

APPROVED 11/12/2009
as corrected

Board of Supervisors
Regular Meeting
October 14, 2009

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

Board of Supervisors
Regular Meeting
October 14, 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 and Township Secretary Crystal Sieffert.

PUBLIC TO BE HEARD:

1. Randy Fox- Representing the Butler Area Library came in to ask the Board for Budget considerations for 2010. He stated that the state has cut them out of the budget and they are struggling to stay above water. He thanked the Board for past years support.

MINUTES:

1. Agenda Setting Meeting – September 8, 09

Hortert made a motion to approve the September 8, 09 Agenda Setting Minutes; seconded by Schiebel. Latuska abstained due to being absent. Motion carried unanimously.

2. Regular Meeting- September 9, 09

Flatt made a motion to approve the September 9, 09 Regular Minutes; seconded by Hortert. Latuska abstained due to being absent. Motion carried unanimously.

TREASURER'S REPORT:

1. September 2009

Hortert made a motion to approve the September 2009; seconded by Schiebel. Motion carried unanimously.

2. Warrant List 09-09-18

Schiebel made a motion to approve Warrant List 09-09-18; seconded by Hortert. Motion carried unanimously.

3. Warrant List 09-10-19

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

3. Ratify Building Fund CD

Hortert made a motion to ratify the Building Fund CD to reinvest \$100,832.44 for 60 days at 1% with S&T Bank; seconded by Schiebel. Motion carried unanimously.

5. Ratify Capital Projects CD

Schiebel made a motion to ratify the Capital Projects CD to reinvest \$231,914.61 for 180 days at 1% with S&T Bank; seconded by Hortert. Motion carried unanimously.

6. 2010 Preliminary Budget- no motion was needed nor made

ZONING REPORT: September 2009**SUBDIVISION & LAND DEVELOPMENTS:**

1. Rihel/Boring Lot Line Revision- Paul Rihel was there to represent his plan for a simple lot line revision to ~~more~~ move his property line over 6 feet to include a tree. The Planning Commission comments were to put the sump detail and impact fee statements on the Mylar and they were added. Olsen stated to label it existing non-conforming. The Board asked if there was a shed on the Southwest corner of the property. He stated yes it was out on after the plans were drawn up, the Board stated to add the shed and label it as existing non-conforming.

Flatt made a motion based on the recommendation of the Township Engineer, Ron Olsen and the Planning Commission to approve the Rihel/Boring Lot Line Revision signatures being withheld until the shed is added to the site plan labeled as existing non conforming; seconded by Erie. Motion carried unanimously.

OLD BUSINESS:

1. Sign Curative Amendment Ordinance 2009-10-03
Flatt made a motion to adopt the Sign Curative Amendment Ordinance 2009-10-03; seconded by Schiebel. Motion carried unanimously.
2. Adamosky on lot detention sump inspection fee refund
Flatt made a motion to refund the Adamosky on lot detention sump inspection fee in the amount of \$75.00; seconded by Erie. Motion carried unanimously.
3. Butler Veterinary Clinic Land Development re-approval
Flatt made a motion based on the recommendation of the Planning Commission to re-approve the Butler Veterinary Clinic Land Development that was previously approve but not recorded within 90 days; seconded by Schiebel. Motion carried unanimously.

NEW BUSINESS:

1. Authorize Ad for Local Service Tax
Latuska made a motion to authorize to put the ads for the Local Services Tax in the paper October 21, 28 and November 4, 09 and to set up the time and date for the Public Hearing as November 12, 09; seconded by Schiebel. Motion carried 4 to 1 with Erie opposing.
2. Distribution of Fire Relief Monies
Erie made to motion to release \$41,861.30 to Unionville VFC and \$10,465.32 to Oneida Valley VFD; seconded by Latuska. Motion carried unanimously.
3. 2009 Leaf Pick up
Flatt made a motion to authorize Leaf Pickup to start on October 26, 09; seconded by Erie.
Flatt amended the motion to include the use of Bob Faulk immediately Saturday mornings from 8am-12pm; seconded by Erie. Motion carried unanimously.
4. Release Consultant Fees
Hortert made a motion based on the recommendation from Township Engineer and Township Treasurer to release consultant fees for Slear/Community Alliance Church in the amount of \$176.60; for Adamosky Subdivision in the amount of \$227.35 and for Ritenour Subdivision in the amount of \$277.35; seconded by Latuska. Motion carried unanimously.

5. Elgie Drive Sewage Permit- The board discussed in length the situation of this property failing for a conventional system and recommended that the Frawley's get a soil scientist to test the soil for sand mound. If that passes then, SEO John Colombo will sign off on the permit but that's the only way he will at this point.

Flatt made a motion to table the SEO request for conditionally revoking the permit based on the recommendation from Township Solicitor due to possible due process issues; seconded by Latuska. Motion carried unanimously.

6. Trinity Lutheran Church

Flatt made a motion to wave the conditional use process for the Trinity Lutheran Church Gaga pit; seconded by Erie.

Flatt amended the motion to include that Trinity Lutheran Church is required to go to the Planning Commission for a 3rd accessory and to meet all permit requirements from Rich Round; seconded by Erie. Motion carried unanimously.

PUBLIC WORKS DIRECTOR:

1. 2009 Paving Program Acceptance

Hortert made a motion to authorize Flatt and any personnel requested to sign the 2009 Paving Program acceptance; seconded by Schiebel. Motion carried unanimously.

ENGINEER'S REPORT:

1. SR 8/South Benbrook Road- Olsen stated that all paperwork is submitted to Penn Dot and they haven't heard anything yet. Olsen stated that once Penn Dot approves and funding is established then the next step would be the getting a Highway Occupancy Permit.

2. Award Bids for Maintenance Facility

Flatt made a motion to table awarding the bids for further investigation on bid packets received and to establish how the Township will pay for the Building; seconded by Hortert. Motion carried unanimously.

3. BASA Meeting- Olsen just stated that BASA is going to have a meeting to vote to adopt the purposed sewer line for the Maintenance Building.

SOLICITOR'S REPORT:

1. Hawk vs. Center Township & Flack- Gallagher stated this case was kicked out.
2. 319 Palmer Rd.- Water issues on Tower Ln have washed out George White's driveway and onto Palmer Rd. The Road Crew was out to fix the problem but White stated that it will not work. There hasn't been a substantial rain fall to see ~~with~~ whether or not the problem has been fixed.
Flatt made a motion to table for further investigation to see if the problem was fixed when a substantial rainfall is received; seconded by Erie. Motion carried unanimously.

ADJOURNMENT:

Hortert made a motion to adjourn the meeting at 8:35pm; seconded by Erie. Motion carried unanimously.

CRYSTAL SIEFFERT
Township Secretary

RONALD E FLATT
Chairman

ANDREW ERIE
Vice Chairman

BRIAN K HORTERT
Supervisor

EDWARD G LATUSKA
Supervisor

THOMAS G SCHIEBEL
Supervisor