

Board of Supervisors:  
Thomas Schiebel, Chairman  
Andrew Erie, Vice Chairman  
Kenneth Frenchak, Supervisor  
Edward Latuska, Supervisor  
Ron Flatt, 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  
February 10, 2010  
6:30 p.m.

**CALL TO ORDER:**

Chairman Thomas Schiebel 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 Schiebel, were members Andrew Erie, Ken Frenchak, Ed Latuska, Ron Flatt, Township Secretary Crystal Sieffert, Township Solicitor Michael Gallagher and Township Engineer Ron Olsen. Township Public Works Director Mark Lauer was absent.

**PUBLIC TO BE HEARD:**

1. Gary Hunter- Stated that he thought the Township road crew is doing a good job but would like to know who is in charge when Mark is out of town. Schiebel stated that when Mark is out of town Tom Smith is the Coordinator but Mark calls in to make sure everything is running smoothly. Hunter also asked if there is someone to fill in for the road crew if someone is ill. Schiebel stated we do have a part-time employee that was called in during the winter storm to help plow because they were down a road crew member. Schiebel said the road crew did the best they could clearing the road despite trucks ~~braking~~ *breaking* down. Frenchak stated he rode with the road crew Friday night and Saturday morning and thought they are doing a great job compared to some other areas. Mr. Hunter also stated the storm drains on West Brewster Road are bad. Schiebel stated he would look into it.
2. Robert & Christine Young- had some concerns about a pipe that is on the Township's easement. Will be discussed on the agenda.

3. Jeanne Smith- Asked the Township Supervisors how they would like to have a personal bill of theirs go up by \$1,000 to \$3,000 suddenly and asked why the Township would build a Maintenance Building while the country is in a recession. Mrs. Smith then walked out of the Building before the Board could answer her questions.

#### MINUTES:

1. Reorganizational & Regular Meeting- January 4, 2010  
**Latuska made a motion to approve the January 4, 2010 Reorganizational & Regular Meeting Minutes with one correction, under Vice Chairman Latuska should ~~of~~ have seconded the motion instead of Erie; Seconded by Flatt. Motion carried unanimously.**

#### TREASURER'S REPORT:

1. Warrant List 10-01-02  
**Schiebel made a motion to approve Warrant List 10-01-02; seconded by Latuska. Motion carried unanimously.**
2. Warrant List 10-02-03  
**Schiebel made a motion to approve Warrant List 10-02-03: seconded by Latuska. Motion carried unanimously.**
3. Ratify Building Fund CD  
**Flatt made a motion to ratify the Building Fund CD that invested \$240,616.93 for 90 days at .645 percent with S & T Bank; seconded by Latuska. Motion carried unanimously.**
4. Ratify Capital Projects CD  
**Frenchak made a motion to ratify the Capital Projects CD that invested \$150,000.00 for 180 days at .60 percent with Nextier Bank; seconded by Flatt. Motion carried unanimously.**
5. Building Fund Investment  
**Schiebel made a motion to authorize Anthony Amendolea to seek rates to invest \$1.5 million dollars for 90 days subject to two Supervisors signatures to be ratified at the next meeting; seconded by Flatt. Motion carried unanimously.**

#### ZONING REPORT: January 2010

## SUBDIVISION & LAND DEVELOPMENTS:

1. Vicario Subdivision, 707 Oneida Valley Rd. - Planning Commission recommended approval of this plan. Ron Olsen stated that he was satisfied too. ***Frenchak made a motion based on the recommendation of the Planning Commission and Township Engineer Ron Olsen to approve the Vicario Subdivision; seconded by Erie. Motion carried unanimously.***
2. Elliott Subdivision Plan #2, 337 W. Brewster Rd. - Planning Commission recommended approval of this plan. Olsen stated that both lots have sewage, lot #2 will be a creation in a residential zone for a commercial business which would be a non conforming use to be a non conforming structure and use. Zoning Officer Rich Round did not see a problem with this plan. The business predates the ordinances and is going to be continued as the same business, just owned by Mr. Elliott's daughter. ***Flatt made a motion based on the recommendation of the Planning Commission and Township Engineer Ron Olsen to approve the Elliott Subdivision plan #2 with the signatures being withheld until Lot 2 is labeled existing non conforming; seconded by Erie. Motion carried unanimously.***

