

Board of Supervisors:
Edward Latuska, Chairman
Alan Smallwood, Vice Chairman
Andrew Erie, Supervisor
Kenneth Frenchak Jr, 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
April 9, 2014
6:30 p.m.

CALL TO ORDER:

Supervisor Kenneth Frenchak 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 Supervisor Frenchak, present were Chairman Edward Latuska; Vice Chairman Smallwood; Supervisors Andrew Erie and Philip Wulff; Township Solicitor Gallagher; Township Engineer Olsen; Public Works Director Mark Lauer and Township Secretary/Treasurer Anthony Amendolea.

PUBLIC TO BE HEARD:

- 1. Mr. Ted Nesbit, 415 Stewart Avenue, Grove City: Mr. Nesbit introduced himself as a candidate for Representative Dick Stevenson’s office.

MINUTES:

- 1. Agenda Setting Meeting – March 10, 2014: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on March 10, 2014. Wulff seconded. Motion carried.*
- 2. Regular Meeting – March 12, 2014: *Latuska motioned correcting, line 5 on page 3 to read “there was not”, the minutes of the Regular Meeting held on March 12, 2014. Erie seconded. Motion carried.*
- 3. Special Meeting - March 19, 2014: *Latuska motioned approving the minutes of the Special Meeting held on March 19, 2014. Erie seconded. Frenchak and Wulff abstained. Motion carried.*

TREASURER’S REPORT:

- 1. March 2014: *Latuska motioned approving the March 2014 Treasurer’s Report. Wulff seconded. Motion carried.*

2. Warrant List 14-03-06: ***Latuska motioned approving Warrant List 14-03-06. Frenchak seconded. Motion carried.***
3. Warrant List 14-04-07: ***Latuska motioned approving Warrant List 14-04-07. Erie seconded. Motion carried.***

ZONING REPORT: March 2014: Construction costs were \$201,400.00 fees collected were \$1,012.73.

SUBDIVISION & LAND DEVELOPMENTS: None

OLD BUSINESS:

1. Container Storage Area Ordinance No. 2014-04-01: Building Code Official/Zoning Officer Round received requests to permit container storage areas in the C-2, Highway Commercial District and M-1, Light Industrial District. The Planning Commission recommended approval at their meeting held on December 18, 2013. The proposed ordinance was forwarded to the Butler County Planning Commission by facsimile and regular mail on March 14, 2014. The ordinance was advertised in the Butler Eagle editions of Thursday, March 4, 2014 and Sunday, March 30, 2014. The Board of Supervisors held a public hearing on Monday, April 7, 2014. ***Frenchak motioned adopting the Container Storage Area Ordinance No. 2014-04-01. Latuska seconded. Motion carried.***
2. Motor Vehicle Sales Ordinance No. 2014-04-02: Building Code Official/Zoning Officer Round received requests to permit motor vehicle sales in the C-1, Retail and Service Commercial District, M-1, Light Industrial District and M-2, Heavy Industrial District. The Planning Commission recommended approval at their meeting held on December 18, 2013. The proposed ordinance was forwarded to the Butler County Planning Commission by facsimile and regular mail on March 14, 2014. The ordinance was advertised in the Butler Eagle editions of Thursday, March 4, 2014 and Sunday, March 30, 2014. The Board of Supervisors held a public hearing on Monday, April 7, 2014. ***Frenchak motioned adopting the Motor Vehicle Sales Ordinance No. 2014-04-02. Erie seconded. Motion carried.***

NEW BUSINESS:

1. Cell Phones: The Board is investigating ways to reduce the cost of cell phones. Mark received the following quotes:

Sprint	\$242.50
AT&T	\$178.40

Frenchak motioned authorizing Public Works Director Lauer to contract with AT&T for seven (7) phones and one (1) phone with 300MB Mobile Share Data plus Unlimited Voice & Text at \$178.40 per month. Latuska seconded. Motion carried.

