

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
November 12, 2014
6:30 p.m.

CALL TO ORDER:

Chairman Edward Latuska called the Regular Meeting, of the Center Township Board of Supervisors, to order at 6:31 p.m. The meeting was held at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

ROLL CALL:

In addition to Chairman Latuska, present were 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. Kenneth Frenchak arrived at 7:07 p.m.

PUBLIC TO BE HEARD: None

MINUTES:

1. Budget Workshop - October 6, 2014: *Latuska motioned approving the minutes of the October Budget Workshop held on October 6, 2014. Erie seconded. Motion carried.*
2. Agenda Setting Meeting - October 6, 2014: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on October 6, 2014. Erie seconded. Motion carried.*
3. Regular Meeting - October 8, 2014: *Latuska motioned approving the minutes of the Regular Meeting held on October 8, 2014. Erie seconded. Motion carried.*

TREASURER'S REPORT:

1. October 2014: *Latuska motioned approving the October 2014 Treasurer's Report. Erie seconded. Motion carried.*
2. Warrant List 14-10-20: *Latuska motioned approving Warrant List 14-10-20. Erie seconded. Motion carried.*
3. Warrant List 14-11-21: *Latuska motioned approving Warrant List 14-11-21. Erie seconded. Motion carried.*

4. Ratify Debt Payment: Township Secretary/Treasurer Amendolea received notice that the loan payment for the Maintenance Facility was due November 1, 2014. In addition to the principal payment of \$112,000 and interest payment of \$10,900.15, he made an additional principal payment of \$70,043.20. ***Latuska motioned ratifying the additional principal payment of \$70,043.20 for the Maintenance Facility loan. Erie seconded. Motion carried.***
5. Appoint CPA Resolution No. 2014-11-17: William D. Leicht and Associates submitted an engagement letter to conduct the 2014 Audit in the amount of \$16,000. ***Erie motioned authorizing Chairman Latuska to sign the engagement letter. Smallwood seconded. Motion carried.***

Latuska motioned adopting the Appoint CPA Resolution No. 2014-11-17. Erie seconded. Motion carried.

6. Authorize Ad for 2015 Proposed Budget: The Board of Supervisors reviewed the 2015 proposed budget at their workshop meetings held on Monday, October 6, 2014 and Monday, November 10, 2014. The 2015 budget reflects a balanced budget of \$1,797,700 in revenues and expenditures, with no tax increase. The Board will consider adopting the budget at their regular meeting scheduled for Wednesday, December 10, 2014 at 6:30 p.m. The budget will be available for public review at the Township office or the website. ***Latuska motioned authorizing the advertisement of the 2015 Proposed Budget in the Butler Eagle edition on Wednesday, November 19, 2014. Wulff seconded. Motion carried.***

ZONING REPORT: October 2014: Construction costs were \$312,155.00 fees collected were \$2,583.28.

SUBDIVISION & LAND DEVELOPMENTS:

1. Stultz Lot Line Revision No. 2014-10-08, Final, Expires 01/20/2015: Mr. Albert Stultz presented. Mr. Albert Stultz, 5252 Brown Road, desires to convey 1.53 acres (m/l) from Center Township Map 060-3F41-29A to Center Township map 060-3F41-29. Butler County planning has not submitted any comments. Township Engineer comments are, as follows (*Mr. James Day comments are italicized*):
 - a. The purpose of the plan appears to be to redefine the southern property line of Tax Map Parcel 3F-41-29A and extinguishing a 50' right-of-way that was north of a 50' strip of property leading from Brown Road to Tax Map Parcel 3F-41-29, such that 1.53 acres of land is transferred from Parcel 3F-41-29A to Parcel 3F-41-29. (*That is the correct interpretation of the presented plan.*)
 - b. If both parcels being affected are owned by the same party (shown on the plan to be Albert T. Stultz Trust -Ann Stultz Clay & Jean Elizabeth Stultz), this plan can be considered a lot line revision and no deed transfer with realty transfer taxes should apply. (*The affected parcels for the lot line revision are owned by the same owner/s.*)
 - c. Tax Map Parcel 3F-41-29A is currently assumed to be a building lot, but proposed Lot 1R may not be considered a building lot, since it is possible that it does not qualify for an on-lot sewage system as a result of the transfer of 1.53 acres to the adjoining parcel. Therefore, either Lot 1R should be labeled on the plan as a "non-building lot" (possibly reserved for agricultural use) or it

