

Board of Supervisors:
 Edward Latuska, *Chairman*
 Alan Smallwood, *Vice Chairman*
 Andrew Erie, *Supervisor*
 Kenneth Frenchak Jr, *Supervisor*
 Philip Wulff, *Supervisor*



Anthony Amendolea, Secretary/Treasurer
Michael Gallagher, Solicitor
Olsen & Associates, Engineer

Center Township Board of Supervisors
 Regular Meeting Minutes
 September 9, 2015
 6:30 p.m.

CALL TO ORDER:

Chairman Edward Latuska called the Regular Meeting, of the Center Township Board of Supervisors, to order at 6:35 p.m. The meeting was held at the Unionville Volunteer Fire Company Firehall, 102 Mahood Road, Butler PA 16001.

ROLL CALL:

In addition to Chairman Latuska , present were Vice Chairman Alan Smallwood; Supervisor Philip Wulff; Township Solicitor Gallagher; Township Engineer Olsen; and Township Secretary/Treasurer Anthony Amendolea. Supervisor Kenneth Frenchak via telephone. Supervisor Andrew Erie was absent.

PUBLIC TO BE HEARD:

1. Nathan Wulff, 5168 McCandless Road: Fire Chief Wulff presented the August 2015 report:

Type of Calls	Number of Calls
Motor vehicle accidents	5
Automatic fire alarms	4
Service calls	2
Structure fires	6
Medicals	4
Brush fires	0
Dive calls	1
Vehicle fires	1
Landing Zone	0
Technical Rescue	0
CO Alarm	0
Haz-Mat	0
Stand By	1
Total Calls	24

A volunteer firefighter is receiving a scholarship from the Cranberry Community Chest.

2. Mr. Tom Lewis, 114 Mar Vel Drive: Mr. Lewis complained about a non-resident parking a tractor cab at 116 Mar Vel Drive one (1) or two (2) days which idles until midnight. He is concerned with cars speeding on Mar Vel Drive. Mr. Lewis stated the burning ordinance needs updated.

MINUTES:

1. Agenda Setting Meeting – August 10, 2015: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on Monday, August 10, 2015. Smallwood seconded. Motion carried.*
2. Regular Meeting – August 12, 2015: *Latuska motioned approving the minutes of the Regular Meeting held on Wednesday, August 12, 2015. Smallwood seconded. Motion carried.*

TREASURER'S REPORT:

1. August 2015: *Latuska motioned approving the August 2015 Treasurer's Report. Smallwood seconded. Motion carried.*
2. Warrant List 15-08-16: *Latuska motioned approving Warrant List 15-08-16. Wulff seconded. Motion carried.*
3. Warrant List 15-09-17: *Latuska motioned approving Warrant List 15-08-17. Wulff seconded. Motion carried.*
4. Authorize Ad for 2016 Budget Workshops: *Latuska motioned authorizing placement of an ad to advertise the budget workshops for Tuesday, October 13, 2015 and Monday, November 9, 2015 at 6:00 p.m. in the Butler Eagle edition for Sunday, October 4, 2015. Frenchak seconded. Motion carried.*
5. Authorize Ad to Appoint CPA for 2015 Audit: *Latuska motioned authorizing placing an ad to appoint a CPA for 2015 Audit in the Butler Eagle editions for Sunday, September 27, 2015 and Sunday, October 4, 2015. Smallwood seconded. Motion carried.*

ZONING REPORT: August 2015: Construction costs were \$282,767.00 fees collected were \$6,925.40.

SUBDIVISION & LAND DEVELOPMENTS:

1. Rite Aid Land Development No. 2015-06-14, Final, Expires 10/05/2015: The Board of Supervisors granted preliminary approval at their meeting held on Monday, January 5, 2015. On April 22, 2015, the Planning Commission recommended final approval with contingencies. Township Engineer Olsen had the following comments prior to final approval.
 - a. Record the subdivision if it has not already been done. The approved drawing shows proposed easements, including the traffic signal maintenance easement on the property.
 - b. Send the Township a copy of the approved NPDES Permit received from the Pennsylvania Dept. of Environmental Protection (PaDEP) I Butler County Conservation District (BCCD).
 - c. Sign (with notary) the Operations and Maintenance Stormwater management Agreement (previously provided) and record this at the Butler County Courthouse along with exhibits

consisting of 11" x 17" size copies of Post Construction Stormwater Management Drawings.

