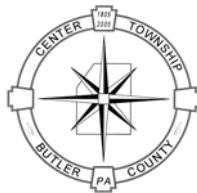


Board of Supervisors:
 Thomas Schiebel, Chairman
 Andrew Erie, Vice Chairman
 Ronald Flatt, Supervisor
 Kenneth Frenchak Jr, Supervisor
 Edward Latuska, Supervisor



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

August 10, 2011

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 Center Township Municipal Building, 419 Sunset Drive, Butler, PA 16001.

ROLL CALL: In addition to Chairman Schiebel, present were Vice Chairman Andrew Erie; Supervisors Ronald Flatt, Kenneth Frenchak, and Edward Latuska; Township Solicitor Michael Gallagher; Township Engineer Ron Olsen; and Township Secretary/Treasurer Anthony Amendolea. Public Works Director Mark Lauer was absent.

PUBLIC TO BE HEARD (3 MINUTE LIMIT):

1. Mr. Neil Asbaugh, 107 Ridge Road: Mr. Ashbaugh presented facts from the Pennsylvania Department of Environmental Protection pertaining to Marcellus Shale exploration. He asked the Board to give consideration to pros and cons of fracking. With proper regulations, landowners and surrounding property owners may benefit.
2. Ms. Anna Gullickson, 5258 Elliott Road: Ms. Gullickson presented reasons not to allow Marcellus Shale exploration. The reasons are (1) production declines within the first year; (2) existing businesses and residents leave; (3) property values will decline; (4) water supply would be affected; (5) roads would be damaged; (6) more abandoned homes; (7) lawsuits; (8) emergency personnel require more extensive training; and (9) numerous health issues.
3. Mr. Glenn Hundertmark, 5274 Elliott Road: Mr. Hundertmark requests the Board consider the impact on the roads with Marcellus Shale exploration. Current road bonds are insignificant to rebuild roads.
4. Mr. John Galida, 225 Holyoke Road: Mr. Galida asks for more Pennsylvania State Police presence on Holyoke Road.
5. Ms. Carol Powers, 532 West Sunbury Road: Ms. Powers opposes Marcellus Shale fracking.
6. Mr. Michael Kraynik, 205 Blossom Drive: Mr. Kraynik received a temporary occupancy permit until he installs a 2' by 2' catchbasin to control water runoff from his drive. He

requests the Board waive the required installation. ***Flatt motioned authorizing Frenchak to investigate Mr. Kraynik's assertions and report back to the Board. Schiebel seconded. Motion carried unanimously.***

MINUTES:

1. Agenda Setting Minutes – July 11, 2011: ***Latuska motioned approving the minutes of the Agenda Setting Meeting held on July 11, 2011. Frenchak seconded. Motion carried unanimously.***
2. Regular Minutes – July 13, 2011: ***Latuska motioned approving the minutes of the Regular Meeting held on July 13, 2011, correcting Public Works Director, Item 8, "competed" should be "completed". Erie seconded. Motion carried unanimously.***

TREASURER'S REPORT:

1. July 2011: ***Schiebel motioned approving the June 2011 Treasurer's Report. Erie seconded. Motion carried unanimously.***
2. Warrant List 11-07-25: ***Schiebel motioned approving Warrant List 11-07-25. Frenchak seconded. Motion carried unanimously.***
3. Warrant List 11-08-26: ***Schiebel motioned approving Warrant List 11-08-26. Frenchak seconded. Motion carried unanimously.***

ZONING REPORT: July 2011: Construction costs were \$110,061.00 fees collected were \$1,342.70.

SUBDIVISION & LAND DEVELOPMENTS:

1. Concordia Lutheran Ministries, 1312 N Main St Ext, Land Development Waiver: Mr. Dave Drane, Concordia Lutheran Ministries, proposes to construct a gazebo at 1312 North Main Street Extension for residents use. Mr. Drane requests a waiver of the Land Development requirements in Center Township Codified Ordinances Chapter 14, Article III, Subsection 14-302. The Planning Commission recommended granting a waiver at their meeting held on July 27, 2011 with the following motion:

"Lynd motioned recommending a modification of the Land Development requirements per Center Township Codified Ordinances Chapter 14, Article III, Subsection 14-302 and connect the gazebo roof drains into the existing stormwater management system. Paroli seconded. Motion carried unanimously."

Schiebel motioned granting a modification of the Land Development requirements per Center Township Codified Ordinances Chapter 14, Article III, Subsection 14-302 as requested by Concordia Lutheran Ministries. Erie seconded. Motion carried unanimously.

