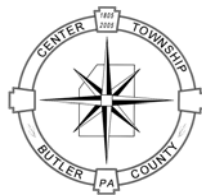


Board of Supervisors:

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

May 14, 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 Vice Chairman Alan Smallwood; Supervisors Andrew Erie and Philip Wulff; Township Solicitor Gallagher; Township Engineer Olsen; Public Works Director Mark Lauer and Township Secretary/Treasurer Anthony Amendolea. Chairman Edward Latuska attended by telephone conference.

PUBLIC TO BE HEARD:

1. Ms. Beverly Schenck, 105 Iroquois Drive: Ms. Schenck referenced the minutes of February 12, 2014 meeting. She stated **Second Class Township Code Article XV, Corporate Powers, Section 1503(a), Personal Property** refers to real estate.
2. Mr. Thomas Rossman, 2041 William Flynn Highway: Mr. Rossman stated that he approached each of the seventy-one (71) individuals who signed the petition he submitted at the public hearing held on Monday, May 12, 2014.
3. Mr. Ronald Flatt, 315 North Duffy Road: Mr. Flatt asked if the Board has any new information on the Veterans Administration facility proposed for the Herold property.
4. Mr. Jon Conklin, 111 Shady Drive: Mr. Conklin stated the "Watch Children" sign recently installed on Central Drive is on his property. He requests the sign be moved.

MINUTES:

1. Public Hearing - Container Storage & Motor Vehicle Sales - April 7, 2014: ***Latuska motioned approving the minutes of the Public Hearing held on April 7, 2014. Wulff seconded. Motion carried.***
2. Agenda Setting Meeting - April 7, 2014: ***Latuska motioned approving the minutes of the***

Agenda Setting Meeting held on April 7, 2014. Smallwood seconded. Motion carried.

3. Regular Meeting April 9, 2014: ***Frenchak motioned approving the minutes of the Regular Meeting held on April 9, 2014. Latuska seconded. Motion carried.***

TREASURER'S REPORT:

1. April 2014: ***Erie motioned approving the April 2014 Treasurer's Report. Latuska seconded. Motion carried.***
2. Warrant List 14-04-08: ***Frenchak motioned approving Warrant List 14-04-08. Erie seconded. Motion carried.***
3. Warrant List 14-05-09: ***Erie motioned approving Warrant List 14-05-09. Wulff seconded. Motion carried.***

ZONING REPORT: April 2014: Construction costs were \$535,525.00 fees collected were \$3,035.20.

SUBDIVISION & LAND DEVELOPMENTS:

1. Dunkel Lot Line Revision No. 2014-04-02, Final, Expires 07/21/2014: Mr. George Dunkel proposes to convey .13 acres (m/l) from Center Township Map 060-S5-11 to Center Township 060-S5-11A. Butler County Planning Commission had no comments per letter dated April 11, 2014. Township Engineer Olsen had no comments. The Planning Commission recommended final approval at their meeting held on Wednesday, April 23, 2014. Property owner understands a deed must be prepared to convey property. ***Frenchak motioned granting final approval of the Dunkel Lot Line Revision No. 2014-04-02. Erie seconded. Motion carried.***
2. Associated Tax Service Pre-Application, 2126 William Flynn Highway: Mr. Scott Hepfl wants to add a 994 square foot addition to the existing building located at 2126 William Flynn Highway (Center Township Map 060-S5-B12A). Mr. Hepfl requests a waiver of Chapter 14, Subdivision and Land Development, Article III, Modifications or Waivers, Section 14-302, Land Development, Paragraph B. and an exemption of Chapter 21, Stormwater Management, Article III, Stormwater Management Standards, Section 21-302, Exemptions/Modifications. The Planning Commission recommended granting the waivers at their meeting held on Wednesday, April 23, 2014. ***Frenchak motioned granting a waiver of Chapter 14, Subdivision and Land Developments, Article III, Modifications or Waivers, Section 14-302, Land Development, Paragraph B. Erie seconded. Motion carried.***

Erie motioned granting an exemption of Chapter 21, Stormwater Management, Article III, Stormwater Management Standards, Section 21-302, Exemptions/Modifications, contingent on if stormwater runoff is a problem, waiver will be voided and a rock sump must be installed. Smallwood seconded. After a brief discussion, motion was withdrawn.

Erie motioned granting an exemption of Chapter 21, Stormwater Management, Article III, Stormwater Management Standards, Section 21-302, Exemptions/Modifications, requiring

a rock sump be installed approximately fourteen (14) feet long by fourteen (14) feet wide by four (4) feet deep. Smallwood seconded. Motion carried.

