

Board of Supervisors:
Thomas Schiebel, Chairman
Andrew Erie, Vice Chairman
Ronald Flatt, Supervisor
Kenneth Frenchak Jr, Supervisor
Edward Latuska, Supervisor



Michael Gallagher, Solicitor
Olsen & Associates, Engineer
Anthony Amendolea, Secretary/Treasurer
Mark Lauer, Public Works Director
Richard Round, BCO/Zoning Official

Board of Supervisors
Regular Meeting Minutes
September 8, 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 6:31 p.m. The meeting was held at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

ROLL CALL: Present were Chairman Schiebel; Vice Chairman Andrew Erie; Supervisors Ronald Flatt and Kenneth Frenchak; Tom May for Township Solicitor Michael Gallagher; Township Engineer Ron Olsen; Public Works Director Mark Lauer; and Township Secretary/Treasurer Anthony Amendolea. Supervisor Edward Latuska was absent.

PLEDGE OF ALLEGIENCE & PRAYER:

PUBLIC TO BE HEARD: (3 Minute Limit) None

MINUTES:

1. Agenda Setting Meeting Minutes – August 9, 2010: *Schiebel motioned approving the minutes of the Agenda Setting Meeting held August 9, 2010. Flatt seconded. Motion carried unanimously.*
2. Regular Meeting Minutes – August 11, 2010: *Schiebel motioned approving the minutes of the Regular Meeting held August 11, 2010. Erie seconded. Motion carried unanimously.*

TREASURER'S REPORT:

1. August 2010 Treasurer's Report: *Flatt motioned approving the August 2010 Treasurer's Report. Frenchak seconded. Motion carried unanimously.*
2. Warrant List 10-08-23: *Schiebel motioned approving Warrant List 10-08-23. Erie seconded. Motion carried unanimously.*
3. Warrant List 10-08-24: *Schiebel motioned approving Warrant List 10-08-24. Erie seconded. Motion carried unanimously.*
4. Warrant List 10-09-25: *Schiebel motioned approving Warrant List 10-09-25. Flatt seconded. Motion carried unanimously.*
5. Warrant List 10-09-26: *Frenchak motioned approving Warrant List 10-09-26. Erie seconded. Motion carried unanimously.*

6. Ratify Fire Protection CD: *Flatt motioned ratifying the investment of \$100,000 with S&T Bank for 180 days at .645 percent. Frenchak seconded. Motion carried unanimously.*
7. Authorize Ad to Appoint CPA: *Schiebel motioned authorizing advertisement to appoint CPA to be published in the Butler Eagle editions of September 26 and October 3, 2010. Erie seconded. Motion carried unanimously.*
8. Authorize Ad for Budget Workshops: *Schiebel motioned authorizing advertisement of budget workshops, October 12 and November 8, 2010, to be published in the Butler Eagle edition of September 26, 2010. Frenchak seconded. Motion carried unanimously.*
9. Building Fund CD: *Schiebel motioned authorizing Secretary/Treasurer Amendolea to transfer CD in the amount of \$1,000,000 invested with S&T Bank to the Capital Projects checking account. Flatt seconded. Motion carried unanimously.*
10. 2011 Pension Plan Minimum Municipal Obligation (MMO): *Schiebel motioned approving the 2011 Pension Plan Minimum Municipal Obligation (MMO) in the amount of \$40,911.60 to be signed by Secretary/Treasurer Amendolea as the Chief Administration Officer. Erie seconded. Motion carried unanimously.*

ZONING REPORT: August 2010: Construction costs were \$642,841.00 fees collected \$3,635.74.

SUBDIVISIONS & LAND DEVELOPMENTS: None

OLD BUSINESS:

1. First United Methodist Church, 1802 N Main St, Occupancy: Mr. John Cupps submitted a request to increase the occupancy from 500 to 1,000 persons. Mr. John Colombo, Sewage Enforcement Officer, issued a letter, dated July 28, 2010, stating the current sewage system would sustain the additional attendance. Mr. Colombo will continue to monitor the water usage to ensure the church does not exceed 400 gallons per day. The Planning Commission concerns are, as follows:
 - a. Second tenant's water and sewage usage will be limited to 400 gallons per day thus possibly limiting the type of tenant/business. A change in use requires new permits.
 - b. If the tenant/business is open seven (7) days, where will his customers/employees park?
 - c. Will the second tenant grant permission to the church to use parking per our ordinance?
 - d. If we grant the church everything they need, are we opening up the Township for a lawsuit with the Wise family "because they were unaware" of these possible

issues with a second tenant?

- e. Should the Board contact Mr. John Wise with these concerns to make him aware?

The motion by the Planning Commission was *“Sloan motioned recommending the Board approve the increase in occupancy to 1,000 persons with a contingency of Mr. Wise signs a notarized affidavit stating he understands that the parking could possibly be an issue if the second half of the property is leased. Paroli seconded. Motion carried 4 to 1 with Lynd against.”*

Frenchak motioned permitting the increase from 500 to 1,000 parishioners per the recommendation of the Planning Commission and the receipt of Mr. John Wise’s letter dated August 31, 2010. Flatt seconded. Motion carried unanimously.