- d. Prepare a revised Estimate of Construction Costs for Township-required improvements including post construction stormwater management (channels, underground tanks, storm sewers, inlets, restoration of Mennor driveway, earthwork, revegetation, as-built drawings), the retaining wall, clearing and grubbing. The estimate should include the cost of replacing storm sewers under Elise Drive as currently indicated on drawings.
- Note: JT Butler should not include estimate costs of Erosion & Sediment Control (E&S) items. These are under the authority of the Butler County Conservation District rather than the Township.
- e. We had previously requested that JT Butler LLC provide a cost estimate for the traffic signal replacement. This cost estimate should include the new UPS system that Jarrod Crosby of David E. Wooster & Associates (Wooster) acknowledged by email.
 - f. Once cost estimates are approved by our office, JT Butler, LLC must provide Performance Security (such as bond, letter of credit, sequestered account, pass book) in an amount equal to 110% of estimated costs in a form approved by the Township Solicitor for all Township-required improvements, but exclusive of E&S controls and the traffic signal construction.
 - g. JT Butler, LLC must provide documentation to the Township that it has posted a financial guarantee to PennDot for the Route 8 traffic signal replacement. We confirmed with PennDot and with Wooster that a letter of credit will be posted directly to PennDot in the amount of 120% of estimated construction cost. The letter of credit, reduced to 20%, will also guarantee maintenance of materials and workmanship for at least two years
 - h. JT Butler LLC should provide one copy of the Temporary Highway Occupancy Permit to the Township once it is approved by PennDot. Last night, the Board authorized its Chairman to sign this HOP drawing as required by PennDot. JT Butler LLC should deliver this original drawing to the Township for signatures.
 - i. At this point in time, project drawings indicate that JT Butler LLC will be replacing the off-site storm sewers system along and across Elise Drive. If the Board wishes to negotiate this, perhaps providing materials, installation or both, please let me know. Otherwise, it will be assumed that the Developer will supply and install all materials.
 - j. Unless other arrangements have been made, it is our understanding that the pending NPDES Permit will authorize all JT Butler LLC land disturbance activities on the site and that Rite Aid and Sheetz will file for a revision or modification to the permit. The PCSM plan that has been submitted by JT Butler as part of the NPDES application 1) controls water runoff volume, 2) peak rate of discharge, and 3) water quality from the finished Rite Aid and Sheetz sites. It appears to us that since Rite Aid is using the same contractor as JT Butler LLC, and work will be done concurrently, it would be very easy for Rite Aid to finalize E&S drawings for its proposed earth disturbance activities (perhaps installing silt sacks in new inlets) and filing these drawings concurrently or as part of the JT Butler LLC NPDES application. Rite Aid could become a co-permittee and the contractor would also sign as a co-permittee. JT Butler LLC and Rite Aid may wish to discuss these concepts with the BCCD.
 - k. It is our understanding that the HOP for the new traffic signal is being submitted in the name of JT Butler LLC. As the signal maintenance period is coming to an end, JT Butler should provide Permit Transfer forms to the Township so that the Township becomes the Owner and is responsible for maintenance. The Township will also at this time adopt the traffic signal O&M easement within the Sheetz and Rite Aid site that has been dedicated to the Township as part of the JT Butler LLC subdivision plan. The Township will continue to pay for electric service to the intersection as it is currently. We suggest that until the traffic signal is maintained exclusively by the Township, JT Butler authorize the Township to retain its normal traffic signal maintenance

company for any emergency services necessary on the new traffic signal with the provision that JT Butler will reimburse the Township for these services.

1. We suggest that the Township request the Solicitor to prepare a Developer's Agreement to formalize any of these issues that he deems important so that there is no misunderstanding of responsibilities between the two parties.

Township Engineer Olsen recommended Rite Aid submit an application for final approval since J T Butler, property owner, has not completed the required contingencies.

The Board tabled the Rite Aid Land Development No. 2015-06-14 at their meeting held on Wednesday, July 8, 2015.

Latuska motioned, based on Township Solicitor Gallagher's recommendation, to deny the Rite Aid Land Development No. 2015-06-14. Smallwood seconded. Motion carried.