should be re-qualified as a building lot through processes approved by the Township Sewage Enforcement Officer. We verified that Little Connoquenessing Creek is not designated by the Commonwealth as an Exceptional Value or High Quality stream; this fact provides certain opportunities for alternate on-lot sewage treatment systems as may be recommended by the SEO. *(The review comment implies an assumption that the revised lot line negatively affects the prior approved septic site location. The original tested percolation site and data graphics have been added to this Lot Line Revision Plan, showing the revised lot line does not affect the prior approved test site. This lot, and the adjacent lots north of it, are already classified as Building Lots, with a prior PaDEP approved on-lot sewage testing program and Planning Module, and per recording of Township/County approved subdivision plan at Plan Book 296 - Page 16. No site disturbance has occurred at those tested site locations since the original subdivision plan was approved, to invalidate the original sewage testing program. The suggested "Building Lot" requalification is therefore not warranted. Our response to the comment is: If the Township has fact-supported sewage concerns, then the suggested septic retesting could be considered as a separate matter, as being a condition for issuance of a Building Permit at such time this lot is developed.)*

- d. If the existing porch of the existing house on Tract A-R extends more than 2 feet into the 50' front yard, the house should be labeled a "non-conforming structure". *(The affected existing porch and garage structures have been labeled accordingly.)*
- e. A gas line of T.W. Phillips with unspecified right-of-way is shown to cross the site. Although not a condition of plan approval, we suggest that the Applicant contact Peoples TWP (purchaser of T.W. Phillips) and determine if this gas line meets the definition of a distribution line, transmission line or gathering line, and negotiate a proper right-of-way width for the gas company to operate and maintain the gas line. Without a pre-determined right-of-way, there is no building line associated with the gas line, and this could result in houses being constructed too close to the gas line. The size of the gas line and pressure may be a consideration in determining a proper right-of-way width. *(The existing, Columbia Gas-owned, natural gas distribution line has a maintained right-of-way width, which measures 25', and has been reflected on the plan. Deed research for right-of-way width indicated it to be of unspecified width, adequate of necessary width for installation and maintenance. The plan review comment, of negotiation of "proper" gas line right-of-way from pipeline owner, is a non-relevant topic to the Lot Line revision subject matter, of the plan under consideration. With respect to the concerns of proper building setback from gas lines, the American Petroleum Institute (API-2003) states a minimum 50' setback from any active gas line, to for new homes, businesses, and places of public assembly. It also recommends a minimum setback of 25' for garden sheds, septic tanks, and water wells and 10' for mailboxes and yard lights. The Township could consider as a separate matter, a required building setback dimension, applied to future buildings to be constructed in the Township, as a component of their Building Permit application, or address the matter via an amended Ordinance addition.)*
- f. Because no new lots are being created by this Application, Sewage Facility Planning Modules are not required. *(Acknowledged. No action required.)*

The Planning Commission, based on Township Engineer Olsen's recommendation, recommended approval, contingent on (1) labeling the existing garage as non-conforming, (2) Sewage Enforcement Officer, Doug Duncan, should verify previous test site and (3) Note 5 should include minimum lot size and Note 6 should indicate Lot 1R or use Map and Parcel number (3F41 29A) for Lot 1R.

Latuska motioned, based on Township Engineer Olsen's recommendation of including existing structures on Lot A-R are noted as non-conforming and contingent on receipt of Butler County Planning Commission review letter, approving the Stultz Lot Line Revision No. 2014-10-08. Smallwood seconded. Motion carried.

2. Clearview Mall Traffic Signal Easement: In preparation for the new Sheetz/Rite-Aid development, it was discovered that the Township did not have an easement from J. J.

Gumberg to maintain the signals for the Clearview Mall. 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.

The Planning Commission recommended granting approval of the Clearview Mall Traffic Signals Maintenance Easement, as presented by Township Engineer Olsen.

Latuska motioned approving the Clearview Mall Traffic Signal Easement. Smallwood seconded. Motion carried.

OLD BUSINESS:

1. Henricks Road (T-830): According to Township Engineer Olsen, PennDot is working on all projects within the Federal Highway System. Therefore, Henricks Road (T-830) is not eligible for the State Transportation Improvement Program.
2. Office Relocation: Wulff met with Township Engineer Olsen and David Hill, Olsen and Associates, and John Nath, Professional Code Services on Tuesday, November 11, 2014 to discuss the office relocation to the Maintenance Facility. Mr. Nath stated the office could be relocated at any time. Conversion of the north truck bay to an assembly area requires a drop ceiling extending sprinkler system heads to the drop ceiling. An insulated wall could be constructed in front of the existing garage door. A dividing wall with a garage door and a man door would need installed between the truck bay and office area. The existing gate would need relocated.
3. Authorize Sale of 2006 Ford Escape XLT: The Board will advertise for sale the 2006 Ford Escape XLT in the Butler Eagle editions of Monday, November 24, 2014 and Friday, November 28, 2014. ***Latuska motioned authorizing placement of ads in the Butler Eagle editions of Monday, November 24, 2014 and Friday, November 28, 2014 to sale the 2006 Ford Escape XLT. Frenchak seconded. Motion carried.***
4. Glenwood Way/Beechwood Boulevard Stop Sign Ordinance No. 2014-11-04: The Board received a request to place a stop sign at the southeast corner of the intersection of Glenwood Way (T-831) and Beechwood Boulevard (T-707). Township Engineer Olsen conducted a traffic study determining a stop sign is warranted. ***Latuska motioned adopting the Glenwood Way/Beechwood Boulevard Stop Sign Ordinance No. 2014-11-04. Erie seconded. Motion carried.***

