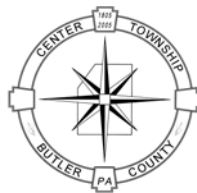


Board of Supervisors:
Ronald Flatt, Chairman
Kenneth Frenchak Jr, Vice Chairman
Andrew Erie, Supervisor
Edward Latuska, Supervisor
Philip Wulff, Supervisor



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

CENTER TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Minutes

June 12, 2013

6:30 p.m.

CALL TO ORDER:

Chairman Ronald Flatt called the Regular Meeting, of the Center Township Board of Supervisors, to order at 6:33 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 Kenneth Frenchak; Supervisors Andrew Erie, Edward Latuska and Philip Wulff; Township Solicitor Gallagher; Township Engineer Olsen; and Township Secretary/Treasurer Anthony Amendolea. Public Works Director Lauer arrived at 6:35 p.m.

PUBLIC TO BE HEARD (3 MINUTE LIMIT):

1. Mr. Bob Hoehn, 209 Willow Run Drive: Mr. Hoehn is against installing speed bumps on Willow Run Drive (T-970). To be effective, six (6) to eight (8) speed bumps would need to be installed. Speed bumps cause damage to vehicles.
2. Mr. Paul Wilde, 112 Shawnee Drive: Mr. Wilde appreciates the repairs the Township has completed on Shawnee Drive (T-881). He requests speed bumps on Shawnee Drive.
3. Mr. John Paul, Butler Area Transit Authority: Mr. Paul received a request from the Clearview Mall to reduce the current fee of \$5,000.00 a year for bus service to \$2,500.00. Since the current local match fund remains at \$5,000.00, the Township will be responsible for the remaining \$2,500.00. He requests a reply no later than July 1, 2013.
4. Ms. Amy Lehman, 220 Willow Run Drive: Ms. Lehman is against speed bumps on Willow Run Drive (T-970). She suggests the Board considered placing speed limit signs.
5. Mr. Tom Evans, 115 Lakeview Drive: He attended the rezoning hearing for the property located at 1736 North Main Street Extension (Center Township Map 060-S4-B). He asked Wulff to abstain from the vote because of business relationship that Wulff and Giles had.
6. Mr. Alvin Titley, 123 Lakeview Drive: Mr. Titley objects to Wulff voting due to the

conflict of interest.

MINUTES:

1. Agenda Setting Meeting – May 6, 2013: *Frenchak motioned approving the minutes of the Agenda Setting Meeting held on May 6, 2013. Erie seconded. Latuska abstained. Motion carried.*
2. Regular Meeting Minutes – May 8, 2013: *Frenchak motioned approving the minutes of the Regular Meeting held on May 8, 2013. Wulff seconded. Latuska abstained. Motion carried.*

TREASURER'S REPORT

1. May 2013: *Flatt motioned approving the May 2013 Treasurer's Report. Latuska seconded. Motion carried unanimously.*
2. Warrant List 13-05-10: *Erie motioned approving Warrant List 13-05-10. Latuska seconded. Motion carried unanimously.*
3. Warrant List 13-06-11: *Frenchak motioned approving Warrant List 13-06-11. Latuska seconded. Motion carried unanimously.*

ZONING REPORT: May 2013: Construction costs were \$936,751.20 fees collected were \$11,570.08.

SUBDIVISION & LAND DEVELOPMENTS: None

OLD BUSINESS:

1. Giles Rezone Ordinance No. 2013-06-05: Mr. John Giles submitted an application to rezone 1736 North Main Street Extension (Center Township Map 060-S4-B) from R-2, "Multi-Family Residential District to C-1, "Retail and Service Commercial District". A notification was sent to Butler County Planning Commission by facsimile and regular mail on May 7, 2013. Public notifications were mailed May 7, 2013 to all property owners within 300 feet. The Planning Commission recommended approval at their meeting held April 24, 2013. The notice of the public hearing was published in the Butler Eagle editions of May 26th and June 2nd, 2013. The area was posted on May 30, 2013. A public hearing was held on June 10th, 2013. *Frenchak motioned adopting Giles Rezone Ordinance No. 2013-06-05. Motion died for the lack of a second.*
2. JWA Group Rezone Ordinance 2013-06-06: Mr. Terry Astleford, JWA Group, requests to rezone 1818 and 1820 North Main Street Extension (Center Township Maps 060-2F63-20EA and 060-2F63-20E, respectively) from R-3, "High Density Residential District" to C-2, "Heavy Highway Commercial District". A notification was sent to Butler County Planning Commission by facsimile and regular mail on May 7, 2013. Public notifications were mailed May 7, 2013 to all property owners within 300 feet. The Planning Commission recommended approval at their meeting held May 22, 2013. The

notice of the public hearing was published in the Butler Eagle editions of May 26th and June 2nd, 2013. The area was posted on May 30, 2013.