2. Josh Isacco, 452 W Sunbury Rd, Minor Subdivision No. 11-07-05, Final Approval: Mr. Ron Cowen, Land Surveyors, Inc, presented a plan proposing to subdivide Map and

Parcel 2F61 31 consisting of 84.82 acres (m/l) into lots consisting of 4.51 acres (m/l), 27.57 acres (m/l), 4.86 acres (m/l), and a residual consisting of 50.85 acres (m/l). Mr. Isacco proposes to build a single family dwelling on lot 2 consisting of 4.51 acres (m/l) with access to West Sunbury Road via a fifty-foot (50') right-of-way. Mr. Isacco submitted a Sewage Facilities Planning Module Component 1. The Department of Environment Protection approved the module on July 28, 2011. Butler County Planning Commission did not submit any comments. After discussing Township Engineer Olsen's comments, the Planning Commission recommended granting a modification from item f, *"The 50.85 acre remnant of Lot 4 was not surveyed. It either must be surveyed to establish its boundaries with metes and bounds or the Applicant may request a modification under Article III,* and recommending final approval at their meeting held on July 27, 2011.

Schiebel motioned granting modification of item f, as mentioned, as required by Center Township Codified Ordinances Chapter 14, Article IV, Subsection 14-403.G.1.b. Erie seconded. Motion carried unanimously.

Schiebel motioned granting final approval of the Isacco Minor Subdivision No. 11-07-05. Erie seconded. Motion carried unanimously.

3. Dollar General, 1627 N Main St Ext, Land Development No. 11-07-06, Preliminary Approval: Mr. Bill Boron, Atwell, LLC, presented a plan to construct a 10,566 square foot Dollar General Store at 1627 North Main Street Extension (Map & Parcel S3 10) consisting of 1.73 acres (m/l). Township Engineer Olsen and Building Code Official/Zoning Officer Round comments were addressed and revisions made to the plan. A Sewage Facilities Planning Module was submitted to the Board of Supervisors. The Planning Commission recommended preliminary approval with the contingency of the Department of Environmental Protection approval of the Sewage Facilities Planning Module at their meeting held on July 27, 2011.

Frenchak motioned recommending preliminary approval contingent on the completion of items a, c, d, g, h, and i of Township Engineer Olsen's comments and items a and b of Building Code Official/Zoning Officer Round's comment (see Planning Commission July 27, 2011 minutes). Erie seconded. Motion carried unanimously.

4. Dollar General Sewage Facilities Planning Module Resolution No. 2011-08-12: ***Schiebel motioned adopting Resolution No. 2011-08-12 to be submitted with the Dollar General Sewage Facilities Planning Module Component 3 to the Pennsylvania Department of Environmental Protection. Erie seconded. Motion carried unanimously.***
5. Elliott Sewage Facilities Planning Module Resolution No. 2011-08-13: ***Flatt motioned adopting Resolution No. 2011-08-13 to be submitted with the Elliott Sewage Facilities Planning Module Component 3 to the Pennsylvania Department of Environmental Protection. Schiebel seconded. Motion carried unanimously.***

OLD BUSINESS: None

NEW BUSINESS:

1. Mineral Extraction Overlay District Extension Ordinance No. 2011-08-04: The Board of Supervisors proposes to extend the Mineral Extraction Overlay District by entirely encompassing a parcel North and South of Aggas Road (T-542) and east of Stoney Run Road (T-544) Map and Parcel 2F61 13 consisting of 125.1 acres (m/l). The Planning Commission recommended approval of the ordinance at their meeting held on June 22, 2011. Butler County Planning Commission had no comments. The Board of Supervisors held a public hearing on August 8, 2011 to obtain public comment and testimony. ***Erie motioned adopting Mineral Extraction Overlay Extension Ordinance No. 2011-08-04. Frenchak seconded. Motion carried unanimously.***
2. Release Consultant Fees: Township Secretary/Treasurer requests release of the following consultant fees:

Development	Type	Instrument Number	Amount
Atkinson	Lot Line	201106150014065	234.25

Schiebel motioned releasing consultant fee for the Atkinson Lot Line Revision in the amount of \$234.25. Erie seconded. Motion carried unanimously.

