

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  
June 10, 2009  
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 and Township Secretary Crystal Wilson.

### PUBLIC TO BE HEARD:

1. Paul Yoe- representative for Community Alliance Church came before the Board and asked if the Phase 1 plans needed to go back thru to the Planning Commission for reapproval due to the 90 day deadline not being ~~met~~ met for recording the original approved plans. Schiebel stated that he didn't think it would be fair for the Board to allow this one to be exempt and not others and thinks it should go back thru to Planning. Township Solicitor Mike Gallagher stated that in his opinion the Planning Commission should re-review the plans. Paul Yoe also asked the Board if an occupancy could be granted on the completed portion of the Building.

***Latuska made a motion to approve Phase 1 contingent upon going back thru the Planning Commission at their June 24, 2009 meeting for recommendation, occupancy can be granted after recommendation has been made; seconded by Hortert. Motion carried unanimously with Flatt abstaining due to his relationship with the Church.***

2. Terry Anderson- A representative from Northwood Reality asked the Board if they can release the lien certificate for 218 Jamisonville Rd. due to the potential buyer of this property has agreed to fix all the problems. The Board stated that there would be

no guarentees that all the problems would be fixed if the Township permitted the lien certificate to be released and the property sold. The Board stated they would like to figure out a way to solve the problems and get the property sold but did not think releasing the lien certificate would be the answer. They would like the problems to be fixed before the property is sold so that they can ensure that they will not have another matter for litigation on their hands. Township Solicitor Mike Gallagher stated that he had talked with Township Building Code Official about this matter and Mr. Round does not recommend the lien certificate be release and Gallagher stated that he agree's with Round.

***Hortert made a motion not to release the Municipal Lien Letter for 218 Jamisonville Rd; seconded by Latuska. Motion carried 4 to 1 with Flatt not agreeing.***

#### **MINUTES:**

1. Agenda Setting Meeting – May 11, 09

***Latuska made a motion to approve the Agenda Setting Meeting Minutes for May 11, 09; seconded by Hortert. Motion carried unanimously.***

2. Regular Meeting- May 13, 09

***Latuska made a motion to approve the Regular Meeting Minutes May 13, 09; seconded by Schiebel. Motion carried unanimously.***

3. Municipal Curative Amendment Meeting- May 28, 09

***Latuska made a motion to approve the Municipal Curative Amendment meeting minutes for May 28,09; seconded by Erie. Motion carried unanimously with Hortert abstaining due to his absence.***

4. Van Smith Conditional Use Hearing- June 3, 09

***Hortert made a motion to approve the Van Smith Conditional Use Hearing minutes for June 3, 09; seconded by Latuska. Motion carried unanimously.***

#### **TREASURER'S REPORT:**

1. May 2009

***Flatt made a motion to approve the May 2009 Treasurers report; seconded by Schiebel. Motion carried unanimously.***

2. Warrant List 09-05-10

***Schiebel made a motion to approve Warrant List 09-05-10; seconded by Hortert. Motion carried unanimously.***

3. Warrant List 09-06-11

***Schiebel made a motion to approve Warrant List 09-06-11; seconded by Hortert. Motion carried unanimously.***

4. Capital Projects CD

***Erie made a motion to authorize Township Treasurer to seek rates to reinvest \$200,000.00 into the Capital Projects CD for 6 months; seconded by Hortert. Motion carried unanimously.***

**ZONING REPORT: May 2009**

**SUBDIVISION & LAND DEVELOPMENTS:**

1. Slear/Community Alliance Church lot line revision- Ron Bole represented a plan for Mr. Slear and Community Alliance Church to convey land to one another. The Board stated that it would be best to hold off approval of this plan until next month due to the Phase 1 plan for the Community Alliance Church needing to be reapproved and recorded.

***Schiebel made a motion to table the Slear/Community Alliance Church lot line revision until next month; seconded by Latuska. Motion carried unanimously with Flatt abstaining due to his relationship with the Church.***

**OLD BUSINESS:**

1. Van Smith Conditional Use

***Schiebel made a motion to approve Van Smith's Conditional Use request for lodging along Sunset Dr.; seconded by Hortert. Motion carried unanimously.***

**NEW BUSINESS:**

1. Morgan's Stormwater Problem- An agreement has been worked out and Alan Morgan has agreed to pay for half the cost of the pipe to get the problem fixed. Lauer stated that all of the work will be done in the right of way and nothing on private property. Gallagher stated that a release agreement should be signed and the \$426.00 (half the cost of the pipe) should be paid before the work is done.

***Flatt made a motion to authorize Public Works Director Mark Lauer to make the necessary equipment purchases and changes contingent upon the release agreement being signed and half the cost of the pipe being paid; seconded by Erie. Motion carried unanimously.***

2. Act 32- Earned Income Tax Collection

***Hortert made a motion to authorize Flatt and Schiebel to attend with fees paid; seconded by Latuska. Motion carried unanimously.***

3. Dumpster Rental

**Hortert made a motion to authorize Public Works Director Mark Lauer to extend an agreement to Mrs. Swinesburgh only (nontransferable), for her to pay 25% of the cost of the dumpster located at the Public Works Facility on Sunset Dr; seconded by Latuska. Motion carried unanimously.**

4. Appoint Delegate

**Hortert made a motion to appoint Flatt and Schiebel as alternate; Erie seconded. Motion carried unanimously.**

5. Kress Brothers refund

**Hortert made a motion to refund \$313.60 based on the Treasurer's recommendation; seconded by Erie. Motion carried unanimously.**

**PUBLIC WORKS DIRECTOR:**

1. Award Bid for 2009 Aggregate

**Hotert made a motion to award the bid for 1009 aggregate to Allegheny Mineral for \$14.20 per ton for #3, \$14.40 per ton for #2A motified, and per ton \$15.75 #4 Rip Rap; seconded by Erie. Motion carried unanimously.**

2. Award Bid for 2009 Salt

**Flatt made a motion to award the bid for 2009 Salt to North American Salt Company, at \$61.93 per ton for 80% of the 5000 tons; to be paid out of the Capital Projects Account; seconded by Hortert. Motion carried unanimously.**

3. Line Painting- Lauer stated that we would be doing primary roads only this year.

**Erie made a motion to authorize the ad for 2009 Line Painting; seconded by Erie. Motion carried unanimously.**

**ENGINEER'S REPORT:**

1. Rt. 8/ Benbrook Rd intersection- Olsen stated that they are working on getting the final plans sent into Penn Dot. Also waiting for Mr. Bercury to sign off on the agreement. No motion was made.

2. Release Golden Dreams Escrow- \$3,196.32

**Flatt made a motion based on the recommendation to township engineer Ron Olsen to release Golden Dreams Escrow in the amount of \$3,196.32; seconded by Hortert. Motion carried unanimously.**

**SOLICITOR'S REPORT:**

**ADJOURNMENT:**

*The Board adjourned to executive session at 8:48pm for update purposes. No action was taken.*

***Hortert made a motion to adjourn the meeting at 8:55pm; 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