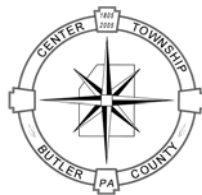


## Board of Supervisors:

*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*  
*Michael Gallagher, Solicitor*  
*Olsen & Associates, Engineer*

Center Township Board of Supervisors  
 Regular Meeting Minutes  
 October 8, 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, via telephone; 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:** None

**MINUTES:**

1. Special Meeting - Center/Butler Township Joint Session - September 8, 2014: *Erie motioned approving the minutes of the Special Meeting - Center/Butler Township Joint Session held on September 8, 2014. Smallwood seconded. Frenchak abstained. Motion carried 4 to 0.*
2. Agenda Setting Meeting - September 8, 2014: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on September 8, 2014. Frenchak seconded. Motion carried.*
3. Regular Meeting - September 10, 2014: *Latuska motioned approving the minutes of the Regular Meeting held on September 10, 2014. Frenchak seconded. Motion carried.*

**TREASURER'S REPORT:**

1. September 2014: *Wulff motioned approving the September 2014 Treasurer's Report. Frenchak seconded. Motion carried.*
2. Warrant List 14-09-18: *Erie motioned approving Warrant List 14-09-18. Frenchak seconded. Motion carried.*

3. Warrant List 14-10-19: ***Frenchak motioned approving Warrant List 14-10-19. Erie seconded. Motion carried.***

**ZONING REPORT:** September 2014: Construction costs were \$944,032.00 fees collected were \$5,286.43.

### **SUBDIVISION & LAND DEVELOPMENTS:**

1. Williams Minor Subdivision No. 2014-06-03, 3 Lots, Final, Expires 09/22/2014: Mr. Ron Bole presented. Mr. Grieg Williams, 120 West Brewster Road, desires to subdivide two (2) lots from Center Township Map 060-3F43-12ND consisting of 32.95 acres (m/l). Lot 1 will consist of 5 acres (m/l), Lot 2 will consist of 4 acres (m/l) and the original lot will consist of 23.95 acres (m/l).

Planning Commission tabled, at the meeting held on June 25, 2014, the Williams Minor Subdivision No. 2014-06-03 until Butler Area Sewer Authority verifies if a Sewage Facilities Planning Module is required. Mr. Ron Bole submitted a Sewage Facilities Planning Module waiver to the Pennsylvania Department of Environmental Protection.

Planning Commission tabled due to lack of representation at the meeting held on July 23, 2014.

Butler Area Sewer Authority requests a lateral be installed to serve lots 1 and 2. Mr. Bole granted the Township a ninety (90) day extension for the review process. Mr. Greig Williams is removing the lot line between Center Township Map 060-3F43-12ND and 3F43-12A, which is depicted on the plan. A twenty foot (20') easement for a proposed sewer lateral which should be labeled as "private sewer lateral". An exemption must be completed by the Township and forwarded to Butler Area Sewer Authority for review. Upon review, the exemption must be sent to the Department of Environmental Protection for approval.

The Planning Commission recommended final approval of the Williams Minor Subdivision No. 2014-06-03, contingent on:

- a. the proposed sewer lateral be labeled as "private sewer lateral"
- b. correct zoning of the property in the northeast corner to "R-1" and add the R-1 restrictions to the plan and
- c. the Pennsylvania Department of Environmental Protection's approval of the exemption.

***Frenchak motioned, based on Township Engineer Olsen's recommendation, contingent on Butler Area Sewer Authority's approval of the private sewer lateral and the Pennsylvania Department of Environmental Protection's approval of the Sewage Facilities Planning Module exemption. Smallwood seconded. Motion carried.***