NEW BUSINESS:

1. Volunteer Firefighter Initiative: Butler County Fire Chiefs, Cranberry Township Community Chest and Butler County Community College are raising funds to establish scholarships for volunteer fire fighters and purchase of a new training trailer. They raised approximately \$263,000 towards the goal of \$500,000. The Board will considered donating at the end of the year.

2. Revised PIRMA Intergovernmental Contract: Pennsylvania Intergovernmental Risk Management Association is updating their contract with all member associations. ***Latuska motioned adopting the updated Pennsylvania Intergovernmental Risk Management Association contract. Erie seconded. Motion carried.***
3. Rehire Lenny Young: Public Works Director recalled Lenny Young to work for the Township on Tuesday, October 28, 2014 and Wednesday, October 29, 2014. Since this is part time, Mr. Young needs reappointed as part time at the rate of \$13.50 per hour. Lenny Young refused the part time position.
4. Ratify Memorandum of Agreement for Veterans' Day Holiday: The road crew union members requested to work the holiday on Tuesday, November 11, 2014 and take Friday, November 14, 2014 off. Mr. Edward Begovich, United Mine Workers, prepared a Memorandum of Agreement. This memorandum will not set precedent for future holidays. ***Latuska motioned ratifying the acceptance of the Memorandum of Agreement permitting the road crew to work on Tuesday, November 11, 2014 and take Friday, November 14, 2014 off. Erie seconded. Motion carried.***
5. Release Consultant Fees: Township Secretary/Treasurer Amendolea requests the following consultant fees be released:

Development	Type	Approval	Instrument Number	Amount
Williams	Minor Subdivision	10/20/20014	201410270025754	\$428.50
Altmire	Minor Subdivision	08/13/2014	201409030020802	\$347.25
First United Methodist Church	Lot Line Revision	09/10/2014	201409290023267	\$632.25
Bilowich	Minor Subdivision	09/10/2014	201410030023785	\$432.80

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

6. Schedule First United Methodist Church Conditional Use Hearing: The First United Methodist Church proposes to construct a 13,400 square foot addition to the existing building located at 1802 North Main Street Extension. ***Latuska motioned authorizing placement of ads in the Butler Eagle editions of Sunday, November 23, 2014 and Sunday, November 30, 2014 for a public hearing to be held on Monday, December 8, 2014 at 6:00 p.m.. Erie seconded. Motion carried.***
7. Dumpster Relocation: Currently, the dumpster is located at the old maintenance building, 1161 Sunset Drive, which is shared with Dean's Autobody. ***Latuska motioned authorizing Township Secretary/Treasurer Amendolea to provide written notice to Dean's Autobody that the Township will be relocating the dumpster to the Maintenance Facility effective January 1, 2015. Smallwood seconded. Motion carried.***
8. Authorize Storage of Fire Department Equipment: Mr. Dave Schmeider requests authorization to store a lawn mower and boat in the old maintenance building. ***Latuska authorizing Unionville Volunteer Fire Company to store a lawn mower and boat at the old maintenance building. Frenchak seconded. Motion carried.***

9. Relocation of Fire Gear Racks: There are fire gear racks in the Maintenance Facility which are not being used. The fire department requests the racks be moved to the firehall due to an increase in membership. ***Erie motioned authorizing the relocation of the fire gear racks from the Maintenance Facility to the Unionville Volunteer Fire Company. Frenchak seconded. Motion carried.***

PUBLIC WORKS DIRECTOR:

1. Ratify Ad and Award Bid for 1989 International Truck: The sale of the 1989 International Truck for "Salvage Only" was advertised in the Butler Eagle editions of Tuesday, October 28, 2014 and Sunday, November 2, 2014. A bid of \$2,500 was received from William G. Errera. ***Latuska motioned ratifying the placement of ads in the Butler Eagle to sale the 1989 International truck for "Salvage Only". Frenchak seconded. Motion carried.***

Latuska motioned awarding the bid to William G. Errera in the amount of \$2,500.00. Erie seconded. Motion carried.