2. Sutton Lot Line Revision No. 2015-08-16, Final, Expires 11/24/2015: Mr. Steven Sutton presented. Mr. Sutton proposes combining Center Township Map 060-32F63-20A8B consisting of .57 acres (m/l) and Center Township Map 060-2F63-20A8C by removing the existing lot line. Butler County Planning Commission had no comments per review letter dated August 12, 2015. Township Engineer Olsen had the following comments:
 - a. The stated purpose of the Application is to consolidate two existing lots into one.
 - b. The property is served by public sanitary sewers. No Sewage Facility Planning Modules are required.
 - c. The Application states that potable water will be supplied by private well.

The Planning Commission recommended, based on Township Engineer Olsen's recommendation, granting final approval of the Sutton Lot Line Revision No. 2015-08-16.

Latuska motioned granting final approval of the Sutton Lot Line Revision No. 2015-08-16. Smallwood seconded. Motion carried.

3. Sheetz Extension Request: Sheetz submitted a request for a ninety (90) day extension since J. T. Butler has not received a NPDES permit from the Butler County Conservation District. ***Latuska motioned, based on Township Engineer Olsen's recommendation, accepting the ninety (90) day extension from Sheetz Incorporated. Smallwood seconded. Motion carried.***

OLD BUSINESS:

1. Tire Chains: The Safety Committee at their meeting held on Wednesday, August 26, 2015 discussed purchasing automatic tire chains. ***Frenchak motioned to purchase four (4) sets of Insta-Chain at a cost of \$1,749.75 per set installed not to exceed \$6,999.00. Smallwood seconded. Motion carried.***
2. Vicario's Withdrawal of FEMA Application: The application for the FEMA grant for Mr. Lawrence Vicario was submitted on Friday, August 7, 2015. On Wednesday, August 26,

2015, Randy Brown, EMA Coordinator, received an e-mail from FEMA requesting we withdraw the application due to an existing gas lease. Mr. Vicario requests an extension. ***Latuska motioned authorizing (1) himself to sign the request for an extension and (2) have withdrawal letter ready for his signature, if the extension request is denied. Smallwood seconded. Motion carried.***

NEW BUSINESS:

1. Marcellus Shale Allocation Resolution No. 2015-09-11: The Township received \$91,975.29 for the 2014 distribution The Board is required to allocate the funds received from the Marcellus Shale Impact Fees. ***Latuska motioned adopting the Marcellus Shale Allocation Resolution No. 2015-09-12. Smallwood seconded. Motion carried.***
2. 2016 Pension Plan Minimum Municipal Obligation: ***Latuska motioned (1) approving the 2016 Pension Plan Minimum Municipal Obligation in the amount \$43,551.04 and (2) authorizing Township Secretary/Treasurer Amendolea to sign as the Chief Administrative Officer. Smallwood seconded. Motion carried.***
3. Center Township Food Bank Donation: ***Latuska motioned donating \$3,500.00 to Family Life Ministries for the Center Township Food Bank. Frenchak seconded. Motion carried.***
4. Fall Leaf Collection: The following announcement will be published in the Butler Eagle:

CENTER TOWNSHIP RESIDENTS

The Township will begin curbside collection of leaves on Monday, October 19, 2015. The leave pick up will continue through Friday, November 20, 2015. Only leaves in biodegradable paper bags will be collected.

Biodegradable paper bags are available at the Township office, Monday through Friday (closed Holidays), from 8:00am to 4:00pm. The bags must be purchased in bundles of 10 at a cost of \$4.00 per bundle. Bags must **NOT** weigh more than 75 pounds.

You may drop off leaves at the Maintenance Facility located at 150 Henricks Road.

Contact the office at (724) 282-7805, if you have any questions.

5. Release Consultant Fees: Township Secretary/Treasurer Amendolea requests authorization to release the following consultant fee:

Development	Type	Approval	Instrument Number	Amount
First United Methodist Church	Minor Subdivision	2/11/2015	201502260003956	\$750.00
JJ Gumberg Company	Land Development	2/11/2015	Rural King Outside Sales	\$1,557.75
Glasgow/Malinak	Minor Subdivision	4/8/2015	201504230008380	\$407.50
Blatt	Land Development	4/8/2015	201508210018527	\$1,980.25

Latuska motioned releasing the consultant fee as requested by Township Secretary/Treasurer Amendolea. Wulff seconded. Motion carried.