2. Center Township Lot Line Revision No. 2014-08-07, Final, Expires 11/24/2014: Township Engineer Olsen presented for Center Township. Center Township is purchasing .026 acres from Center Township Map 060-S4-13 consisting of 4.345 acres (m/l) owned by Mac Properties to be conveyed to Center Township Map 060-S4-15 consisting of .388 acres (m/l). In addition, the Township is combining Center Township Map 060-S4-16B consisting of .315 acres (m/l) with Center Township Map 060-S4-15 consisting of .414 acres (m/l). The Township requests a modification to Chapter 14, Article IV, Section 14-404, Subsection B, Paragraphs 4.d and 4.e. Mr. Joseph Gray comments are as follows (*Township Engineer Olsen's comments are italicized*):
- a. A right-of-way width should be provided for right-of-way running north-south on the west side of the Center Township property.
  - b. The scale of the drawing appears to be off.
  - c. Please provide lot closure tabulation of Parcel A and total parcel S4-15 and S4-16B to verify the areas.
  - d. It may be helpful to thicken lines of the consolidated lot to distinguish it.
  - e. Due to the remaining size of MAC Property and that removing Parcel A (.026 acres) does not affect any property size or setback requirements, I see no need to completely define the eastern borders of the entire MAC Properties property. Therefore I recommend allowing the modification to not require the lands of MAC Properties to be surveyed in its entirety as requested.
  - f. I agree that pavement and road R/W width are not a critical element to a lot line revision such as this and recommend granting a modification to allow these to be omitted from the plan.

The Planning Commission recommended granting a modification to Chapter 14, Article IV, Section 14-404, Subsection B, Paragraphs 4.d and 4.e. and granting final approval of the Center Township Lot Line Revision No. 2014-08-07.

***Erie motioned granting modification to Chapter 14, Article IV, Section 14-404, Subsection B, Paragraphs 4.d and 4.e. Smallwood seconded. Motion carried.***

***Frenchak motioned granting final approval of the Center Township Lot Line Revision No. 2014-08-07. Smallwood seconded. Motion carried.***

***Frenchak motioned authorizing Vice Chairman Smallwood to sign the necessary documents to transfer property to Center Township. Erie seconded. Motion carried.***

#### OLD BUSINESS:

1. Ratify Loop Sensor Repair at Mercer Road/State Route 8 Signal: ***Erie motioned ratifying Chairman Latuska's signature authorizing repair of the loop sensor at Mercer Road and***

***State Route 8 signal. Frenchak seconded. Motion carried.***

2. Sale of Millings: ***Frenchak motioned ratifying the sale of millings at \$20.00 per bucket (\$10.00 per ton). Latuska seconded. Motion carried.***
3. Rex Energy Oil & Gas Lease Resolution No. 2014-09-15: At the time of signing the oil and gas lease with Rex Energy, they requested a resolution authorizing Chairman Latuska and Vice Chairman Smallwood to sign the lease. ***Erie motioned ratifying the adoption of the Rex Energy Oil & Gas Lease Resolution No. 2014-09-15. Smallwood seconded. Motion carried.***
4. Henricks Road (T-830): The Township received notification from Butler County Planning Commission that Henricks Road (T-830) is not eligible for the State Transportation Improvement Program. ***Frenchak motioned authorizing Township Engineer Olsen to request a clarification from Mr. David Johnston, Butler County Planning Commission, and Mr. Dave Cook, Pennsylvania Department of Transportation. Erie seconded. Motion carried.***
5. Office Relocation: Wulff stated that the renovations to the Maintenance Facility are approximately \$50,000.00 to move the office to that location. Renovations to the office area consist of installing a phone system, securing the second entry door and make the window a pass through. The meeting area requires a wall in front of the garage door and wall to separate the work area, install suspended ceiling and lights, lower sprinkler system, and extend air conditioning ducts. The outside requires relocation of the gate and repainting the parking lot. ***Smallwood motioned authorizing Wulff and Township Engineer Olsen to prepare a sketch of proposed renovations. Frenchak seconded. Motion carried.***

#### **NEW BUSINESS:**

1. Butler County Fall Convention - October 29, 2014, Slippery Rock - \$20: The Butler County Association of Township Supervisors scheduled their Fall Convention on Wednesday, October 23, 2013 in Slippery Rock at a cost of \$15.00 per attendee. There was no interest to attend.
2. Purchase "Exit" Sign for Municipal Building: A recommendation of the Workers Compensation was to install an "Exit" sign at the front entrance of the Municipal Building. Since there is emergency lighting available to illuminate the sign, only a placard is required.
3. Release of Fire Relief Monies: On September 29, 2014, the Commonwealth distributed the Annual Foreign Fire Insurance payment in the amount of \$53,743.43. ***Erie motioned releasing \$42,994.75 to Unionville Volunteer Fire Company and \$10,748.68 to Oneida Valley Fire Department. Wulff seconded. Motion carried unanimously.***
4. Out of Sight Shredding: The Blind Association of Butler/Armstrong Counties provides shredding service.

