

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



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

CENTER TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Minutes

June 13, 2012

6:30 p.m.

CALL TO ORDER:

Chairman Ronald Flatt 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 Flatt, present were Vice Chairman Andrew Erie; Supervisors Kenneth Frenchak, Edward Latuska, and Philip Wulff; 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. Lloyd Eagal, 1003 Sunset Drive: Mr. Eagal owns property on Saint Andrews Drive. He requests a storm drain be placed at the corner of Lakeview Drive (T-650) and Saint Andrew Drive (Private) to control stormwater from washing out drives. **Erie motioned directing Township Secretary Amendolea to notify Public Works Director Lauer of the situation and authorize Lauer, if necessary, to coordinate with Township Engineer Olsen. Latuska seconded. Motion carried unanimously.**
2. Mr. George White, 319 Palmer Road: Mr. White asked if the Township has a "No Parking" ordinance. Township Solicitor Gallagher responded that the existing "No Parking" ordinance restricts parking on Palmer Road (T-511) and a section of State Route 8 (SR 8).
3. Ms. Beverly Schenck, 105 Iroquois Drive: Ms. Schenck reviewed the Board of Supervisors Special Meeting minutes held on September 17, 2002. A motion was made to permit Township employees to respond to emergency calls based on House Bill 325, which was never acted on. **Flatt motioned ratifying the authorization permitting Township employees to respond to emergency calls during Center Township duty hours with compensation and annotate time sheets by a designation established by the Board of Supervisors. Frenchak seconded. Motion carried unanimously.**

MINUTES:

1. Agenda Setting Meeting Minutes - May 7, 2012: **Latuska motioned approving the minutes of the Agenda Setting Meeting held on May 7,**

2012. Frenchak seconded. Motion carried unanimously.

2. Regular Meeting Minutes - May 9, 2012: **Latuska motioned correcting, Public Works Director section, Item 5, Page 6, Line 3, which reads "to whether" should read "whether to", the minutes of the Regular Meeting held on May 9, 2012. Erie seconded. Motion carried unanimously.**

TREASURER'S REPORT

1. May 2012: **Frenchak motioned approving the May 2012 Treasurer's Report. Latuska seconded. Motion carried unanimously.**
2. Warrant List 12-05-10: **Latuska motioned approving Warrant List 12-05-10. Erie seconded. Motion carried unanimously.**
3. Warrant List 12-05-11: **Latuska motioned approving Warrant List 12-05-11. Erie seconded. Motion carried unanimously.**

ZONING REPORT: May 2012: Construction costs were \$429,675.00 fees collected were \$4,233.18.

SUBDIVISION & LAND DEVELOPMENTS: None

OLD BUSINESS: None

NEW BUSINESS:

1. Municipal Building/Garage Roof Replacement: The Board desires to replace the roof on the Municipal Building and Garage located at 419 Sunset Drive. In addition, fixing the entrance doors, seal coat the parking lot and painting parking spaces are being considered. **Latuska motioned authorizing receipt of quotes to replace the Municipal Building and Garage roofs. Frenchak seconded. Motion carried unanimously.**
2. Oesterling Sandblasting Used Car Sales: Mr. Owen Oesterling, 686 Glenwood Way, attended the Planning Commission meeting held on May 23, 2012 to propose operating a used car lot [three (3) to five (5) vehicles]. The Planning Commission granted permission to operate an ancillary business and waived the Land Development process. **Frenchak motioned permitting Oesterling Sandblasting to operate a used car lot [three (3) to five (5) vehicles] as an ancillary business and waive the Land Development process. Erie seconded. Motion carried unanimously.**
3. Chambers Small Flow Facility Maintenance Agreement: Mr. Larry Chambers, 2320 William Flynn Highway, is required to repair current on lot sewage system. He is required to construct a small flow treatment facility. Mr. Chambers must have an installation and maintenance agreement between Center Township and him for Department of Environment Protection approval. **Erie motioned approving the Chambers Small Flow Facility Maintenance Agreement and authorizing Chairman Flatt and Township Secretary/Treasurer Amendolea to signed necessary forms for Department of Environmental Protection approval. Latuska seconded. Motion carried unanimously.**
4. Reimbursement of Non-Covered Medical Services: Current insurance policy does not pay all medical expenses. Erie submitted a request to be reimbursed \$477.02 for non-covered expenses. With the change in

insurance policies, the Township has realized a savings of \$59,051.16 through May 2012. **Frenchak motioned authorizing the reimbursement of non-covered medical services. Flatt seconded. Erie abstained. Motion carried.**