2. Part Time Employee: The Board authorized UPMC/HAPPI to conduct pre-employment physical exams. When Public Works Director Lauer ~~establish~~ established (*corrected 12/10/2014*) the lift tasks at seventy-five (75) pounds, there would be an additional cost of approximately \$2,000.00. Therefore, ***Latuska motioned rescinding the ~~motioned~~ motion (corrected 12/10/2014) made at the meeting held on October 8, 2014. Erie seconded. Motion carried.***

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 of fifty (50) pounds. Erie seconded. Motion carried.

3. Purchase of Automatic Tarps for Vehicles: Public Works Director Lauer received a quote from Neilly Canvas Goods Company in Pittsburgh for automatic tarps at \$2,676.00, installed, per truck. Three (3) trucks would be involved. ***Latuska motioned authorizing the purchase of automatic tarps for three (3) trucks at the cost of \$2,676.00, installed, per truck staggered one (1) per month. Smallwood seconded. Motion carried.***
4. Underground Storage Tank Violations: Public Works Director Lauer stated the violation is due to not having the proper training. He requests authorization for himself, Greg Brewster, Jared Smith and Jeff Winchester to attend the Underground Storage Tank Operator Training at Petroleum Technical on Tuesday, November 18, 2014. ***Latuska motioned authorizing Public Works Director Lauer to clarify if one (1) or four (4) employees need to attend the Underground Storage Tank training with the approval of two (2) supervisors. Frenchak seconded. Motion carried.***
5. Engine Purchase for 1996 CAT 924F: The highlift was picked up by Cooley's Management LLC on Tuesday, November 11, 2014 to rebuild the engine with a thirty (30) day warranty in the amount of \$4,450.00. The work should be completed in two (2) weeks. ***Latuska motioned authorizing Cooley Management, LLC to rebuild the 1996 CAT 924F engine for***

the amount of \$4,450.00 which includes delivery and pick-up fees of \$550.00. Smallwood seconded. Motion carried.

6. SR308/8 Signal: A complaint was received from Mr. David Festog, 114 Elise Drive, about the signal located at Shanor Heights and State Route 8. The signal is operating as designed. ***Frenchak motioned authorizing Township Secretary/Treasurer Amendolea to send letter to Mr. David Festog as follow up to his complaint. Latuska seconded. Motion carried.***
7. Authorize Ad for Antiskid: Public Works Director Lauer requests advertising for 3,000 tons of Type As-1 antiskid. The antiskid will be mixed 50/50 with the road salt. ***Latuska motioned authorizing placement of ads in the Butler Eagle editions of Wednesday, November 26, 2014 and Sunday, November 30, 2014 for 3,000 tons of antiskid Type AS-1. Erie seconded. Motion carried.***
8. Salt Spreader Repair: The salt spreader which was on the 1989 International truck has been repaired and placed on the 1992 International truck.
9. 2008 Ford F550 Engine: A new engine was installed in the 2008 Ford F550 truck which is leaking oil. Ford Motor Company requires the engine to be torn down to determine cause before replacing the engine.
10. Mercer Road Project: The project correcting stormwater runoff on Mercer Road near Stirling Landscaping is complete.
11. Holyoke Road Project: The project along Mr. Dewayne Croll's property will be completed this year, weather permitting.

ENGINEER'S REPORT: None

SOLICITOR'S REPORT:

1. Clearview Mall Tax Assessment Appeal: Township Solicitor Gallagher was not aware Clearview Mall Tax Assessment Appeal was denied. Clearview Mall has thirty (30) days from October 29, 2014 to appeal the decision.
2. Center Township Water and Sewer Authority Deed: During the oil/gas lease negotiations with Rex Energy, a property was still deeded to the former Center Township Water and Sewer Authority. ***Latuska motioned authorizing himself or Smallwood to sign the deed transferring the property from Center Township Water and Sewer Authority to Center Township. Erie seconded. Motion carried.***
3. Well Pad Development Opinion: Mr. Michael K. Vennum, Rex Energy, has the following question concerning well pad development:

"Rex has a proposed well pad located in the R-1A district, but not within either the SM or OM district. I assume that the proposed well pad is permitted through conditional use per Section 20-504(1) of the Ordinance."

Latuska motioned authorizing John Nath or Richard Round to provide an opinion on the conditional use for well pad development. Smallwood seconded. Motion carried.

MISCELLANEOUS:

1. Rex Energy Meeting: Rex Energy does not want to meet during a public meeting. They request the Township Engineer and Solicitor be in attendance. Township Secretary/Treasurer will contact Rex Energy for a couple of dates for a meeting.
2. Butler County Leadership Meeting: Butler County Leadership scheduled a meeting for Friday, November 14, 2014 at 8:15 a.m. Latuska and Frenchak will attend.

ADJOURNMENT:

The meeting adjourned to an executive session to discuss personnel at 7:59 p.m. The meeting reconvened at 9:30 p.m. with no action taken.

Latuska motioned to adjourn at 9:31 p.m. Frenchak 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