

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
 November 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 6:31 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, Kenneth Frenchak, and Edward Latuska; Township Solicitor Michael Gallagher; Township Engineer Ron Olsen; Public Works Director Mark Lauer; and Township Secretary/Treasurer Anthony Amendolea.

PLEDGE OF ALLEGIENCE & PRAYER:

PUBLIC TO BE HEARD: (3 Minute Limit)

1. Mr. Jay Baxter, 302 Baxter Lane and Ms. Cindy Crawford, 139 South Benbrook Road: As part owners of Baxter Mobile Home Park, they were concerned with portions of the new ordinance. In particular, the responsibility of mobile home park owners if any violations occur. The property owner and tenant are notified of any violations. At that time, the park owner has the responsibility to correct the violation.
2. Ms. Bev Shuler, 408 Silver Lane: She wanted to erect a 20' by 18' carport but was prohibited under the old ordinance. Ms. Shuler inquired if the new ordinance removed that prohibition. The Board directed her to contact Building Code Official/Zoning Officer Round on Friday.
3. Mr. Joe Vargo, 289 Holyoke Road: Mr. Vargo was dissatisfied with the residue left from the ditch work done last week. He asked if gravel could be placed in the ditch to prevent erosion and debris from the storm drain. In addition, the water from the west side will not enter the storm drain until this is corrected. The Township will punch a hole in that side also.

MINUTES:

1. Agenda Setting Meeting Minutes – October 12, 2010: *Latuska motioned approving the minutes of the Agenda Setting Meeting held October 12, 2010. Erie seconded. Motion carried unanimously.*
2. Regular Meeting Minutes – October 13, 2010: *Latuska motioned approving the minutes of the Regular Meeting held October 13, 2010. Frenchak seconded. Motion carried unanimously.*

TREASURER'S REPORT:

1. October 2010 Treasurer's Report: *Schiebel motioned approving the October 2010 Treasurer's Report. Flatt seconded. Motion carried unanimously.*
2. Warrant List 10-10-32: *Schiebel motioned approving Warrant List 10-10-32. Latuska seconded. Motion carried unanimously.*
3. Warrant List 10-10-33: *Schiebel motioned approving Warrant List 10-10-33. Frenchak seconded. Motion carried unanimously.*
4. Warrant List 10-10-34: *Schiebel motioned approving Warrant List 10-10-34. Latuska seconded. Motion carried unanimously.*
5. Warrant List 10-11-35: *Schiebel motioned approving Warrant List 10-11-35. Latuska seconded. Motion carried unanimously.*
6. Warrant List 10-11-36: *Schiebel motioned approving Warrant List 10-11-36. Frenchak seconded. Motion carried unanimously.*
7. 2011 Proposed Budget: The 2011 Proposed Budget was presented to the Board at their budget workshop, held on November 8, 2010, for their review. A preliminary budget was presented to the Board at their budget workshop held on October 12, 2010.
8. Authorize Ad for 2011 Proposed Budget: The Township Second Class Code, Article 32, Section 3202(b), requires the Board to advertise once to notify the public that the proposed budget is available for inspection for twenty (20) days prior to adoption. *Flatt motioned authorizing the advertisement of the 2011 Proposed Budget to be published in the Butler Eagle edition of November 18, 2010. Erie seconded. Motion carried unanimously.*
9. Capital Projects CD: The Township has a Capital Projects CD maturing in the amount of \$200,739.72 on November 14, 2010. *Schiebel motioned authorizing Township Secretary/Treasurer Amendolea to receive rates to reinvest \$100,000 for 60, 90, or 180 days, with the approval of two (2) supervisors. In addition, transfer \$75,739.72 to the Capital Projects checking account. Flatt seconded. Motion carried unanimously.*

ZONING REPORT: October 2010: Construction costs were \$479,727.00 fees collected \$2,802.88.

SUBDIVISIONS & LAND DEVELOPMENTS: None

OLD BUSINESS: None

NEW BUSINESS:

1. Chapter 7, Article V, Mobile Home Parks Amendment Ordinance No. 2010-11-05: This ordinance amends Chapter 7, Business Regulations, Article V, Mobile Home Parks, Section 7-501, Definitions, by adding or revising definitions for *Manufacturing Housing, Mobile Home, Mobile Home Lot, Mobile Home Park, Net Acreage, and Net Density*. The ordinance and the intent to adopt were published in the Butler Eagle edition of October 31, 2010. ***Schiebel motioned adopting Ordinance No. 2010-11-05 amending Chapter 7, Business Regulations, Article V, Mobile Home Parks, Section 7-501, Definitions. Erie seconded. Motion carried unanimously.***
2. Butler Armco Employees Credit Union Sponsor Organization: The Center Township employees met with a Butler Armco Employees Credit Union representative, October 28, 2010, to discuss the possibility of joining the credit union. In order to do so, the Township was required to submit a letter to sponsor Center Township. ***Flatt motioned ratifying Chairman Schiebel signing the sponsor letter on October 28, 2010. Frenchak seconded. Motion carried unanimously.***
3. Westwood Manor Retention Area: Building Code Official/Zoning Officer Round received a call from Ms. Annette Hartman on October 5, 2010 in reference to the Westwood III Stormwater Management Area. This area is located south of Cornell Drive and East of Oberlin Drive. He suggests the Township considered amending the proposed Butler County Stormwater Management ordinance to accept ownership upon completion of the development to prevent problems such as this. However, this will not solve the problem with existing retention areas. ***Flatt made a motion to table the Westwood Manor Retention Area. Schiebel seconded. Motion carried unanimously.***