5. Storm Water Training - June 19, 2012 - 1:00 PM - \$0: Butler County Planning Commission will hold "Storm Water Training" on June 19, 2012 at 1:00 p.m. at no cost. There was no interest to attend.
6. Butler County Soccer Association Traffic: Mr. George White, 319 Palmer Road, is concerned with the Butler County Soccer Association members blocking Palmer Road (T-511) before the gate is opened. Building Code Official/Zoning Officer Round requests an order, drafted by Township Solicitor Gallagher, to abate a public nuisance by having the gate open at all times from May 1 through October 1 of each year. Flatt requests Township Solicitor Gallagher present, in writing, options the Township has to enforce "No Parking" ordinance. Since Butler County Soccer Association directors change, Frenchak will contact the current directors to rectify the situation. Mr. White suggested that any decisions be in writing for future directors.

PUBLIC WORKS DIRECTOR:

1. Award Contract for Aggregate: The Township advertised in the Butler Eagle editions of May 29, 2012 and June 1, 2012 for approximately 1,000 tons of #3 limestone, 2,000 tons of #2A modified limestone, and 400 tons of #4 Rip Rap. The Township received the following bids:

Company	Bid Bond	PRICE PER TON In Place	Total Bid
M&M Limestone 215 Nichola Road Worthington, PA 16262-4303	Yes	#3 Limestone - \$18.23 #2A Modified Limestone - \$16.48 #4 Rip Rap - \$22.48	\$60,182.00
Allegheny Mineral Corporation PO Box 1022 Kittanning, PA 16201-1022	Yes	#3 Limestone - \$16.10 #2A Modified Limestone - \$16.75 #4 Rip Rap - \$17.60	\$56,640.00
McClymonds Supply & Transit Box 296 Currie Rd Portersville, PA 16051-0296	Yes	#3 Limestone - \$15.99 #2A Modified Limestone - \$17.01 #4 Rip Rap - \$18.51	\$57,414.00

Flatt motioned awarding the 2012 Aggregate Contract to Allegheny Mineral Corporation, in the amount of \$56,640.00. Erie seconded. Motion carried unanimously.

2. Award Contract for Paving: The Township advertised in the Butler Eagle editions of May 29, 2012 & June 1, 2012 to place a Superpave Binder Course (19mm) on Hermitage Road (T-406). The Township received the following bids:

Company	Bid Bond	PRICE PER TON In Place	Total Bid
Wiest Asphalt Products & Paving Inc 310 Mitchell Hill Rd Butler, PA 16001	Yes	Superpave Binder Course (19mm) - \$69.50	\$29,190.00
Shields Asphalt Paving PO Box 672 Valencia, PA 16059	Yes	Superpave Binder Course (19mm) - \$59.35	\$24,927.00
Glenn O Hawbaker Inc 106 Hawbaker Industrial Blvd Grove City, PA 16127	Yes	Superpave Binder Course (19mm) - \$99.15	\$41,643.00
Suit-Kote Corporation 10965 McHenry St Meadville, PA 16335	Yes	Superpave Binder Course (19mm) - \$89.17	\$37,451.40

Flatt motioned awarding the 2012 Paving Contract to Shields Asphalt Paving, in the amount of \$24,927.00. Erie seconded. Motion carried unanimously.