2. Use of Butler County Inmates: The inmates picked up trash on the hillside between Clearview Mall and the Maintenance Facility. Smallwood would like to use the inmates throughout the Township for litter patrol, painting, and clean windows. The Union had no

- concerns. Latuska stated that the hillside stayed clean for a week. Frenchak will contact Mr. John Brautigam, Clearview Mall, to discuss alleviating the litter from Clearview Mall. ***Smallwood motioned authorizing the use of Butler County inmates to assist in cleaning up the Township. Latuska seconded. Motion carried.***
3. Trash Haulers: Mr. Al Stultz, Brown Road, contacted Erie about Vogel losing trash from their trucks along Brown Road (T-412). Erie and Building Code Official/Zoning Officer Round collected the trash. Round will contact Sheryl Kelly, Butler County Recycling Coordinator, for any assistance.
 4. Code Enforcement Training 101 - 4/23/2014 - Butler - \$0: The Redevelopment Authority of Butler County scheduled a seminar to discuss blight properties in the County. ***Erie motioned approving Latuska and Building Code Official/Zoning Officer Round to attend the Code Enforcement Training 101 on Wednesday, April 23, 2014 at 6:30 p.m. with no cost to the Township. Latuska seconded. Motion carried.***
 5. Dog Officer Complaint: The Township received a complaint about the Dog Officer on March 18, 2014. Latuska contacted Mr. Eugene Henry to discuss the complaint. Mr. Henry stated he had no facilities to hold dogs if the Butler County Humane Society is closed or has no kennels available. Job description specifically states "Rescue/apprehend stray dogs, transport to approved kennels and if kennels are unavailable then uses his best judgment to locate the owner or place dogs in a safe and humane environment." He works for seven (7) other Municipalities with no problems. ***Frenchak motioned (1) authorizing Chairman Latuska to contact Butler Veterinary Clinic to shelter dogs from Mr. Eugene Henry when the Butler County Humane Society is closed and (2) authorize the printing of door hangers for Mr. Henry's use. Smallwood seconded. Motion carried.***
 6. Code Enforcement Training Fees Reimbursement:
 - a. Detailed Residential Energy Plan Reviews & Inspections: Building Code Official/Zoning Officer Round attended the "Detailed Residential Energy Plan Reviews and Inspections" course on Thursday, March 20, 2014. He requests reimbursement of the \$40.00 registration fee. ***Erie motioned authorizing the reimbursement of the \$40.00 registration fee. Smallwood seconded. Motion carried.***
 - b. Radon Resistant New Construction: Building Code Official/Zoning Officer Round attended the "Radon Resistant New Construction" course on Thursday, March 27, 2014. He requests reimbursement of the \$25.00 registration fee. ***Erie motioned authorizing the reimbursement of the \$25.00 registration fee. Smallwood seconded. Motion carried.***
 7. Water Runoff Complaints:
 - a. Willow Run: Mr. William Hindman, 126 Willow Run Drive is concerned that his neighbor is discharging water runoff onto his property. This is possibly a civil matter between property owners. ***Frenchak motioned authorizing Township Engineer Olsen to correspond with Mr. William Hindman to investigate and make***

recommendation to the Board. Latuska seconded. Motion carried.

- b. Northvue: Mr. Philip Hankey, 325 Chestnut Drive, has water from his neighbor draining onto his property. ***Frenchak motioned authorizing Township Engineer Olsen to correspond with Mr. Philip Hankey to investigate and make recommendation to the Board. Latuska seconded. Motion carried.***
- c. Shanor Heights: Mr. Jeff Knauer, 105 Elise Drive, has water being drained onto his property. There was an easement provided to the Township in 1967 for maintaining and repairing for the passage of surface drainage water. ***Frenchak motioned authorizing (1) Township Engineer Olsen to survey the easement and (2) make recommendation for a solution to the Board. Latuska seconded. Motion carried.***
- 8. Butler County Spring Convention - 5/15/2014 - Butler - \$22: Butler County Association of Township Supervisors scheduled their annual Spring Convention for May 15, 2014 at the Butler Country Club at \$22.00 per attendee. ***Frenchak motioned authorizing the attendance of two (2) individuals at the Butler County Spring Convention on May 15, 2014 with a cost of \$22.00 per attendee. Wulff seconded. Motion carried.***
- 9. Release Consultant Fees: Township Secretary/Treasurer Amendolea requests authorization to release the following consultant fees.