5. Authorize Sale of 2006 Ford Escape: The Board is considering selling the 2006 Ford Escape used by the former Building Code/Zoning Officer. Butler County Ford will appraise the vehicle.

**PUBLIC WORKS DIRECTOR:**

1. Pre-Employment Physical Requirements: Latuska and Public Works Director Lauer met with Ms. Leslie Hlad, UPMC/HAPPI Program to discuss the possibility of procuring them for pre-employment physicals. The following fees were submitted;

Component	Quote
5 Panel Urine Drug Screen with confirmation to include: THC, Cocaine, PCP, Opiates, Amphetamines	\$49
9 Panel Urine Drug Screen with confirmation to include: THC, Cocaine, PCP, Opiates, Amphetamines, Barbiturates, Benzodiazepines, Methadone, Propoxyphene	\$52
Expanded Urine Drug Screen with confirmation to include: Cocaine, PCP, Expanded Opiates, Oxycodone, Oxymorphone, Amphetamines, THC, Benzodiazepines, Barbiturates, Methadone, Propoxyphene, MDMA	\$62
Medical History and Physical Exam	\$60
DOT Exam	\$75
Lift Task (Employer designated limit)	\$55

*Latuska motioned authorizing UPMC/HAPPI Program to conduct pre-employment physical exams with medical history to include expanded urine drug screen, DOT exams, and lift tasks based on Township’s requirement. Smallwood seconded. Motion carried.*

2. 2014 Paving Completion Certificate: Public Works Director Lauer and Dick Knapko, PennDot, reviewed the 2014 Paving Project on Tuesday, October 7, 2014. The project was completed satisfactorily. *Erie motioned authorizing Vice Chairman Smallwood to sign the 2014 Paving Completion Certificate. Frenchak seconded. Motion carried.*
3. Part Time Employee: *Frenchak motioned establishing a committee consisting of two (2) supervisors (Smallwood and Wulff), an alternate (Latuska) and Public Works Director Lauer to proceed with the interview process and make a recommendation to the Board. Erie seconded. Motion carried.*
4. Purchase of Wheel Chocks: The Safety Committee recommended purchasing wheel chocks. *Erie motioned, based on the Safety Committee’s recommendation, purchasing wheel chocks. Frenchak seconded. Motion carried.*
5. Purchase of Portable Radios: Safety Committee recommended purchasing an additional set of portable radios so equipment operators can hear the flaggers. *Frenchak motioned, based on the Safety Committee’s recommendation, purchasing an additional set of portable radios. Erie seconded. Motion carried.*
6. Purchase of Automatic Tarps for Vehicles: The Safety Committee recommended purchasing automatic tarps for the trucks. Public Works Director Lauer received a quote from Carolina Tarps for automatic tarps at \$1,000.00 per truck. Three (3) trucks would be involved. The

price did not include installation or tarps. Smallwood asked Lauer to check with Neilly Canvas Goods Company in Pittsburgh.

7. Maintenance Facility Venting System: J B Mechanical serviced the Maintenance Facility venting system. The system is working as designed.
8. Pennsylvania American Water Company Waterline Extension: Pennsylvania American Water Company is scheduled to begin extending the water line from Mahood Road (T-860) north to State Route 8 (SR0008). ***Frenchak motioned permitting Pennsylvania American Water Company to utilize the Maintenance Building, 1161 Sunset Drive, parking lot. Erie seconded. Motion carried.***
9. The 1989 International Truck was totaled in an accident on September 10, 2014. The Township is retaining the salt box. ***Frenchak motioned authorizing Public Works Director Lauer to spend up to \$3,500.00 to repair the salt box. Wulff seconded. Motion carried.***

***Frenchak motioned, contingent on Township Solicitor Gallagher's review of the insurance settlement, authorizing the sale of the 1989 International Truck to William Errera in the amount of \$2,500.00. Latuska seconded. Motion carried.***