PUBLIC WORKS DIRECTOR:

1. Release Amerikohl Road Bond – Mahood Road (T-860): Mr. John Saugrich, Amerikohl Mining Inc, submitted a letter requesting the release of their road bond, #105447616, in the amount of \$18,750.00. Mr. Saugrich presented the Board with a projected road repair cost in the amount of \$16,276.74. ***Flatt motioned, based on Public Works Director Lauer's recommendation, to accept \$16,276.74 and release the balance of \$2,473.26 from road bond # 105447616. Schiebel seconded. Motion carried unanimously.***
2. Award Bid for Aggregate: The Township received the following bids for Aggregate:

Company	Price Per Ton In Place	Total Bid
Allegheny Mineral Corporation	1,000 Tons #3 - \$15.50 2,000 Tons 2A Modified - \$15.30 400 Tons #4 Rip Rap - \$17.00	\$52,900
M&M Limestone	1,000 Tons #3 - \$16.98 2,000 Tons @A Modified - \$16.48 400 Tons #4 Rip Rap - \$20.23	\$58,032

Schiebel motioned awarding the 2011 Aggregate Contract to Allegheny Mineral Corporation for 1,000 tons of #3 limestone at \$15.50, 2,000 tons of 2A Modified limestone at \$15.30, and 400 tons of #4 Rip Rap limestone at \$17.00 for a total price of \$52,900. Flatt seconded. Motion carried unanimously.

3. Award Bid for Line Painting: The Township received the following bids for Line Painting:

Company	Price Per Linear Foot
CASMAC Line Striping Inc	Single Line - \$.07 Double Line - \$.10
Midlantic Marking Inc	Single Line - \$.052 Double Line - \$.055
Traffic Marking Systems	Single Line - \$.15 Double Line - \$.30
Willman & Williams	Single Line - \$.08 Double Line - \$.08

Schiebel motioned awarding the 2011 Line Painting Contract to Midlantic Marking, Inc at a rate of \$.052 for single lines and \$.055 for double lines for 300,000 to 500,000 linear feet. Erie seconded. Motion carried unanimously.

4. Award Bid for Old Garage Building Doors: The following quotes were received to replace the old maintenance building garage doors:

Company	Quote
Beham's Garage Doors	\$5,119
Thomas V Giel Corporation	\$6,690

Schiebel motioned awarding Beham's Garage Doors in the amount of \$5,119 to replace the garage doors at the old maintenance building. Frenchak seconded. Erie against. Motion carried 4 to 1.

5. Brookstone Condo Association Request for "No Outlet" Sign: Ms. Carol Winter, Brookstone Condo Association, requests a "No Outlet" sign be placed at the entrance of Brookstone Condos. Public Works Director states this is a private road. Township Secretary/Treasurer Amendolea will notify Ms. Winters that their association may purchase and install the "No Outlet" sign at no cost to the Township.

ENGINEER'S REPORT:

1. N Duffy/Mercer Road Intersection: The Board of Supervisors authorized Township Engineer Olsen to research the N Duffy/Mercer Road intersection to determine location of correct right-of-way to resolve Mr. Robert Brandon's complaint. Schiebel contacted Township Engineer Olsen to not continue research of the right-of-way. Schiebel and Public Works Director will meet with Mr. Brandon to make the necessary corrections.

SOLICITOR'S REPORT:

1. Harvey/Cypher Hold Harmless Agreement: Township Solicitor Gallagher presented a hold harmless agreement to be signed by Dr. Harvey, Dr. Cypher, and the Township. Township Engineer Olsen recommends modifying the Butler Veterinary Associates stormwater detention basin by (1) reduce the low flow orifice from an existing 8 inch diameter opening to a 6 inch diameter opening; (2) reduce the 10 inch diameter orifice

opening to an 8 inch diameter opening; and (3) add a 6 inch riser to the outlet control structure in order to make the top elevation closer to the invert elevation of the emergency elevation. Schiebel stated that the catchbasins on Sunset Drive require additional work to control water flow from the Pennsylvania American water tower area. ***Schiebel motioned authorizing Township Solicitor to make an addendum to the hold harmless agreement by attaching Township Engineer Olsen’s recommendations and forward to Dr. Harvey and Dr. Cypher for their review and signatures. Flatt seconded. Motion carried unanimously.***

MISCELLANEOUS:

ADJOURNMENT:

The meeting was adjourned to an executive session to discuss personnel issues at 8:04 p.m. The meeting reconvened at 8:37 p.m. with no action being taken

Schiebel motioned adjourning the Regular Meeting at 8:38 p.m. Frenchak 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