3. Award Contract for Seal Coat: The Township advertised in the Butler Eagle editions of May 29, 2012 and June 1, 2012 to place approximately 114,511 square yards of Single Bituminous Seal Coat, SRL G on (1) Mack Road (T-502), (2) Renick Road (T-501), (3) Rider Church Road (T-569), (4) Gallagher Road (T-642), (5) Hermitage Road (T-406), (6) McCandless Road (T-410), (7) West Brewster Road (T-450), (8) Lions Road (T-694), (9) Henricks Road (T-830), (10) Mahood Road (T-860), (11) Red Dog Road (T-519), (12) Muddy Creek Drive, (T-601), (13) Sunset Drive (T-442), and (14) Swamp Run Road (T-833). The Township received the following bids:

Company	Bid Bond	PRICE PER TON In Place	Total Bid
Glenn O Hawbaker Inc 106 Hawbaker Industrial Blvd Grove City, PA 16127	Yes	Single Bituminous Seal Coat (SRL G) - 1.635	\$187,225.49
Russell Standard Corporation PO Box 802 Mars, PA 16046	Yes	Single Bituminous Seal Coat (SRL G) - 1.164	\$133,290.80
Suit-Kote Corporation 10965 McHenry St Meadville, PA 16335	Yes	Single Bituminous Seal Coat (SRL G) - 1.155	\$132,260.21

Flatt motioned awarding the 2012 Seal Coat Contract to Suit-Kote Corporation, in the amount of \$132,260.21. Erie seconded. Motion carried unanimously.

4. Release Allegheny Wood Products Road Bond (McCandless Road T-410): Mr. Kevin Stout, Allegheny Wood Products, submitted a request to have their road bond release. **Flatt motioned releasing Allegheny Wood Products road bond for McCandless Road (T-410). Erie seconded. Motion carried unanimously.**
5. Annual Pipeline Safety Training - July 10, 2012 - 5:30pm - \$0: Public Works Director Lauer requests permission to attend the Annual Pipeline Safety training to be held on July 10, 2012 at 5:30 p.m. in Butler with no fee to the Township. **Flatt motioned authorizing Public Works Director to attend the Annual Pipeline Safety Training on July 10, 2012 with no cost to the Township. Erie seconded. Motion carried unanimously.**

ENGINEER'S REPORT:

1. East Hilltop Drive Stormwater: Township Engineer Olsen and Flatt met on June 8, 2012 at the site to discuss options of correcting the stormwater runoff. Olsen recommends placing two (2) inlets on the west side of East Hilltop Drive and cut the road to place pipe across road to control water to a manhole at end of street. Then install pipe to run water to woods and stream. **Latuska motioned authorizing Chairman Flatt to meet with Olsen, Lauer, Gallagher, and property owners to discuss the project and any easements which will be required. Erie seconded. Motion carried unanimously.**

SOLICITOR'S REPORT:

1. Schenck's Right to Know Appeal: Township Solicitor Gallagher stated Ms. Schenck submitted a Right to Know request to the Unionville Volunteer Fire Company for duty sheets for Lauer and Brewster and a membership list. She was provided the duty sheets but was denied the membership list. Ms. Schenck appealed to the Office of Open Records which upheld her request. **Latuska motioned ratifying all actions, prior and future, that Chairman Flatt and Township Solicitor Gallagher must take to defend against Ms. Schenck's Right to Know appeal. Frenchak seconded. Motion carried unanimously.**

Flatt motioned ratifying the authorization for Township Solicitor Gallagher to prepare a response to Common Pleas Court to appeal Ms. Schenck's appeal. Latuska seconded. Motion carried unanimously.

Erie felt the Board and Ms. Schenck should settle this matter. By appealing the Office of Open Records decision, the Township is spending more monies to defend the fire department.

2. Iron City Uniform Rental Contract: The Township received a letter from Iron City Uniform Rental requesting payment of \$29,096.60 for early termination liquidated damages. Pennsylvania law declares that no legislative body or municipal board can take action which will bind its successors. **Erie motioned, based on Township Solicitor Gallagher's recommendation, voiding the Iron City Uniform Rental Contract. Latuska seconded. Motion carried unanimously.**

3. Oliver's Appeal: Mr. Jerome Oliver appeal to the Pennsylvania Supreme Court denied Mr. Jerome Oliver's Petition for Allowance of Appeal. He has thirty (30) days to request reconsideration in the matter.

MISCELLANEOUS: None

ADJOURNMENT:

Frenchak motioned to adjourn at 7:50 p.m. Erie seconded. Motion carried unanimously.

Anthony A. Amendolea
Township Secretary/Treasurer

Ronald E. Flatt
Chairman

Andrew Erie
Vice Chairman

Kenneth J. Frenchak, Jr
Supervisor

Edward G. Latuska
Supervisor

Philip B. Wulff
Supervisor