OLD BUSINESS:

1. Gray Rezoning Ordinance No. 2014-05-03: The Center Township Board of Supervisors held a Public Hearing on Monday, May 12, 2014 to inform and obtain public comment and/or testimony on Mr. Richard Gray's application to amend the Center Township Zoning Map by rezoning the following tracts of land from "R-1" Single Family Residential District to "C-2" Highway Commercial District:

- all that certain property located west of William Flynn Highway (SR 8), being Center Township Parcel 060-S5-A (2.31 AC m/l).

A notification was sent to Butler County Planning Commission by facsimile and regular mail on Thursday, April 10, 2014. Public notifications were mailed on Thursday, April 10, 2014 to all property owners within 300 feet. The Planning Commission recommended approval at their meeting held on Wednesday, February 26, 2014. The notice of the public hearing was published in the Butler Eagle editions of Sunday, April 13, 2014 and Sunday, May 4, 2014. The property was posted on Friday, May 1, 2014. ***Latuska motioned denying the Gray Rezoning Ordinance No. 2014-05-03. Smallwood seconded. Motion carried.***

2. Water Runoff Complaints:

- a. Willow Run: The Board authorized Township Engineer Olsen to investigate the complaint received from Mr. William Hindman. Olsen opinion was (1) the issues between Mr. Hindman and Mr. Gerten appear to be a civil matter between neighbors and (2) the Township has no ordinances that would require Mr. Gerten to take any actions to reduce stormwater flow onto the Hindman property. Olsen advised Mr. Gerten to control stormwater runoff by installing a rock filled trench three (3) feet wide by four (4) deep the length of his driveway.
- b. Northvue: The Board authorized Township Engineer Olsen to investigate the complaint received from Mr. Philip Hankey. Olsen agreed with Building Code Official/Zoning Official Round that (1) stormwater retention was not required when the homes were constructed and (2) at this point this is a civil matter between the two neighbors. However, Wulff has discussed this with Mr. Hankey who plans on installing a French drain.
- c. Shanor Heights: Township Engineer Olsen investigated the stormwater runoff in Shanor Heights. Center Township has a drainage maintenance easement since 1962. Olsen recommends either (1) a rock filled ditch line or (2) replace and extend the pipes. Township Solicitor Gallagher stated that two individuals owned this property since he owned it. ***Frenchak motioned authorizing Township Engineer Olsen to prepare a cost estimate for (1) rock filled ditch line and (2) replace and extend the pipes. Erie seconded.***

Motion carried.

3. Brady Township Workers Compensation: Ms. Candie Campbell, Brady Township Secretary, disputes the calculation used for the reimbursement. She disagrees with dividing one-half of the 2010 Census population. Township Secretary/Treasurer Amendolea contacted Slippery Rock Borough to verify the population used for their calculation. Slippery Rock base their calculation on a population of 328. This would increase our calculation by 327 residents. ***Frenchak motioned authorizing Township Secretary/Treasurer Amendolea to forward an invoice to Brady Township for Workers Compensation reimbursement in the amount of \$8,630.76. Latuska seconded. Motion carried.***

NEW BUSINESS:

1. Butler Veterinary Associates Resolution No. 2014-05-08: Latuska contacted Dr. Keith Harvey, Butler Veterinary Associates, to place stray dogs temporarily after hours of the Butler County Humane Society. ***Frenchak motioned approving the Butler Veterinary Associates Resolution No. 2014-05-08. Erie seconded. Motion carried.***
2. Vogel Recycling Containment: The Township received several complaints about Vogel losing recycles from their vehicles. Building Code Official/Zoning Officer Round contacted Mr. Brian Mummert, Department of Environmental Protection, who stated that if witnesses are willing to testify, Vogel could be fine up to \$1,000.
3. Authorize Purchase of Leaf Bags: Township Secretary/Treasurer Amendolea requests authorization to purchase four thousand (4,000) leaf bags. The following quotes were received:

COMPANY	PRICE
Dano Group	\$484
Uline	\$716

Erie motioned authorizing the purchase of four thousand (4,000) leaf bags from Dano Group at \$.484 per bag. Wulff seconded. Motion carried.

4. Authorize Printer Purchase: Since the printer at the Maintenance Facility could not be connected to the new computer, Township Secretary/Treasurer Amendolea recommends installing the current office printer at the Maintenance Facility and purchase a new printer for the office. The following prices were received:

MANUFACTURER	MODEL	PRICE
Brother	HL-4570CDW	\$499.00
Hewlett-Packard	CF082A	\$560.00
Lexmark	CS410DN	\$500.00

Erie motioned, based on Township Secretary/Treasurer Amendolea's recommendation, authorizing purchase of the Brother Model HL-4570CDW printer for \$499.00. Smallwood seconded. Motion carried.