NEW BUSINESS:

1. Set Halloween Night: *Schiebel motioned setting Halloween Night to be the same as Butler City and Butler Township. Flatt seconded. Motion carried unanimously.*
2. Municipal Winter Traffic Services Agreement Resolution 2010-09-15: Every five years PennDot and Center Township sign an agreement for the Township to perform winter maintenance on Henricks Road from the Township line to State Route 38. The Township will be reimbursed, as follows: (1) 2010-2011, \$515.99; (2) 2011-2012, \$531.47; (3) 2012-2013, \$547.41; (4) 2013-2014, \$563.84; and (5) 2014-2015, \$1161.50. *Erie motioned adopting “Municipal Winter Traffic Services Agreement Resolution 2010-09-15” to be signed by Chairman Schiebel and Secretary/Treasurer Amendolea. Flatt seconded. Motion carried unanimously.*

PUBLIC WORKS DIRECTOR:

1. Speed Bump Purchase: *Frenchak motioned authorizing the purchase the purchase of two (2) ten foot (10’) speed bumps at \$268.85 each plus appropriate signage, from Barco Products, for traffic calming. Erie seconded. Motion carried unanimously.*
2. Butler County Safety Training-Vagabond Center-10/6-\$10: *Flatt motioned authorizing Allison, Brewster, Moorhead, Smith, Winchester, and Young to attend Butler County Safety Training to be held October 6, 2010 at the Vagabond Center with a \$10 fee per attendee. Schiebel seconded. Motion carried unanimously.*
3. Leaf Pick Up Schedule: The annual leaf pick up is tentatively scheduled for October 25, 2010 through November 25, 2010. Leaves will be taken to Stirling Landscaping, 840 Mercer Road.

ENGINEER’S REPORT:

1. Butler County Stormwater Management Resolution: Butler County Commissioners adopted the Butler County Stormwater Management Resolution. The Department of Environmental Protection (DEP) must approve the 10,000 square foot exemption in the resolution. Olsen reported that Mr. Ron Fodor, Butler County Conservation District, felt

the exemption would not be approved and probably be changed to 5,000 square feet. In either case, the Township will have six (6) months from the DEP's approval to adopt a stormwater management ordinance.

2. Blossom Ridge Phase II Letter of Credit 709: Blossom Ridge Phase II Letter of Credit 709 is due to expire October 17, 2010. Olsen will coordinate with Mr. Dennis Beblo and Secretary/Treasurer Amendolea to ensure Letter of Credit is renewed, if required.
3. Fuellgraf Electric Company Change Order #2: Fuellgraf Electric Company submitted Change Order #2 increasing the contract price by \$2,630.00. The adjusted contract price is \$322,479.00. The increase is for the wiring of additional heaters to be installed in the rooms 107 (Tool Room), 108 (Sign Room), and 109 (Valve Room). ***Flatt motioned authorizing Chairman Schiebel to sign Fuellgraf Electric Company Change Order #2. Frenchak seconded. Motion carried unanimously.***
4. JB Mechanical Inc Change Order #1: JB Mechanical Inc submitted Change Order #1 increasing the contract price by \$2,765.00 for the purchase and installation of three (3) heaters. The adjusted contract price is \$212,765.00. ***Flatt motioned authorizing Chairman Schiebel to sign JB Mechanical Inc Change Order #1. Frenchak seconded. Motion carried unanimously.***
5. Route 8/Benbrook Road Intersection: Olsen contacted PennDot to discuss possibly having a ribbon cutting ceremony. PennDot suggested the Township schedule and invite individuals. Olsen and the board will create a list. The signal poles are on order and will not be available for approximately two (2) months.

SOLICITOR'S REPORT:

1. 131 Roads End Lane, Sewage Management: John Colombo, Sewage Enforcement Officer received a note from Mr. Rick Geer concerning the sewage maintenance for 131 Roads End Lane. The current tenant, Mr. Kevin Bitler, refuses access to inspect the sewage system. Colombo wants to know how the Township could enforce the require inspections, if this happens again. May stated the Township would have to go to court for an injunction.
2. Center Township vs. McCall: The hearing was continued to November 10, 2010 at 9:00 a.m.
3. Center Township vs. Oliver: The hearing was continued to November 3, 2010 at 10:00 a.m.

MISCELLANEOUS: None

ADJOURNMENT: The Board adjourned to executive session at 7:02 p.m. to discuss union negotiations. Regular Meeting reconvened at 7:40 p.m. with no action taken

A motion was made by Schiebel to adjourn the Regular Meeting at 7:41 p.m. Flatt seconded. Motion carried unanimously.

Anthony A. Amendolea
Township Secretary/Treasurer

Thomas G. Schiebel
Chairman

Andrew Erie
Vice Chairman

Ronald E. Flatt
Supervisor

Kenneth J. Frenchak Jr
Supervisor

Absent
Edward G. Latuska
Supervisor