

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  
December 9, 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; Township Solicitor Mike Gallagher; Township Engineer Ron Olsen and Township Secretary Crystal Sieffert

**PUBLIC TO BE HEARD:**

1. Dwight Byers- 5149 McCandless Rd.- Mr. Byers asked the Board questions about DEP changing act 537 concerning sewage. Mr. Byers told the Board that he has heard rumors about an ordinance that may be enacted by the Township requiring residents to pump their on lot sewage systems every three years. He asked why the Township would have to draft an ordinance and if there was any problems that needed fixed. He also commented on a topic on the Townships agenda entitled Act 537 Implementation Schedule Resolution No. 2009-12-25 and asked what the Board was implementing.

Flatt stated first that Resolution No. 2009-12-25 has nothing to do with what Mr. Byers is concerned about. He stated that Butler Area Sewer Authority (BASA) was having difficulty meeting current deadlines for act 537 that has already been enacted. The Resolution is to give BASA more time, so by enacting this Resolution we are just enacting changes of time lines for BASA.

Flatt stated secondly DEP wants to mandate the pumping of all on lot systems; however no one knows when such an action will take place. Mr. John Colombo

the sewage enforcement officer has expressed concern about this issue and wants the Township to enact an ordinance and have it in place before DEP mandates it, so that the Township may have a little wiggle room when it comes to when each individual family would have to pump out their systems according to the size of the family and how much use the system gets. Flatt stated that nothing has been drawn up and he doesn't feel it is necessary to implement anything until we absolutely have to.

**MINUTES:**

1. Agenda Setting Meeting – November 9, 2009

***Latuska made a motion to approve the Agenda Setting Minutes for November 9, 2009 with the following corrections; 1. Under Public to be Heard; No. 1; first sentence; the should be to; seconded by Hortert. Motion carried unanimously.***

2. Public Hearing- Local Services Tax- November 12, 2009

***Latuska made a motion to approve the Local Services Tax Public Hearing Minutes for November 12, 2009; seconded by Hortert. Motion carried unanimously.***

3. Regular Meeting- November 12, 2009

***Latuska made a motion to approve the Regular Minutes for November 12, 2009 with the following corrections; Under Public to be Heard; No. 2; sentences should read as follows:***

- 1. Flatt stated that Bob had a request from the agenda setting meeting for the Township to compose a letter stating that the work that (not the)....***
- 2. Flatt asked Bob Stirling if he wasn't going to get a discount would he still be coming in to ask the (not to) Board for a letter and Bob stated no, that (not there) would make (added) no since sense.***
- 3. Lauer stated that he talked with Bob Stirling and understood what he wants to do (delete) and also advised him that no contract (not contact) would be drawn up.***
- 4. Schiebel made a motion supporting (not supposing)....***

***Under Old Business; No 2; first sentence; order (not over). Under New Business; No 1. First sentence; companies( not company's)***

***Under Engineers Report; No.2; third sentence; delete DCED so that if for some reason. Fourth sentence; should read; Gallagher is recommending that we approve the bid proposal for the loan at tonight's meeting and set up everything else for a special meeting to be held on December 1, 09.***

***Under Solicitors report; No. 4; in the motion under Latuska; are should be our. Motion was seconded by Hortert. Motion carried unanimously.***

4. Special Meeting- Maintenance Facility Funding- December 1, 2009  
***Latuska made a motion to approve the Maintenance Facility Funding Special meeting minutes for December 1, 2009 with the following correction; on page 3; first paragraph; last sentence; to should be the. Seconded by Hortert. Motion carried unanimously.***

**TREASURER'S REPORT:**

1. November 2009  
***Schiebel made a motion to approve the November 2009 Treasurer's Report; seconded by Hortert; Motion carried unanimously.***

2. Warrant List 09-11-22  
***Schiebel made a motion to approve Warrant List 09-11-22; seconded by Hortert. Motion carried unanimously.***

3. Warrant List 09-12-23  
***Schiebel made a motion to approve Warrant List 09-12-23; seconded by Hortert. Motion carried unanimously.***