6. Municipal Winter Traffic Services Agreement Resolution 2015-09-12: The Township maintains the section of Henricks Road (T-830) from the Township line to State Route 38 (SR0038) during the winter season. PennDot reimburses the Township for the maintenance. ***Latuska motioned adopting the Municipal Winter Traffic Services Agreement Resolution No. 2015-09-12. Erie seconded. Motion carried.***

7. Clerical Fill In: Ms. Naoma Neff submitted an application to fill in during Township Secretary/Treasurer Amendolea's time off. Unlimited Staffing, temporary hires, will continued to be used during Secretary/Treasurer Amendolea absences.

8. Set Trick or Treat Night: In the past, the Board set Trick or Treat Night to coincide with Butler City and Butler Township. The consensus is to observe the same day and time as Butler City and Butler Township.

9. Authorize Ad for Liquor License Hearing: Mr. Don Clark submitted a letter requesting a hearing for transferring a liquor license for Belmont II, 102 Bon Aire Plaza to 1805 North Main Street Extension. He proposes to move Belmont II to that location. ***Latuska motioned authorizing placing an ad scheduling a public hearing to transfer a liquor license in the Butler Eagle editions for Sunday, September 27, 2015 and Sunday, October 4, 2015. Smallwood seconded. Motion carried.***

PUBLIC WORKS:

1. 2015 Paving Project Completion Certificate: Step Up Foreman Brewster and Dick Knapko, PennDot, reviewed the 2015 Paving Project on Tuesday, October 7, 2014. The project was completed satisfactorily. ***Latuska motioned tabling the 2015 Paving Completion Certificate. Frenchak seconded. Motion carried.***

2. Award Contract for 2015 Line Painting: The Township received the following bids for the 2015 Line Painting Contract:

Company	Price per Linear Foot
Midlantic Marking Inc 12041 Old National Pike New Market, MD 21774	No Response
Parking Lot Painting Company 2991 Industrial Blvd Bethel Park, PA 15102	.065
Willman & Williams 1605 E Route 422 Fenelton, PA 16034-9746	.08

Latuska motioned awarding the 2015 Line Painting Contract to Parking Lot Painting Company at \$.065 per linear foot for 500,000 up to 600,000 linear feet. Frenchak seconded. Motion carried.

3. Dirt, Gravel & Low Volume Paved Roads Workshop, 9/29 & 9/30/15, Cranberry Twp, \$140: With the resignation of Mark Lauer, the Township must have a certified individual for the possibility of receiving funds to maintain roads. The certification lasts for five (5) years.

Latuska motioned authorizing two (2) employees to attend the two (2) day Dirt, Gravel and Low Volume Paved Roads Workshop in Cranberry Township on September 29, 2015 and September 30, 2015 at a fee of \$140.00 per attendee. Wulff seconded. Frenchak opposed due to not being beneficial. Motion carried 3 to 1.

4. Butler County Safety Seminar, Tanglewood, 10/14/2015, \$9: Step Up Foreman Brewster requests authorization to send four (4) employees to the Butler County Safety Seminar on Wednesday, October 14, 2015. ***Latuska motioned authorizing three (3) employees; Bryan Blakeley, Michael Iscrupe, and Joseph Miller to attend the Butler County Safety Seminar on Wednesday, October 14, 2015 at nine (9) dollars per attendee. Smallwood seconded. Motion carried.***

5. Shawnee Drive Stormwater: A letter was sent to property owner at 125 Shawnee Drive (Center Township Map 060-S19-A14) to repair driveway to prevent stormwater running across road. Property owner has not corrected the situation. ***Latuska motioned authorizing a letter sent to 125 Shawnee Drive (Center Township Map 060-S19-A14) to correct the problem within thirty (30) days of receipt of the letter or the Township will perform the work with cost charged to the owner. Smallwood seconded. Motion carried.***

6. McCandless Road (T-410)/West Brewster Road (T-450) Berms: Step Up Foreman Brewster received the following quotes to place E-1 Prime oil on the berms of McCandless Road (T-410) and West Brewster Road (T-450):

COMPANY	Price per Gallon
Russell Standard Corporation 171 Seventh Avenue Valencia, PA 16059	\$3.95
Henderson	\$2.55

Smallwood motioned authorizing Step Up Foreman Brewster to purchase MC-70 oil from Henderson's at \$2.55 per gallon for McCandless Road (T-410) and West Brewster Road (T-450). Latuska seconded. Motion carried.