## OLD BUSINESS:

1. ADP Termination- the Treasurer issued the following statement affective February 12, 2010. *Payroll services were terminated with ADP due to late payment of the second quarter 2009 Pennsylvania State Unemployment Insurance (SUI) and the third quarter of 2009 SUI.*
2. Employee Health Insurance- we will be staying with Blue Cross Blue Shield.
3. Aubrey Rezoning Request- ***Flatt made a motion to set the date for the Aubrey Rezoning Public Hearing to be March 31, 2010 at 6:30pm; seconded by Schiebel. Motion carried unanimously.***

4. Community Alliance Church- Bob Thomas stated that he was in contact with Slear and he is ok with what Community Alliance Church wants to do so they are waiting for the plans to be signed. Thomas wanted the plans for a new subdivision to be on the Planning Commission's agenda for this month. Olsen stated that a modification would have to be granted by the Board for them to be put on this month's agenda after the deadline passed. Thomas stated that Phase 2 would be on March's Planning Commission meeting. Olsen stated that he doesn't see a problem with Rich continuing to do his inspections.  
**Schiebel made a motion to grant a modification to submit plans for the new subdivision after deadline; seconded by Frenchak. Motion carried unanimously with Flatt abstaining.**

**Schiebel made a motion for Rich Round to continue inspections, pending the completion of the revised subdivision and Land Development Phase II plans; seconded by Frenchak. Motion carried unanimously with Flatt abstaining.**

#### **NEW BUSINESS:**

1. Frawley Sewage Application Complaint- the Frawley's would like to know why they need an EcoFlo System with a sand mound when most people using an EcoFlo System just use an at grade bed. The Township Sewage Enforcement Officer John Colombo stated he approved the property for a sand mound with a Ecoflo and Zabel Filter, when he got the plan from the engineer it was for a Ecoflo and Zabel Filter with an at grade bed. He stated that wasn't the system they agreed on. Colombo stated that his concern is the ground does not absorb water well, so the likelihood of the system leaking years down the road is very high even with the sand mound. He stated that as long as there is no odor when the system leaks, no one will know. With the Ecoflo and Zabel filters along with the sand mound the water will be so clean and clear that no problems should ever arise. He then explained by using the filters with an at grade bed the Frawley's would be taking a chance of the system failing down the road. Colombo stated he will approve the system as presented by the engineer if the Board instructs him to do so. The Board asking who is responsible when the system fails? Colombo stated the property owner has sole responsibility of fixing the system. The Board then asked Mr. Frawley if he is sure he wants to go ahead and go against the SEO's recommendation. The Township Solicitor stated that if he wants to go against the Township's and SEO's recommendations by putting in an Ecoflo and Zabel filter with an at grade bed, it is Gallagher's recommendation to the Board that Mr. Frawley sign a hold harmless agreement. The Frawley's stated they would sign the hold harmless agreement.  
**Flatt made a motion to authorize John Colombo to grant the Frawley's a permit for the Ecoflo and Zabel filters with an at grade bed if appropriately submitted, contingent upon the homeowners signing the hold harmless agreement as prepared by Township Solicitor Mike Gallagher; seconded by Latuska. Motion carried unanimously.**