#### ENGINEER'S REPORT:

1. Glenwood Way (T-831)/Beechwood Boulevard (T-707) Traffic Study: Township Engineer Olsen performed a traffic study determining a stop sign is warranted at Glenwood Way (T-831 and Beechwood Boulevard (T-707). ***Frenchak motioned, contingent on Township Solicitor Gallagher's review, authorizing a "Notice of Intent to Adopt Ordinance" ad in the Butler Eagle edition for Sunday, November 2, 2014. Smallwood seconded. Motion carried.***
2. Clearview Mall Traffic Signal: Township Engineer Olsen presented drawings for the Clearview Mall traffic signals easement. The north entrance requires signatures from Eat N' Park, W T Hospitality and Clearview Mall Associates. The south entrance requires signatures from Citizens, McDonalds Restaurant and Clearview Mall Associates. Olsen will present drawings to the Planning Commission..
3. Croll Temporary Slope Easement: Township Engineer Olsen provided a copy of the temporary thirty foot (30') slope easement along Holyoke Road (T-496) to Mr. Dewayne Croll, 111 Roads End Lane. He will convey a temporary slope easement conditioned on (1) all soils excavated from his site be dumped at a location approved by Mr. Croll, (2) the re-grading of the slop be done with equipment situated on Holyoke Road (T-496) as much as possible, (3) The Township not destroy the green beans planted, but not yet harvested, on top of the hill, (4) the newly graded slope be re-vegetated and (5) the agreement clearly state that the temporary slope easement will be voided after the slope re-grading is completed by the Township. Township Solicitor Gallagher will prepare a temporary four hundred fifty feet (450') by thirty foot (30') slope easement to include Mr. Croll's conditions. ***Frenchak motioned authorizing Vice Chairman Smallwood to sign the "Agreement for the Dedication of Temporary Slope Easement". Erie seconded. Motion carried.***

4. McDonald Restaurant Bond Release: Township Engineer Olsen notified Mr. Gregg Proch, McDonald's USA AREA Construction Manager, that the driveway signage is non-conforming to that which was approved. Current driveway directional signs and arrows on pavement are contradicting and could result in vehicular conflicts. Upon receipt of a notice of completion, the performance bond could be released.
5. Kelsch Water Runoff Complaint: Mr. Mark Kelsch, 130 Lions Road, contacted Township Engineer Olsen about the Township correcting water runoff from Lions Road. ***Erie motioned, based on Township Engineer Olsen's recommendation, to install a rock apron, consisting of R-5 Rip Rap, at the end of the Township drain within the Township right-of-way. Smallwood seconded. Motion carried.***
6. Shanor Heights Stormwater: The United States Army Corp of Engineers are reviewing application to determine if a permit will be required.

**SOLICITOR'S REPORT:**

1. 1994 Dedicated Road Rights-of-Way Resolution No. 2014-10-16: ***Frenchak motioned adopting the 1994 Dedicated Road Rights-of-Way Resolution No. 2014-10-16. Erie seconded. Motion carried.***
2. Right-of-Way and Easement Agreement Form: The Right-of-Way and Easement Agreement is an agreement between a property owner and the Township to grant a temporary right-of-way and/or easement.
3. Mineral Extraction Overlay Amendment: Township Solicitor Gallagher stated that litigation is constantly changing for oil and gas drilling. The Township does not have the capability to determine health and safety issues. He agreed to Jeff Pierce's view to require the applicant provide health and safety information. Consensus of the Board is to continue with reviewing the ordinance for possible amendment.

**MISCELLANEOUS:** None**ADJOURNMENT:**

The meeting adjourned to an executive session to discuss litigation matters at 8:45 p.m. The meeting reconvened at 9:10 p.m. with no action taken.

***Smallwood motioned to adjourn at 9:11 p.m. Erie seconded. Motion carried.***

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 Anthony A. Amendolea  
Township Secretary/Treasurer

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 Edward G. Latuska  
Chairman

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 Alan Smallwood  
Vice Chairman

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 Andrew Erie  
Supervisor

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 Kenneth J. Frenchak Jr  
Supervisor

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 Phillip B. Wulff  
Supervisor