4. 2010 Budget  
***Flatt made a motion to approve the 2010 Budget as presented by Township Treasurer Anthony Amendolea; seconded by Erie. Motion carried unanimously.***

5. 2010 Tax Levy Resolution No. 2009-12-23  
***Schiebel made a motion to approve and adopt resolution 2009-12-23; seconded by Hortert. Motion carried 4 to 1***

***Schiebel- yes***

***Hortert-yes***

***Flatt- yes***

***Erie- no***

***Latuska-yes, he added that this is the first time in 10 yrs we have raised taxes and it's not a very big increase.***

**ZONING REPORT: November 2009**

**SUBDIVISION & LAND DEVELOPMENTS:**

**OLD BUSINESS:**

**NEW BUSINESS:**

1. Local Services Tax Collector Resolution No. 2009-12-24  
***Flatt made a motion to approve and adopt Resolution 2009-12-24; seconded by Erie. Motion carried unanimously.***
  
2. Fund Transfer  
***Flatt made a motion based on the recommendation of Treasurer (keeping accounting principles in the correct format) to transfer \$250,578.02 from the General Fund into the Capital Projects account designating that money for the use of Building Construction costs; reimbursing the Capital Projects account from purchasing 4,000 tons of salt; seconded by Erie. Motion carried unanimously.***
  
3. Bob Stirling advertising request and Christmas Tree Removal- A letter received by Mr. Stirling requesting a flyer be placed on our bulletin board showing his services of leaf and Christmas tree removal that he is offering to Township residents free of charge. Also requested that Anthony put the same information on the Township website.  
***Flatt made a motion to permit a flyer be placed on the bulletin board and an ad be placed on our website until the end of January 2010; seconded by Erie. Motion carried unanimously.***
  
4. Waive fee request- Board discussed this at the agenda setting meeting. Flatt asked if there were any additional comments. Latuska stated that they cannot show favoritism. Schiebel stated that we have our costs involved with this process and the application fee doesn't cover them as it is. Hortert stated that by waiving the fee we would be setting a bad precedent, going down a slippery slope.  
***Latuska made a motion to deny Mr. Aubrey's request to waive the \$500.00 application fee for rezoning; seconded by Schiebel. Motion carried unanimously.***

**PUBLIC WORKS DIRECTOR:**

1. Award Bid for Anti-Skid  
***Flatt made a motion to award the bid for Anti-Skid to Dellich in the amount of \$9.95 per ton; seconded by Hortert. Motion carried unanimously.***
  
2. Award Bid for Bituminous  
***Hortert made a motion to award the bid for Bituminous to Hei Way LLC at a price of \$76.70 per ton for Premium and \$74.40 for General; seconded by Erie. Motion carried unanimously.***

3. Release Greentree Transportation Road Bond- Unionville Rd.- \$12,500.00  
***Flatt made a motion to release the Greentree Transportation Road Bond in the amount of \$12,500.00 subject to confirmation by the Public Works Director; seconded by Erie. Motion carried unanimously.***

**ENGINEER'S REPORT:**

1. SR 8/South Benbrook Road – nothing to report
2. Butler Area Sewer Authority Developers & Right of Way Agreements  
***Schiebel made a motion to approve and authorize to appropriate personnel to sign the Butler Area Sewer Authority Developers & Right of Way Agreements; seconded by Hortert. Motion carried unanimously.***

**SOLICITOR'S REPORT:**

1. Act 537 Implementation Schedule Resolution No. 2009-12-25  
***Flatt made a motion to approve and adopt resolution 2009-12-25; seconded by Hortert. Motion carried unanimously.***
2. Stirling Agreement- Gallagher stated to have Stirling sign both copies; keep one copy for Township records and give one to Stirling; then fax a copy to Gallagher.

**MISCELLANEOUS:**

**ADJOURNMENT:**

Board went into executive session at 7:45pm with no action taken.

***Hortert made a motion to adjourn the meeting at 8:30pm; seconded by Schiebel.  
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