Development	Type	Approval	Instrument Number	Amount
McDonald's Restaurant	Land Development	08/14/2013	20131031003159	\$514.52
Schweinsberg	Lot Line Revision	12/26/2013	201312260036093	\$526.25
Blain/Everitt	Minor Subdivision	02/12/2014	201402280004210	\$324.25

Latuska motioned, based on Township Secretary/Treasurer Amendolea's recommendation, to release the consultant fees. Erie seconded. Motion carried.

- 10. 171 South Benbrook Road: Building Code Official/Zoning Officer Round sent a courtesy notice to Mr. Daniel Gold requesting corrective action with respect to the run down house at 171 South Benbrook Road (Center Township Map 060-3F43-13A). Round requests Township Solicitor Gallagher's assistance to begin demolition of the property. Mr. Daniel Gold failed to attend meeting to discuss the situation. ***Latuska motioned authorizing Township Solicitor Gallagher to file an "action for injunction" against Mr. Daniel Gold. Frenchak seconded. Motion died.***

Frenchak motioned authorizing Township Solicitor Gallagher to send an enforcement notice to Mr. Daniel Gold. Latuska seconded. Motion carried.

- 11. Workers Compensation Reimbursement: Unionville Volunteer Fire Company provides emergency response to half of Brady Township. The General Assembly of Pennsylvania passed Act 60 of 2002 on June 4, 2002 amending the Workers Compensation Act of June 2, 1915 authorizing host municipalities to receive reimbursement from a municipality receiving emergency response. Based on Act 60, Brady Township's total population is 1,310. Unionville Volunteer Fire Company serves half of Brady Township (655). Center Township's total population is 7898. We could request a reimbursement of eight percent

(8%) from Brady Township which would be \$5,553.22 of the 2014 Workers Compensation premium. ***Latuska motioned authorizing invoicing Brady Township in the amount of \$5,553.22 for reimbursement of Workers Compensation insurance premium. Erie seconded. Motion carried.***

12. Computer/Router/Network/Time Clock Setup: Township Secretary/Treasurer Amendolea is having difficulty setting up a remote network connection. Mr. Christopher Goas volunteer to assist with the setup.

PUBLIC WORKS DIRECTOR:

1. Road Bonding: Public Works Director Lauer attended a Road Bonding seminar on March 17, 2014. He stated that the Township should purchase a digital video camera to video the road condition prior to bonding and post weight limits on the roads. ***Latuska motioned authorizing Public Works Director Lauer to purchase a digital video camera and (2) purchase the necessary weight limit signs. Erie seconded. Motion carried.***
2. Authorize Ad for Hiring: Public Works Director Lauer suggests receiving applications for possible hiring of road crew employees. ***Latuska motioned authorizing Township Secretary/Treasurer Amendolea to draft an ad for review by Public Works Director Lauer and the Board. Erie seconded. Motion carried.***
3. Chainsaw Safety - 05/02/2014 - Moon Township - \$50: Public Works Director Lauer requests authorization for two (2) road crew employees to attend the "Chainsaw Safety" class in Moon Township on May 2, 2014 at \$50.00 per attendee. ***Frenchak motioned authorizing the attendance of two (2) road crew employees for the "Chainsaw Safety" class in Moon Township on May 2, 2014 with a cost of \$50.00 per attendee. Latuska seconded. Motion carried.***
4. "Driveway Ahead" Sign Request: Mr. Steve Sherman, 450 North Duffy Road, requests a "Hidden Driveway" sign be erected.. ***Wulff motioned, based on Public Works Director Lauer's recommendation, to erect a "Hidden Drive" sign on North Duffy Road. Frenchak seconded. Motion carried.***
5. PA Clean Up Day: The PA Clean Up Day will be on Saturday, April 26, 2014 from 8:00 am to 12:00 p.m. Residents make take nonhazardous items to 1161 Sunset Drive or 150 Henricks Road. A major change in the program is collections for residents are prohibited. Public Works Director Lauer will have a crew on Lions Road (T-694) to collect trash.
6. Street Sweeping: The road crew is sweeping intersections. The contractor will begin sweeping neighborhoods Monday, April 14, 2014.
7. Winter Use Vehicles: Two (2) vehicles used for winter operations will be put in service for summer use.

