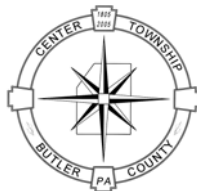


Board of Supervisors:
 Thomas Schiebel, Chairman
 Andrew Erie, Vice Chairman
 Ronald Flatt, Supervisor
 Kenneth Frenchak Jr, Supervisor
 Edward Latuska, Supervisor



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

<p>BOARD OF SUPERVISORS Regular Meeting Minutes December 14, 2011 6:30 p.m.</p>

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: 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 arrived at 7:35 p.m.

PUBLIC TO BE HEARD (3 MINUTE LIMIT):

1. Ms. Beverly Schenck, 105 Iroquois Drive: Ms. Schenck urged the Board to vote "No" on the Mineral Extraction Overlay amendment. If the Commonwealth passes House Bill 1950, this ordinance will require an amendment. She suggested the Board delay the vote until the bill is passed by the State. Ms. Schenck questioned the hiring of part time workers. She asked about the Township vehicle use by the Public Works Director and Building Code Official/Zoning Officer. Ms. Schenck questioned why the Township vehicle was at the fire hall during the election.
2. Mr. Bruce Soule, 130 Jenny Drive: Mr. Soule disagrees that the Township should pay for health insurance for board members. He agrees with Ms. Schenck's comments on the vehicle use.
3. Ms. Anna Gullickson, 5258 Elliott Road: Ms. Gullickson asked the Board to vote "No" on the Mineral Extraction Overlay amendment. Of the thirty (30) individuals that spoke at the public hearing held on December 8, 2011, twenty-two (22) were opposed. Only a small portion would benefit from drilling. The majority would be harmed.
4. Mr. Robert Morris, 5258 Elliott Road: Mr. Morris agreed with Ms. Gullickson's comments.
5. Ms. Judy Scott, 103 Pinewood Lane: Ms. Scott asked the Board to vote "No" on the Mineral Extraction Overlay amendment. The ordinance should encompass the entire township.

6. Ms. Deb Hustak, 101 Pinehurst Road: Ms. Hustak agreed with Ms. Schenck's, Mr. Soule's, and Ms. Scott's comments about the Mineral Extraction Overlay amendment.
7. Mr. Robert Gosselin, 125 Connemara Lane: Mr. Gosselin stated individuals are concerned about water contamination but air pollution is more of a health risk. Respiratory disease increases. He believes individuals should have the right to breathe clean air.
8. Ms. Helene De L'Etoile, 125 Connemara Lane: Ms. De L'Etoile stated if a company drills twenty (20) wells, there is erosion, 100 million gallons of water will be used, toxic waste will be created, and 20,000 truck trips will be generated. Drilling is a 24 hour operation.

MINUTES:

1. Agenda Setting Minutes – November 7, 2011: *Frenchak motioned approving the minutes of the Agenda Setting Meeting held on November 7, 2011. Erie seconded. Motion carried unanimously.*
2. Regular Minutes – November 9, 2011: *Latuska motioned correcting, Subdivision and Land Developments item 1.a. [hat] should read "that", the minutes of the Regular Meeting held on November 9, 2011. Frenchak seconded. Motion carried unanimously.*
3. Special Meeting – 2012 Budget – November 21, 2011: *Latuska motioned approving the minutes of the Special Meeting – 2012 Budget held on November 21, 2011. Erie seconded. Motion carried unanimously.*

TREASURER'S REPORT:

1. November 2011: *Schiebel motioned approving the November 2011 Treasurer's Report. Frenchak seconded. Motion carried unanimously.*
2. Warrant List 11-11-33: *Schiebel motioned approving Warrant List 11-11-33. Erie seconded. Motion carried unanimously.*
3. Warrant List 11-12-34: *Schiebel motioned approving Warrant List 11-12-34. Frenchak seconded. Motion carried unanimously.*
4. 2012 Proposed Budget: The Board reviewed the 2012 Proposed Budget at their Special Meeting held on November 21, 2011. The proposed budget reflects a 2 mill tax increase for the General Fund and a .64 mill increase for the Debt Service Fund. The debt owed is \$1,800,000. General Fund revenues total \$1,518,350 while expenditures total \$1,518,350 creating a balanced budget. *Schiebel motioned adopting the 2012 Budget, as presented.*

Latuska seconded. Motion carried unanimously.

5. 2012 Tax Levy Resolution No. 2011-12-16: The 2012 Tax Levy for the General Fund is 2.75 mills, an increase of 2 mills; Fire Protection Fund remains at 1.8 mils; and Debt Service Fund is 2.5, an increase of .64 mills. ***Schiebel motioned adopting the 2012 Tax Levy Resolution No. 2011-12-16. Frenchak seconded. Erie against because businesses and senior citizens cannot afford the increase. In addition, he feels taxes will be increased in the coming years. Motion carried 4 to 1.***

ZONING REPORT: November 2011: Construction costs were \$175,600.00 fees collected were \$1,166.60.