Flatt stated he voted against any rezoning of these parcels in the past because he was not in favor of the proposed development. The residents do not want commercial development further south. He does not agree that this is the best possible use of the property. He does not consider this "spot zoning".

Frenchak stated that two (2) years ago the Planning Commission updated the Comprehensive Plan. The Planning Commission designated the Route 8 corridor north to Pioneer Drive-In as "Main Street". Clearview Mall area is designated as "Downtown Area". This Developer is moving forward with the Comprehensive Plan.

Frenchak motioned adopting the JWA Group Rezone Ordinance No. 2013-06-06. Erie seconded. Motion carried unanimously.

3. Convert Vehicle to Natural Gas: Flatt was unable to contact Ms. Erin Wells from the Department of Environmental Protection for details.

NEW BUSINESS:

1. Hagan Business Machines of Butler, Inc Contract: The contract, for the Muratex MFX 2855D copier, is due to expire. The renewal increases the price from \$.014 to \$.0147 per copy, which includes toner, maintenance, parts and labor. ***Latuska motioned (1) accepting the renewal agreement with Hagan Business Machines of Butler, Inc at a cost of \$.147 per copy which includes toner, maintenance, parts and labor and (2) authorized Chairman Flatt to sign the contract.. Wulff seconded. Motion carried unanimously.***
2. Cell Tower Registration Fee: Do-All Electronics and T-Mobile have not paid their 2013 registration fee of \$100.00. Fee was due no later than January 31, 2013. Late notices were sent. Township Secretary/Treasurer Amendolea requests assistance from Building Code Official/Zoning Officer Round to attempt collection of the registration fee. Consensus of the Board is to send certified letters to these companies.
3. Cunningham Shanor Maintenance Agreement: The HVAC maintenance agreement with Cunningham Shanor to service the meeting room air conditioning unit is due to expire. The renewal contract is \$136.00 per year from 2013 through 2015. ***Erie motioned (1) accepting the Cunningham Shanor Maintenance Contract for 2013 through 2015 at \$136.00 per year and (2) authorize Chairman Flatt to sign the contract. Frenchak seconded. Motion carried unanimously.***
4. Release Consultant Fees: Township Secretary/Amendolea requests authorization to refund the following consultant fees:

Development	Type	Approval	Instrument Number	Amount
Mary E Rodgers	Lot Line Revision	02/13/2013	201302280006032	\$379.25
Nathan L Brown Sr	Minor Subdivision	03/13/2013	201303250008499	\$252.85
Shawn D Sperring	Minor Subdivision	03/13/2013	201304220011402	\$288.35
Pauline B Hoffman	Minor Subdivision	02/13/2013	90 Days Lapsed	\$431.00

Flatt motioned, based on Township Secretary/Treasurer Amendolea's recommendation, authorizing the release of the consultant fees. Erie seconded. Motion carried unanimously.

5. Dog Officer Resignation: James Wagner, Dog Officer, submitted his resignation to be effective June 21, 2013. **Erie motioned authorizing placement of an ad in the Butler Eagle "Help Wanted-General" section. Latuska seconded. Motion carried unanimously.**
6. Willow Run Speed Bumps: Ms. Susan Zappa submitted a petition to the Board at the Agenda Setting meeting held on June 10, 2013 requesting a speed bump be placed on Willow Run Drive (T-970).

Latuska agrees with Ms. Lehman. The Township should post speed limit signs.

Frenchak sees both sides. He agrees to post speed limit and "Watch Children" signs.

Flatt voted to install the previous speed bumps but wishes he did not. He agrees posting speed limit signs.

Flatt motioned authorizing (1) Public Works Director Lauer to erect speed limit signs on Shawnee Drive (T-881) and Willow Run Drive (T-970) and (2) to send a letter to the Pennsylvania State Police to enforce speeding on Holyoke Road. Latuska seconded. Motion carried unanimously.

PUBLIC WORKS DIRECTOR:

1. Award Contract for Aggregate: The following bids were received:

Company	PRICE PER TON In Place	Total Bid
M&M Limestone 215 Nichola Road Worthington, PA 16262-4303	#3 Limestone - \$18.23 #2A Modified Limestone - \$16.48 #4 Rip Rap - \$22.48 Gabion Basket Stone - \$22.48	\$62,430.00
Allegheny Mineral Corporation PO Box 1022 Kittanning, PA 16201-1022	#3 Limestone - \$17.00 #2A Modified Limestone - \$17.00 #4 Rip Rap - \$18.25 Gabion Basket Stone - \$17.25	\$59,875.00

Frenchak motioned awarding the 2013 Aggregate Contract, to Allegheny Mineral Corporation, in the amount of \$59,875.00. Erie seconded. Motion carried unanimously.

2. Flagger Training, Penn Township, 09/18/2013, \$50: Lauer requests ratification for registering the Allison, Brewster, Lauer, Moorhead, Smith Winchester and Young for mandatory flagger training at Penn Township on September 18, 2013 at a cost of \$50.00 per attendee. This action was necessary due to classes filling quickly.