5. Time Clock Installation: Township Secretary/Treasurer Amendolea conferred with Mr. Kris Goas to establish a network between the Municipal Building and Maintenance Facility for the installation of a time clock. Mr. Goas stated that a Virtual Public Network would not be secure. He suggested purchasing two (2) Meraki MX60W routers for a secure private network. The cost of the routers which includes a three (3) year license is \$1,938.00. ***Frenchak motioned authoring the purchase of two (2) Meraki MX60W routers. Smallwood seconded. Motion carried.***
6. Schedule Shakley Conditional Use Hearing: Mr. Anthony Shakely submitted a conditional use application to convert a garage into an apartment for his elderly parents. The Planning Commission recommended approval of the conditional use at their meeting held on April 23, 2014. ***Wulff motioned scheduling the Shakely Conditional Use Hearing for Monday, June 9, 2014 at 6:00 p.m. Frenchak seconded. Motion carried.***
7. 135 West Sunbury Road Enforcement: Building Code Official/Zoning Officer Round received another complaint from a neighbor of 135 West Sunbury Road. Round recommends the Public Works Department clean up the property as soon as possible. ***Frenchak motioned authorizing the Public Works Director to cut the grass and remove a fallen tree as soon as possible and place a lien on the property. Erie seconded. Motion carried.***
8. New Fire Hydrant Agreement: Pennsylvania-American Water Company is extending the water line from Mahood Road (T-8600 north to State Route 8 (SR0008) on Sunset Drive (T-442). The extension requires a new hydrant placed along the water line. Pennsylvania-American requests an agreement is entered into for the maintenance of the hydrant. ***Frenchak motioned authorizing (1) entering into a maintenance agreement for a new fire hydrant on the water line extension from Mahood Road (T860) north to State Route 8 (SR0008) on Sunset Drive (T-442) with Pennsylvania-American Water Company and (2) Vice Chairman Smallwood to sign the agreement. Erie seconded. Motion carried.***
9. 112 Ifft Lane Enforcement: Building Code Official/Zoning Officer requests the property at 112 Ifft Lane (Center Township Map 060-S11-C8) be cleaned up. The property owner has until May 31, 2014 to rectify the situation. ***Frenchak motioned authorizing Public Works Director Lauer to contact a minimum of three (3) vendors for demolition of structures at 112 Ifft Lane (Center Township Map 060-S11-C8). Latuska seconded. Motion carried.***
10. Code Enforcement: Building Code Official/Zoning Officer Round submitted his resignation effective May 31, 2014. Mr. John Nath, Professional Code Services, will continue covering for Round until the Township decides how to proceed. Frenchak stated Building Code Official/Zoning Officer Round was a good employee and enforced the codes.
11. Young's Retirement: Lenny Young, Road Crew Employee, has projected to retire on August 1, 2014. Based on an agreement with the Board, he will receive two hundred twelve (212) hours vacation, which any unused will be reimbursed, sixteen (16) hours sick and thirty-two (32) hours personal. In addition, benefits will be paid through August 31, 2014. Pension contribution will terminate on August 1, 2014. ***Latuska motioned, contingent on Lenny Young's signature, accepting the "Exit Memorandum" agreement with Lenny Young***

receiving (1) two hundred twelve (212) hours vacation, which any unused will be reimbursed, (2) sixteen (16) hours sick, (3) thirty-two (32) hours personal, (4) benefits to continue through August 31, 2014 and (5) pension contributions will terminate effective August 1, 2014. Erie seconded. Motion carried.

PUBLIC WORKS DIRECTOR:

The meeting adjourned to executive session at 7:45 p.m. to discuss personnel issues. The meeting reconvene at 7:56 p.m. with the following action.

Latuska motioned authorizing the transfer of Jared Smith from a part time to full time employee effective June 2, 2014. Smallwood seconded. Motion carried.