OLD BUSINESS:

1. Mineral Extraction Overlay Amendment Ordinance No. 2011-12-05: The Board of Supervisors held a public hearing on December 8, 2011 to obtain public comment and/or testimony on “An ordinance amending the Center Township Zoning Ordinance and the Center Township Land Development and Subdivision Ordinance to (1) revise the Mineral Extraction Overlay District to create a Surface Mining Overlay District and a Deep Mining Overlay District; (2) to expand the site of the Deep Mining Overlay District; (3) to allow oil and gas extraction as a permitted or conditional use in certain districts; and (4) to establish zoning controls for surface mining, deep mining, and oil and gas extraction”. The “Intent to Adopt” ad was published in the Butler Eagle edition on December 8, 2011. ***Erie motioned tabling the Mineral Extraction Overlay Amendment Ordinance No. 2011-12-05 until the Commonwealth acts on House Bill 1950. Frenchak seconded.***

<i>Schiebel</i>	<i>Nay</i>
<i>Erie</i>	<i>Yea</i>
<i>Flatt</i>	<i>Nay</i>
<i>Frenchak</i>	<i>Nay</i>
<i>Latuska</i>	<i>Nay</i>

Motion failed 1 to 4.

Frenchak motioned adopting the Mineral Extraction Overlay Amendment Ordinance No. 2011-12-05. Flatt seconded.

<i>Schiebel</i>	<i>Yea</i>
<i>Erie</i>	<i>Nay</i>
<i>Flatt</i>	<i>Yea</i>
<i>Frenchak</i>	<i>Yea</i>
<i>Latuska</i>	<i>Yea</i>

Motion carried 4 to 1.

2. McAndrew Rezoning Ordinance No. 2011-12-06: The Board of Supervisors held a public hearing on December 12, 2011 to obtain public comment and/or testimony on “An ordinance, in accordance with Chapter 20 of the Center Township Codified Ordinances,

Butler County, Pennsylvania, amending the zoning map of said Township by rezoning certain parcels north of Glenwood Way (T-831), west of the Glenwood Way (T-831) and Spring Run Road (T-531) intersection, and south of Spring Run Road (T-531) from R-1 (Single Family Residential District) to M-2 (Heavy Industrial District)". The "Intent to Adopt" ad was published in the Butler Eagle edition on December 6, 2011. ***Latuska motioned adopting the McAndrew Rezoning Ordinance No. 2011-12-06. Schiebel seconded. Motion carried unanimously.***

SUBDIVISION & LAND DEVELOPMENTS:

1. Elliott Minor Subdivision No. 11-05-04, 179 S Benbrook Rd, Final Approval: Mr. Ed Elliott, 337 East Brewster Road, presented the final plan to subdivide Center Township Map Parcel 060 3F43 13CA consisting of 3.377 acres (m/l) into three (3) lots of 1.15 acres (m/l), 1.12 acres (m/l) and 1.10 acres (m/l). The Board of Supervisors granted preliminary approval at their meeting held on June 8, 2011. The Planning Commission recommended final approval at their November 16, 2011 meeting.

Frenchak motioned, based on the recommendation of the Planning Commission, granting preliminary and final approval to the Elliott Minor Subdivision No. 11-05-04. Erie seconded. Motion carried unanimously.

NEW BUSINESS:

1. Release Consultant Fees: Township Secretary/Treasurer Amendolea requests releasing the consultant fees for the following subdivision and/or land development approved by the Board of Supervisors and recorded with the Butler County Recorder of Deeds.

Development	Type	Approval	Instrument Number	Amount
Eat'N Park	Land Development	05/11/2011	201106090013816	\$1,695.50
Patricia A Isacco	Minor Subdivision	08/10/2011	201108240020130	\$136.30
Glenn T Miller	Lot Line Revision	9/14/2011	201111080027572	\$223.50

Schiebel motioned authorizing release of the Consultant Fees as requested by Township Secretary/Treasurer Amendolea. Erie seconded. Motion carried unanimously.

2. International Residential Code Plan Review: Building Code Official/Zoning Officer Round requests reimbursement of the registration fee, \$195.00, for attending the International Residential Code Plan Review course on November 15 and 16, 2011. ***Schiebel motioned authorizing reimbursement of the International Residential Code Plan Review course fee in the amount of \$195.00 to Building Code Official/Zoning Officer Round. Frenchak seconded. Motion carried unanimously.***

3. Employee Health Insurance: The current plan, PPO Blue, rates increased forty percent (40%) for 2012. The Township continues to investigate health plans through UPMC,

Health America, and Pennsylvania State Association of Township Supervisors (PSATS). **Flatt motioned authorizing Township Secretary/Treasurer Amendolea to enroll in the Pennsylvania State Association of Township Supervisors (PSATS) medical insurance plan and any administrative actions, as required. Erie seconded.**