ENGINEER'S REPORT:

1. Township Property (419 Sunset Drive): Nicklas, King McConahy completed the appraisal of the proposed property to be acquired from R. W. McDonald and Sons. The property was appraised at \$10,500.00 which is the maximum the Township may pay. Latuska and Mr. Ronald Flatt will meet with Mr. Lee & Jan McDonald to discuss the transfer of property.
2. Dedicated Road Right-of-Ways: Township Engineer Olsen presented a list of subdivisions approved in the past twenty-one (21) years dedicating additional right-of-way. The Board will review to decide which rights –of way will be adopted by resolution.
3. Mineral Extraction Overlay: Mr. Jeff Pierce, Olsen and Associates, will have a draft ordinance for the Planning Commission's meeting on April 23, 2014.

SOLICITOR'S REPORT:

1. Office of Open Records vs. Center Township: Township Solicitor Gallagher received notice the Commonwealth Court that arguments will be heard by the full panel. Arguments will be held on April 23, 2014 at 9:30 a.m.
2. Vacation of Morgan Lane: A lawsuit was filed by a property owner to vacate Morgan Lane. Township Engineer Gallagher request he attend to (1) advise the Court that Center Township takes no position and (2) ward off any attempts to drag Center Township further into a neighbor versus neighbor lawsuit. ***Frenchak motioned authorizing Township Solicitor Gallagher attend the hearing for the vacation of Morgan Lane to (1) advise the Court that Center Township takes no position and (2) ward off any attempts to drag Center Township further into a neighbor versus neighbor lawsuit. Latuska seconded. Motion carried.***
3. Henley Drive Hold Harmless Agreement: Ms. Mary Waggoner wants to have an in-ground pool installed at 109 Henley Drive (Center Township Map 060-S20-B7). Since the pool will be located within five feet (5") of the on-lot stormwater detention sump, Ms. Waggoner agrees to sign a hold harmless agreement and paid for Township Solicitor Gallagher's fee and recording of the agreement at the Butler County Courthouse. ***Latuska motioned authorizing Township Solicitor Gallagher to prepare a hold harmless agreement for Mr. and Mrs. Michael Waggoner, 109 Henley Drive (Center Township Map 060-S20-B7) at their cost. Frenchak seconded. Motion carried.***
4. Renick Well Permit Renewal: Swepi LP disagreed with Building Code Official/Zoning Officer Round's opinion that they need to renew their permit and pay \$3,000.00. Based on Township Solicitor Gallagher's opinion, they will need to pay the \$3,000.00 fee to renew the permit.

MISCELLANEOUS:

1. Motor Vehicle Sale Ordinance: The Motor Vehicle Sales Ordinance passed earlier does not have "Heavy Equipment" defined. Township Solicitor Gallagher stated since the definition is

not in the ordinance, the definition in the dictionary would be used. Otherwise, the Township could be challenged if the definition is added after advertising and public hearing took place.

ADJOURNMENT:

Frenchak motioned to adjourn at 8:09 p.m. Erie seconded. Motion carried.

Anthony A. Amendolea
Township Secretary/Treasurer

Edward G. Latuska
Chairman

Alan Smallwood
Vice Chairman

Andrew Eric
Supervisor

Kenneth J. Frenchak Jr
Supervisor

Phillip B. Wulff
Supervisor