion was needed nor made.

**MINUTES:**

1. Agenda Setting Meeting – September 8, 2008  
***Hortert made a motion to approve the Agenda Setting Minutes for September 8, 2008; seconded by Schiebel. Motion carried 3-2 with Latuska abstaining and Flatt absent.***

2. Regular Meeting – September 10, 2008  
***Schiebel made a motion to approve the Regular Minutes for September 10, 2008; seconded by Erie. Motion carried 3-2 with Latuska abstaining and Flatt absent.***

**TREASURER'S REPORT:**

1. September Treasurer's Report  
***Latuska made a motion to approve the September Treasurer's Report; seconded by Hortert. Motion carried unanimously.***
2. Warrant List 08-09-18  
***Schiebel made a motion to approve Warrant List 08-09-18; seconded by Erie. Motion carried unanimously.***
3. Warrant List 08/10/19  
***Schiebel made a motion to approve Warrant List 08-10-19; seconded by Latuska. Motion carried unanimously.***
4. 2009 Preliminary Budget- no motion needed nor made. Just for review.
5. Ratify CD Investment  
***Hortert made a motion to approve the ratification of the CD investment for September 19, 2008 in the amount of \$475,000.00 at 3.24% for 180 days which is the highest rate through PNC Bank; seconded by Schiebel. Motion carried unanimously.***
6. Building Fund CD Investment  
***Schiebel made a motion to deposit \$300,480.85 into the Capital Project fund to the building of the Salt Storage Building; seconded by Hortert. Motion carried unanimously.***

**ZONING REPORT:** September 2008**SUBDIVISION & LAND DEVELOPMENTS:**

1. Jiffy Mini Mart Land Development- John Galbo from Taylor Engineering was representing for the Jiffy Mini Mart Land Development. Stated the Planning Commission made approval contingent upon the completion of point 3, 4, 5, and 6 of Olsen's letters which were addressed to the board.  
  
***Hortert made a motion to grant the modification for article 4 section 4.3 2.c.3 and also a modification to 14-604.22 as recommended from the Planning Commission; seconded by Erie. Motion carried unanimously.***

**Hortert made a motion to grant Preliminary and Final Approve to the Jiffi Mini Mart Land Development contingent upon that the signature will be with held until they enter into a developer's agreement, the deposit of the 4 maturity bonds and the deposit of the impact fees or half the money depending on how the developer want to proceed with that; seconded by Erie. Motion carried unanimously.**

2. Henricks Road Property Land Development- Ron Olsen talked at length about the Township's general plan for the property that they own on Henricks Rd. He also went over the letter from Gateway Engineering who reviewed Olsen's plans and stated their opinions on what needed added, remove or fixed. Olsen stated that the reason Gateway Engineering's letter of comments was so extensive was they didn't have the second page of the plan that showed the whole sight plan. Most of the comments on letter where on the missing page. Olsen stated that no off street parking is required since the building will be unoccupied. He stated that he received authorization from the Chairman to contact a mining engineer to make sure there were no underground mines on the property that may pose a potential hazard in the future. He stated that extra core samples would be needed also.

**Erie made a motion to grant Final approval for the Henricks Road Property Land Development; seconded by Hortert. Motion carried unanimously.**

**Schiebel made a motion to accept the bid from Nickol Dairy \$87,570.00 for the top and \$130,000.00 for the concrete to be done thru H&L concrete, for a total not to exceed \$217,570.00; seconded Hortert. Motion carried unanimously.**

**Schiebel made a motion to authorize the Engineer to make additional Core Studies to be completed as needed on the Henricks Road Property; seconded by Erie. Motion carried unanimously.**

3. Wick Subdivision- Ron Bole representing the Wick Subdivision spoke about their plan. The property is located at 402 W. Sunbury Rd. He stated that on lot 2 there was a house on the property at one time but it was taken down but the sewage and water lines still exist so there is no need for a sewage module to be completed. Olsen stated that he was not aware of the lines and Ron Bole is correct in stating no sewage module would need to be completed. Olsen stated he had no other remarks on this subdivision.

**Hortert made a motion to grant final approve to the Wick Subdivision based on the recommendation of the Planning Commission and Ron Olsen; seconded by Latuska. Motion carried unanimously.**

4. Webb Subdivision- Barbara & Kenneth Webb representing their plan located 351 W. Sunbury Rd. Olsen explained their plan; he stated they wanted to subdivide between the two houses on the property so that each house was on its own lot. He stated they had to go before the Zoning Hearing Board for a variance and that was granted. He stated the Planning Commission grant preliminary and final approval contingent upon the utility and sewage easements being labeled as private and the impact fees be added to the plan.