4. Township Emergency Management Association Enrollment: Pennsylvania State Association of Township Supervisors created a new association to assist Township Emergency Coordinators. Full membership is \$125 per year. **Schiebel motioned authorizing full membership, \$125, enrollment in the Township Emergency Management Association. Erie seconded. Motion carried unanimously.**
5. Committee to Review Engineer Proposals: The Township received seven (7) proposals for engineering services. Schiebel, Frenchak, and Latuska will review the proposals and make a recommendation to the Board.
6. Transfer of Property to Center Township Athletic Association: Schiebel discussed the possibility of transferring property to the Center Township Athletic Association. He suggests Center Township Athletic Association adds the \$1,500 lease payment to fund disadvantaged families to ensure their children are able to play. **Schiebel motioned authorizing the Township Solicitor Gallagher to prepare the paper work to transfer property to the Center Township Athletic Association. Flatt seconded. Motion carried unanimously.**
7. Amended 2011 Fee Schedule Resolution No. 2011-12-17: The 2011 Fee Schedule must be amended to authorize a \$750 permit fee for mineral extraction. **Frenchak motioned adopting the Amended 2011 Fee Schedule Resolution No. 2011-12-17. Schiebel seconded. Motion carried unanimously.**

PUBLIC WORKS DIRECTOR:

1. Award Bid for Anti-Skid: The following bid proposals, for 3,000 ton of anti-skid, were received:

Company	Bid/Ton	Total
Dan Dellich Trucking 524 Harrisville Rd Boyers, PA 16020	\$14.00 + \$4 fuel surcharge	\$42,000 + Surcharge
McClymonds Supply & Transit Company PO Box 296 Portersville, PA 16051	\$14.19	\$42,570

Dan Dellich Trucking did not submit their ten percent (10%) bid bond by 4:00 p.m. on Monday, December 12, 2011, as extended by Public Works Director Lauer.

Schiebel motioned awarding the 2012 Anti-skid Contract to McClymonds Supply &

Transit Company, in the amount of \$14.19 per ton. Erie seconded. Motion carried unanimously.

2. Appoint Part Time Workers/Wages: Public Works Director Lauer recommends hiring two (2) part time workers, Kenneth Blatt Jr. and Thomas Hepfl. These employees will work during winter emergencies. ***Schiebel motioned appointing Kenneth Blatt Jr. and Thomas Hepfl as part time workers for winter emergencies with a wage of \$13.50 per hour. Latuska seconded. Motion carried unanimously.***
3. Release PC Exploration Road Bond – Mahood Rd (T-860): PC Exploration completed their project at the Wozniak’s property in Clay Township. They request their road bond, in the amount of \$16,250, for Mahood Road (T-860) be released. ***Schiebel motioned, based on Public Works Director Lauer recommendation, to release PC Exploration’s road bond for Mahood Road (T-860) in the amount of \$16,250. Frenchak seconded. Motion carried unanimously.***
4. Release McIntire Coal, Oil, & Gas Road Bond – Mahood/Shroyer Mill Rd (T-860/T416): McIntire Coal, Oil, and Gas completed their project in Clay Township. They request their road bond, in the amount of \$16,250, for Mahood Road (T-860) and Shroyer Mill Road (T-416) be released. ***Schiebel motioned, based on Public Works Director Lauer recommendation, to release McIntire Coal, Oil, and Gas’ road bond for Mahood Road (T-860) and Shroyer Mill Road (T-416) in the amount of \$16,250. Frenchak seconded. Motion carried unanimously.***

ENGINEER’S REPORT:

1. Glenwood Way/East Hilltop Drive Stormwater: Township Engineer Olsen stated the Township would have a liability issue if water continues to flow onto street. He suggests procuring a right-of-way to construct a turnaround at the end of East Hilltop Drive and reestablish the storm drain system on the west side of East Hilltop Drive. ***Flatt motioned authorizing Erie, Flatt, Public Works Director Lauer, and Township Engineer Olsen to coordinate a plan to remedy the problem. Schiebel seconded. Motion carried unanimously.***
2. Veterans Administration Hospital Expansion: The Veterans Administration proposes to place an outpatient facility in the Butler area. One site is completely in Center Township. Another site is located in Butler Township and Center Township. Township Engineer Olsen recommends passing a motion to support the expansion. ***Flatt motioned authorizing a letter to support the desired expansion within the existing ordinances. Erie seconded. Motion carried unanimously.***

SOLICITOR’S REPORT:

1. Center Township vs. Center Township Zoning Hearing Board/Oliver: The Commonwealth Court affirmed the Common Pleas Court’s decision. Mr. Oliver has

thirty (30) days to appeal. *Schiebel motioned authorizing the Township Solicitor to take in action to respond to an appeal, if filed by Mr. Oliver. Erie seconded. Motion carried unanimously.*

MISCELLANEOUS: None

ADJOURNMENT:

Frenchak motioned adjourning the Regular Meeting at 7:47 p.m. Schiebel 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