2. Butler County Humane Society Agreement  
**Flatt made a motion to authorize the Chairman to sign the agreement; seconded by Erie. Motion carried unanimously.**
3. Electronic Tax Maps  
**Schiebel made a motion to authorize Anthony Amendolea to purchase electronic tax maps for \$100.00; seconded by Frenchak. Motion carried unanimously.**
4. Maintenance Facility Hydrant Resolution 2010-02-06  
**Erie made a motion to adopt Resolution 2010-02-06 to put a fire hydrant at the new maintenance facility location; seconded by Latuska. Motion carried unanimously.**
5. Release 2009 Fire Tax-  
**Flatt made a motion to release the 2009 Fire Tax as recommended by Township Treasurer to Unionville Volunteer Fire Company in the amount of \$90,000.00; seconded by Erie. Motion carried unanimously.**
6. UCC Appeals Board member resignation- no recommendations at this time
7. Farmers National Bank- not interested in changing depositories at this time.
8. Unionville Trips-  
**Flatt made a motion to approve and accept the list of necessary trips as presented by the Firehall for insurance purposes; seconded by Erie. Motion carried unanimously.**
9. BASA Letters-  
**Flatt made a motion to authorize the Chairman to sign the BASA Letters; seconded by Erie. Motion carried unanimously.**  
These were letters in support of BASA as it seeks federal funding for a holding tank system required by Pennsylvania DEP.

**PUBLIC WORKS DIRECTOR:**

1. Traffic Signal Maintenance-  
**Flatt made a motion to table until further information is collected; seconded by Erie. Motion carried unanimously.**
2. Spring Run Road Project-  
**Flatt made a motion to table with no further action needed; seconded by Schiebel. Motion carried unanimously.**

3. Hazard Mitigation Plan Resolution 2010-02-07  
**Flatt made a motion to adopt Resolution 2010-02-07; seconded by Latuska. Motion carried unanimously.**

#### ENGINEER'S REPORT:

1. Rt. 8/ Benbrook Rd Intersection- Olsen stated we are close to getting a permit from Penn dot.
2. Maintenance Building- Olsen stated that working with the contractors they have found some money savings options. One would be to use 24 inch roof paneling to save roughly \$3,000.00. He stated that he would need a motion from the Board if they wish to do that.  
**Schiebel made a motion to accept the 24 inch roof panels for the Maintenance Building; seconded by Flatt. Motion carried unanimously.**
3. Maintenance Building Invoice-  
**Schiebel made a motion to authorize Township Treasurer to pay the invoice from Uhl Construction in the amount of \$12,998.97; seconded by Erie. Motion carried unanimously.**

#### SOLICITOR'S REPORT:

1. Morgan Sewage Complaint
  - A. Center Township VS Edward Morgan- Gallagher stated there is to be a status conference for March 5, 2010 at 2:30pm. Colombo stated that he has receipts from Edward and Janet Morgan for pumping out their system and he would make copies and fax them to Mike in the morning. The Morgan's stated they are waiting for a rattlesnake study to move forward. Gallagher stated that the Morgan's might want to pay the outstanding invoices for work John Colombo has done before the status conference. Janet Morgan claimed she never received any invoices, Gallagher stated that by law it is presumed that once the letter is sent, it is received. No action needed nor made.
  - B. Billy and Jacqueline Morgan- Gallagher stated they need a rattlesnake study done also. Stated that three more things are necessary. 1) A fully completed application to DEP on or before March 30, 2010. 2) Installation of the system by March 20, 2010. 3) Install a holding tank on or before March 15, 2010, subject to John's inspection and provide John with pumping receipts. Morgan's stated they have a holding tank ready to be put in and it will be in within the next two weeks. Gallagher stated that since they are waiting on a rattlesnake study the Morgan's can push back the DEP submission back to May 30, 2010 since the study can only be done in April. Robert Young

resident on Palmer Rd. had some concerns about the piping that is needed for the Morgan's sewage that goes under his driveway. He asked if it would be his responsibility if the pipe broke. The Board stated that since it was on Township right of way it would be their responsibility to fix it. No motion was needed nor made.

2. McCall Sewage- nothing to discuss.

**MISCELLANEOUS:**

**ADJOURNMENT:**

***Frenchak made a motion to adjourn the meeting at 8:50pm; seconded by Latuska. Motion carried unanimously.***

CRYSTAL SIEFFERT  
Township Secretary

THOMAS SCHIEBEL  
Chairman

ANDREW ERIE  
Vice Chairman

RONALD FLATT  
Supervisor

EDWARD G LATUSKA  
Supervisor

KENNETH FRENCHAK JR  
Supervisor