***Hortert made a motion to grant Preliminary and Final approval on the Webb Subdivision contingent upon the easements being labeled as private and the impact fee note be added to the plan based on the recommendation of the Planning Commission and Ron Olsen; seconded by Erie. Motion carried unanimously.***

#### **OLD BUSINESS:**

1. Dog Found Ads- The board stated that the dog officer should continue with his usual practice. The board stated they do not wish to authorize an open account to the butler eagle to find dogs a home.  
***Hortert made a motion that after three (3) days if no owner or no appropriate home can be found for the animal that he take it to the local vet to have it put down or use his own means to take care of the animal.***

#### **NEW BUSINESS:**

1. Tax Collector's Annual Dues-  
***Hortert made a motion that we continue to pay the tax collector (1/3) one third of the tax collectors annual dues which is \$13.35; seconded by Schiebel. Motion carried unanimously.***
2. Fall Convention- Vagabond Center- 11/1- \$15- Flatt wishes to attend.  
***Erie made a motion to authorize Chairman Flatt to attend the Fall Convention and cover the cost of \$15.00; seconded Hortert. Motion carried unanimously.***
3. Sewage Maintenance Agreement- 639 West Sunbury Rd. - was covered under Public to be heard. No motions were needed more made.
4. Foreign Fire Tax Distribution-  
***Erie made a motion to distribute \$46,429.98 to Unionville and \$11,897.40 to Oneida Valley; seconded by Hortert. Motion carried unanimously.***

5. PA Municipal Educational Institute Training- A training class for all township employees and potential Planning Commission members. This class will be October 30 from 6:00-9:30pm, November 6<sup>th</sup> and 13<sup>th</sup> 6:30-9:30pm. The total cost for the class is \$4,000.00 with \$1500.00 in fees. This will be a voluntary class and no wages will be paid but persons do not have to pay anything to attend.  
***Erie made a motion to hold the class with a voluntary attendance and to pay the fees of \$1500.00; seconded by Schiebel. Motion carried unanimously.***
6. Release Consultant Fees-  
***Hortert made a motion to Release the Consultant Fees for the Adamosky Subdivision for \$365.46; seconded by Erie. Motion carried unanimously.***

**PUBLIC WORKS DIRECTOR:**

1. Release Trumco Road Bond- Roads End Lane-  
***Schiebel made a motion to release the Trumco Road Bond; seconded by Hortert. Motion carried unanimously.***
2. Award Bid for Salt Storage Building- Taken care of under Subdivision and Land Development. No future motions were needed nor made.
3. Authorize Ad for Excavator/Operator- Mark stated that the work can be done for less than \$4,000.00 and we will not need to advise. He stated that we could use the same Excavator/ Operator as we did for the Heinz Rd. project since it was already bid out.  
***Hortert made a motion to use the same Excavator/Operator for the Henricks Rd. Property not to exceed more than \$4,000.00; seconded by Erie.***

**ENGINEER'S REPORT:**

1. Rt. 8/ Benbrook Rd Intersection- Olsen stated that he has not heard anything back from Penn Dot as of yet. No motion was needed nor made.

**SOLICITOR'S REPORT:**

1. Center Township v. McCall- Gallagher stated he filed a motion to compel.

**MISCELLANEOUS:**

1. Cleveland Brothers Account-  
***Hortert made a motion to authorize Chairman Flatt to sign the letter; seconded by Erie. Motion carried unanimously.***

2. Dog Complaint- A resident has made a complaint about a dog on Springhouse Dr. that is constantly barking. In accordance to the Center Township Ordinances Chapter 1 Article 1 it is stated, "It shall be unlawful for the owner of any dog to permit such dog to remain in the open to howl, yelp, or bark for extended periods of time." And "It shall be unlawful for the owner of any dog to permit said dog to cause annoyance to the citizens, residents, or other persons in Center Township by barking, yelping, howling, or causing any other unseemly noise.

***Latuska made a motion to authorize Rich Round to investigate/enforce the complaint; seconded by Hortert. Motion carried unanimously.***

**ADJOURNMENT:**

***Motion to adjourn was made by Hortert at 8:07pm; Seconded by Erie. 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