Flatt motioned ratifying the pre-registration of Allison, Brewster, Lauer, Moorhead, Smith, Winchester and Young for the mandatory flagger training to be held on September 18, 2013 at Penn Township at a cost of \$50.00 per attendee. Latuska

seconded. Motion carried unanimously.

3. Orchard Drive & Margate Drive Repair: Pennsylvania American Water completed waterline replacement on Orchard Drive (T-701) and Margate Drive (T-770) but these roads require repaving. Pennsylvania American will pay for one lane (850 feet x 4.5 feet) on Orchard Drive (T-701). On Margate Drive (T-770) they will pave for one lane (1,170 feet x 8.5 feet) at their cost. He received a quote from Protech Asphalt Maintenance, Inc for Orchard Drive (T-701) in the amount of \$5,180.00. ***Erie motioned, based on Public Works Director Lauer's recommendation, accepting the quote from Protech Asphalt Maintenance, Inc in the amount of \$5,180.00 for Orchard Drive (T-701). Flatt seconded. Motion carried unanimously.***
4. Grader: Public Works Director Lauer has an opportunity to bid on a 1983 grader. He requests authorization to bid with a maximum of \$25,000.00. ***Frenchak motioned authorizing Public Works Director Lauer to bid on the 1983 grader with a cap of \$25,000.00. Latuska seconded. Motion carried unanimously.***
5. Summer Employees: Public Works Director Lauer hired two (2) summer employees to begin work on June 10, 2013. They are Grant Ferrari and Matthew Pintel. Their hourly wage is set at \$8.25 per hour. ***Flatt motioned (1) ratifying the hiring of Grant Ferrari and Matthew Pintel with an hourly wage of \$8.25 per hour and (2) authorize the rehire of a temporary employee for mowing during the absence of an injured employee. Wulff seconded. Motion carried unanimously.***
6. Pinehurst Road Bridge: Public Works Director Lauer closed Pinehurst Road Bridge today and Thursday, June 13, 2013 for replacement of planks and maintenance.

ENGINEER'S REPORT:

1. Township Property (419 Sunset Drive): There are two (2) separate lots. One lot is .388 acres (m/l). The second is .315 acres (m/l) with a twenty-five foot (25') right of way running from south to north and west to east to Sunset Drive. Olsen will place a PA One Call to locate utilities. Mr. Robert McDonald will be asked to relinquish the right of way.
2. Meadow Brook Stormwater Performance Security: Rich Craft, Olsen ~~and~~ *(as corrected July 10, 2013)* Engineering, stated the Developer would install a pond system instead of rain gardens as approved by the Township. The Developer will provide a design revision for Olsen to review and discuss the stormwater Management performance security. Olsen will contact the Developer to post a performance security bond.
3. Hilltop Drive Reconstruction: Gregori Construction desires to finish the project corrections but need to have a decision no later than June 13, 2013 about the trench drain. The Township is withholding \$20,000.00 to cover the unfinished construction. Public Works Director Lauer stated the Township could install the trench drain in house for less than the quoted price of \$10,000.00. ***Latuska motioned approving Gregori Construction to finish their part of contract and based on, Public Works Director Lauer's recommendation, to install the trench drain in house. Erie seconded. Motion carried unanimously.***

SOLICITOR'S REPORT: None

MISCELLANEOUS:

1. Butler Township Speed Trap: Frenchak asked Flatt to send a letter to Chief John Hayes, Butler Township Police, thanking him for running a speed trap in the Bon Aire area.
2. Gas Stations: Since the Township has two (2) service stations in the C-1, "Retail and Service District", *Frenchak motioned authorizing the Planning Commission to review the possibility of placing gas stations as a conditional use in the C-1, "Retail and Service District". Flatt seconded. Motion carried unanimously.*
3. Butler Transit Authority: In response to Mr. Paul's request to reduce Clearview Mall's matching fund payment to \$2,500.00 and the Township contributing \$2,500.00, *Frenchak motioned to table the request. Latuska seconded. Motion carried unanimously.*
4. Office Relocation: Erie stated if the office was relocated to the new maintenance facility, the Township could save \$8,427.00 in utilities, cleaning and maintenance. Renovations required would cost more than the savings.

ADJOURNMENT:

The meeting adjourned to executive session at 7:51 p.m. to discuss personnel issues. The meeting reconvened at 8:48 p.m. with no action taken.

Flatt motioned to adjourn at 8:48 p.m. Erie seconded. Motion carried unanimously.

Anthony A. Amendolea
Township Secretary/Treasurer

Ronald E. Flatt
Chairman

Kenneth J. Frenchak, Jr
Vice Chairman

Andrew Erie
Supervisor

Absent
Edward G. Latuska
Supervisor

Philip B. Wulff
Supervisor