1. Authorize Ad for Accepting Applications for Public Works Employee: Public Works Director Lauer suggests receiving applications for possible hiring of a part time public works employee. *Frenchak motioned authorizing Township Secretary/Treasurer Amendolea to place ad accepting applications for a part time public works employee in the Butler Eagle. Latuska seconded. Motion carried.*
2. Authorize Ad for Aggregate: Public Works Director Lauer requests authorization to advertise for 500 tons of #3 limestone, 1,000 tons of #2A modified limestone, and 100 tons of #4 Rip Rap. *Frenchak motioned authorizing the advertisement for (1) 500 tons of #3 limestone, (2) 1,000 tons #2A limestone and (3) 100 tons of #4 Rip Rap. Smallwood seconded. Motion carried.*
3. 2014 Paving Project: Public Works Director Lauer proposes to (1) mill and pave Sunset Drive (T-442) from State Route 308 (SR0308) to Holyoke Road (T-496) and (2) seal coat Brown Road (T-412), East Brewster Road (T-441), Maser Road (T-443), Stoney Run Road (T-544) and Sunset Drive (T-442) from Holyoke Road (T-496) to State Route 8 (SR0008). *Latuska motioned, based on Public Works Director Lauer's recommendation, to advertise the 2014 Paving Project. Frenchak seconded. Motion carried.*
4. Butler County Fire School: The Butler County Fire Chiefs Association requests the use of the Center Township trucks and personnel to haul hay and pallets for the annual fire school. Smallwood asked if any other municipality provided vehicles and personnel. The consensus of the Board was that the Township is under staffed. A letter will be sent to the Butler County Fire Chiefs Association to refuse participation in the future. *Frenchak motioned authorizing one (1) truck and operator to haul hay and pallets for this year's fire school. Smallwood seconded. Motion carried.*
5. Seasonal Workers: Public Works Director Lauer requests authorization to rehire last year's seasonal workers. *Latuska authorized the rehiring of last year's seasonal workers at the rate of \$8.50 per hour. Frenchak seconded. Motion carried.*
6. Mahood Road (T-860) Closure: Mr. Bill Errera is sponsoring a car show on Sunday, May 25, 2014 at Unionville Volunteer Fire Company. The fire department requests authorization to close Mahood Road (T-860) from State 8 (SR0008) and Sunset Drive (T-442) for the day. The fire department will provide barricades. *Wulff motioned authorizing the closure of*

Mahood Road (T-860) from State Route 8 (SR0008) to Sunset Drive (T-442) on Sunday, May 25, 2014. Smallwood seconded. Motion carried.

7. Clearview Mall Salt Storage: The mall requests the Township store twelve (12) tons of salt until fall. The Township will return six (6) tons in exchange for storage. ***Latuska motioned authorizing the storage of twelve (12) tons of salt for the Clearview Mall, which the Township will receive six (6) tons for storage. Wulff seconded. Motion carried.***
8. Trinity Lutheran Church Youth Group: The Trinity Lutheran Church Youth Group picked up litter along Henricks Road (T-830) last weekend.
9. Pennsylvania Clean Up Day: The Township collected 16,760 pounds of trash and recycled 7,440 pounds.

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 met with Mr. Lee & Jan McDonald to discuss the transfer of property. Mr. McDonald requested to meet with the appraiser. No further communication has been made.
2. Dedicated Road Rights-of-Way: 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. Olsen will provide a resolution from Cranberry Township to Township Solicitor Gallagher for his review.
3. Clearview Mall Traffic Signal: Mr. Chuck Wooster met with Township Engineer Olsen, Smallwood, Erie and Wulff on Friday, May 1, 2014 to discuss a traffic signal maintenance easement. The north entrance to the mall must be upgraded for the Sheetz project, which would be at the expense of the JWA Group. Olsen suggested proceeding with a traffic signal maintenance agreement for the south entrance at Township expense.
4. Butler County Transportation Improvement Plan: Township Engineer suggests the Board consider authorizing engineering costs for Henricks Road (T-830) for submission to the Butler County Transportation Improvement Plan.

SOLICITOR'S REPORT:

1. Office of Open Records vs. Center Township: Township Solicitor Gallagher attended arguments held on Wednesday, April 23, 2014. An opinion may not be received for several months.
2. Vacation of Morgan Lane: Township Solicitor Gallagher attend the hearing on Tuesday, April 22, 2014 for Morgan Lane. He felt that, if a Quiet Title action, is filed, the Township would not be involved again.

MISCELLANEOUS:

1. "In God We Trust": *Erie motioned authorizing (1) the purchase of a "In God We Trust" plaque and (2) place the plaque in the meeting room. Frenchak seconded.; Motion carried.*
2. Knox Box Responsibility: *Wulff motioned authorizing Building Code Official/Zoning Officer Round to transfer the Knox box responsibility to the Unionville Volunteer Fire Company. Erie seconded. Motion carried.*

ADJOURNMENT:

Frenchak motioned to adjourn at 8:58 p.m. Erie seconded. Motion carried.

Anthony A. Amendolea
Township Secretary/Treasurer

Edward G. Latuska
Chairman

Alan Smallwood
Vice Chairman

Andrew Erie
Supervisor

Kenneth J. Frenchak Jr
Supervisor

Phillip B. Wulff
Supervisor