7. Concrete Barriers: Step Up Foreman Brewster requests authorization to purchase concrete barriers for the Fall Leaf collection. He will need twenty-five (25) barriers at \$55.00 each. ***Smallwood motioned authorizing Step Up Foreman Brewster to purchase twenty-five (25) concrete barriers at \$55.00 each for the Fall Leave collection site. Latuska seconded. Motion carried.***

8. Elliott Road (T-675): Step Up Brewster stated that the gas line companies have damaged Elliott Road (T-675) during installation of the gas line. ***Latuska motioned authorizing Township Solicitor Gallagher to notify EdgeMarc that unless the road is not repaired the Township will draw down on the posted bond. Wulff seconded. Motion carried.***

9. POS Future: POS Future, 1737 North Main Street Extension, is paving their parking lot. The Board has a concern with their stormwater management. Zoning Officer Paul Snyder will investigate.

ENGINEER'S REPORT:

1. Cambridge Healthcare Secondary Access: Township Engineer Olsen noted that Cambridge Healthcare proposes to provide a secondary access which would be paved and gated for emergency access only. The Veterans Administration Police would have the key. The consensus of the Planning Commission was to permit the secondary emergency access only entrance. ***Latuska motioned, based on Township Engineer Olsen's recommendation, permitting the secondary emergency access only entrance. Smallwood seconded. Motion carried.***
2. Proposed Floodplain Ordinance: Township Engineer Olsen reported that the Commonwealth have updated the Floodplain maps and the Township is required to pass a new Floodplain ordinance to participate. The Township's draft ordinance was approved. Olsen is reviewing the model ordinances and will make a recommendation to the Board.
3. Margate Manor Catch Basins: Smallwood and Brewster visited the site to determine the type of repair is needed to prevent the unnecessary stormwater run off. They recommend connecting the catchbasin into the twenty-four (24) inch concrete pipe. Olsen will present at the next meeting.
4. Blossom Ridge Letter of Credit & Escrow: Mr. Dennis Beblo has a Letter of Credit due to expire on October 17, 2015 and an escrow of \$4,367.42 remaining for Blossom Ridge Phase II. Mr. Beblo had Shield Asphalt Paving place the wearing course in Blossom Ridge. He needs to request release of the Letter of Credit and escrow.
5. Codification of Ordinances: Ms. Karen Pierce is working on the codification of the ordinances. The MS Word format will be simpler to update. She will provide an electronic file for review. The proposed Floodplain Ordinance should be included and changes for lot coverage of twenty-five (25) percent lot coverage in the R-1A, Low Density Residential District and the review of the sign ordinance.
6. Sunset Drive Stormwater: A storm passed through the Township on Saturday, September 5, 2015. The stormwater continue to create problems on Sunset Drive. Township Engineer Olsen, Smallwood and Step Up Foreman Brewster will meet at the site to review.

SOLICITOR'S REPORT:

1. Cambridge Healthcare Developer's Agreement: Cambridge Healthcare has signed the developer's agreement. ***Latuska motioned, based on Township Solicitor Gallagher's recommendation, contingent on Cambridge providing Township Engineer Olsen with new construction costs for calculation of the 110% performance bond, adopting the Cambridge Healthcare Developer's Agreement. Smallwood seconded. Motion carried.***

2. Clearview Mall Tax Assessment: J. J. Gumberg was awarded the assessment appeal on June 23, 2015. The total refund is \$15,589.54 plus \$2.06 interest as follows:

	Paid	Adjusted	Refund	Escrow	Balance
General Fund	\$17,994.03	\$11,913.00	\$6,081.03	\$4,498.51	\$1,582.52
Debt	\$16,358.20	\$10,830.00	\$5,528.20	\$4,089.55	\$1,438.65
Fire	\$11,777.91	\$7,797.60	\$3,980.31	\$2,944.48	\$1,035.83
Interest				\$2.06	
Total				\$11,534.60	\$4,057.00

Latuska motioned ratifying the release of the Clearview Mall real estate taxes in the amount of \$15,591.60. Smallwood seconded. Motion carried.

MISCELLANEOUS: None

ADJOURNMENT:

The meeting adjourned to an executive session at 8:15 p.m. to discuss personnel. The meeting reconvened at 8:22 p.m. with no decision made.

Latuska made a motion to adjourn at 8:23 p.m. Wulff seconded. Motion carried.

 Anthony A. Amendolea
 Township Secretary/Treasurer

 Edward G. Latuska
 Chairman

 Alan H. Smallwood
 Vice Chairman

Absent
 Andrew Erie
 Supervisor

 Kenneth J. Frenchak Jr
 Supervisor

 Phillip B. Wulff
 Supervisor