PUBLIC WORKS DIRECTOR:

1. Truck Purchase: At the Board's last meeting, October 13, 2010, Public Works Director Lauer asked the Board to considered purchasing a new truck, \$152,395.98 to replace the 1996 International. The proposal is for a 2011 7400 International Dump Truck equipped with a Tandem Gear Pump, Gledhill HFF Front Frame Custom Hitch and Gledhill QCP Complete Quick Attach, Gledhill 10' MRPRT Plow with carbide blades, and Highway 10' E2020XT Stainless Steel Hopper Spreader. ***Frenchak motioned purchasing a 2011 7400 International Dump Truck equipped with a Tandem Gear Pump, Gledhill HFF Front Frame Custom Hitch and Gledhill QCP Complete Quick Attach, Gledhill 10' MRPRT Plow with carbide blades, and Highway 10' E2020XT Stainless Steel Hopper Spreader for \$152,395.98 with \$110,000 being paid from the Center Township Liquid Fuels Fund and the remaining payment of \$42,395.98 from the Center Township Capital Projects Fund. Schiebel seconded. Motion carried unanimously.***

Schiebel motioned authorizing Public Works Director Lauer to sign all necessary papers at time of ordering the 2011 International Dump Truck. Latuska seconded. Motion carried unanimously.

2. Authorize Ad for Antiskid: Public Works Director Lauer suggests purchasing 3,000 ton of antiskid. *Schiebel motioned advertising for 3,000 tons of antiskid to be published in the Butler Eagle editions of November 21 and November 24, 2010 with a bid letting date of December 6, 2010 at 12:00 p.m. Frenchak seconded. Motion carried unanimously.*
3. Sunset Drive Maintenance Facility Fuel Storage Tanks: With the construction of the new maintenance facility, fuel storage tanks were installed at the Henricks Road location. Public Works Director Lauer asks for guidance on disposition of the Sunset Drive fuel storage tanks. *Erie motioned tabling action on the removal of the storage tanks until Public Works Director Lauer provides a cost of removal. Flatt seconded. Motion carried unanimously.*
4. Maintenance Facility Sign, 150 Henricks Road: Public Works Director presented two (2) quotes from Signs by Rick. The quote for a 196 square foot sign with eighteen-inch (18") letters is \$1,425. The same size sign with twelve-inch (12") letters is \$953.75. Consensus of the Board authorized Public Works Director to purchase the 196 square foot sign with twelve-inch (12") letters for the new public works maintenance facility. The Board authorized Public Works Director to purchase the 196 square foot sign with twelve-inch (12") letters.
5. Sale of 1996 International Dump Truck: The 2011 International Dump Truck will replace this vehicle. *Flatt authorize the selling and advertising for sale in the Butler Eagle edition of November 24, 2010 with a bid letting for December 6, 2010 at 12:00 p.m. Latuska seconded. Motion carried unanimously.*

ENGINEER'S REPORT:

1. State Route 8/Benbrook Road Signal: The Township Engineer Olsen reported that PennDOT is unsure of when project will be completed. He stated an emergency backup system was not in the design. PennDOT is checking for any available funding to install the system. Township Engineer Olsen stated it might be possible to sign agreement with PennDOT to install the emergency backup system at the Township expense.
2. Petroleum Technical Services Change Order No. 1: Petroleum Technical Services submitted Change Order No. 1 increases the original bid price of \$137,500 by \$3,500. The adjusted bid price is \$141,000. *Flatt motioned approving Petroleum Technical Services Change Order No. 1 increasing the bid price to \$141,000 a difference of \$3,500. In addition, authorizing Schiebel to sign the change order. Frenchak seconded. Motion carried unanimously.*

SOLICITOR'S REPORT:

1. Center Township v. Oliver: Township Solicitor attended the oral argument on November 3, 2010. Judge Horan granted Center Township's appeal, as regard the Center Township Zoning Hearing Board's jurisdiction. The determination of the Zoning Hearing Board is vacated. Oliver's appeal, as regard Center Township Zoning Hearing Board's determination affording site-specific relief, is dismissed as moot. *Flatt motioned*

authorizing Township Solicitor Gallagher to prepare and defend the Township if Mr. Jerome Oliver appeals Judge Horan's decision. Erie seconded. Motion carried unanimously.

2. Center Township v. McCall: Township Solicitor Gallagher was notified that Mr. McCall's attorney, Mr. O'Brien, did not receive notice of the hearing. The judge continued the case to a yet to be announced date.
3. Route 308 Highway Occupancy Permit: Township Solicitor Gallagher will review the revised agreement prepared by Township Secretary/Treasurer Amendolea. He reiterated the Board will be ultimately responsible for any drainage problems.

MISCELLANEOUS:

1. Erie announced that Representative Dick Stevenson moved his office from Center Township.

ADJOURNMENT:

A motion was made by Frenchak to adjourn the Regular Meeting at 7:55 p.m. Latuska 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

Edward G. Latuska
Supervisor