

Board of Supervisors:
 Edward Latuska, Chairman
 Alan Smallwood, Vice Chairman
 Ronald Flatt, 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
 February 10, 2016
 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 Unionville Volunteer Fire Company Firehall, 102 Mahood Road, Butler PA 16001.

ROLL CALL:

In addition to Chairman Latuska, present were Supervisors Ronald Flatt, Alan Smallwood, Kenneth Frenchak and Philip Wulff; Township Solicitor Michael Gallagher; Township Engineer Olsen; and Township Secretary//Treasurer Anthony Amendolea.

Executive session held on Friday, January 15, 2016 from 2:00pm to 2:20pm to discuss litigation. No action was taken.

PUBLIC TO BE HEARD:

1. Mr. Nathan Wulff, 5168 McCandless Road: Fire Chief Wulff presented a summary of January 2016 calls received by the Unionville Volunteer Fire Company.

Type of Calls	Number of Calls
Motor vehicle accidents	8
Automatic fire alarms	5
Service calls	5
Structure fires	3
Medicals	1
Brush fires	0
Dive calls	0
Vehicle fires	2
Total	24

2. Mr. Steve Harris: Mr. Harris, Rex Energy, attended the Planning Commission meeting held on Wednesday, January 27, 2016. There is a conflict in the Center Township Codified Ordinances with the setback for gas wells. Property owner desires to waive the five hundred (500) foot setback per Act 13 requirements.

3. Supervisors' Health Insurance Benefits: Supervisor Frenchak was appointed to fulfill the remaining term of Supervisor Erie. He requested to be placed on the health insurance benefits prior to the ninety (90) day probationary period. At the meeting held on Tuesday, November 10, 2015, the Board failed to waive the ninety (90) day probationary period. ***Latuska motioned to provide immediate health insurance benefits, effective Wednesday, February 10, 2016, to all Supervisors pursuant to the Second Class Township Code, and based upon the written opinion of our Solicitor dated November 10, 2015, which shall be public record, which opines that to do so is not discriminatory. Smallwood seconded.*** Wulff questioned why change to be better than employees coverage. At the January 2012 Reorganization/Regular meeting, Supervisor Flatt and Frenchak voted no when Erie, Latuska and Wulff requested health coverage. Wulff stated he does not request the Township reimburse his co-pay, deductibles or prescriptions. Smallwood stated the Collective Bargaining Agreement is for the employees only. The Board was polled:

Flatt	Abstained
Frenchak	Aye
Latuska	Aye
Smallwood	Aye
Wulff	Nay

Motion carried 3 to 1.

4. Veterans Administration Clinic Construction Site: Latuska stated more construction vehicles and employees are entering and exiting the construction site on North Duffy Road.. He contacted Pennsylvania State Police to monitor. In addition, he contacted PennDot, LTAP and PSATS above placing a "Speed Minder" sign at the site. PennDot removed the sign after one (1) week. Mascaro Construction will place a "Speed Minder" sign.
5. Mr. Robert Brandon, 499 North Duffy Road: Mr. Brandon filed a complaint about the construction vehicles damaging his property at the corner of North Duffy Road and Mercer Road. Also, he complained about the drivers using their "jake brakes". ***Flatt motioned authorizing Latuska to notify Mascaro Construction asking their drivers to not use their "jake brakes" at the Mercer Road and North Duffy Road intersection. Latuska seconded. Motion carried.***
6. Mr. John Malinski, 375 Palmer Road: Mr. Malinski thanked the road crew for maintaining the roads during the snowfall.

The meeting adjourned to an executive session to discuss the sale of property at 7:15 p.m. The meeting reconvened at 7:28 p.m.

MINUTES:

1. Reorganization/Regular Meeting – January 4, 2016: ***Latuska motioned approving the minutes of the Reorganization/Regular Meeting held on Monday, January 4, 2016. Frenchak seconded. Motion carried.***

TREASURER'S REPORT:

1. January 2016: *Latuska motioned approving the January 2016 Treasurer's Report. Flatt seconded. Motion carried.*
2. Warrant List 16-02-02: *Latuska motioned approving Warrant List 16-02-02. Frenchak seconded. Motion carried.*
3. Warrant List 16-02-03: *Latuska motioned approving Warrant List 16-02-03. Flatt seconded. Motion carried.*

ZONING REPORT: January 2016: Construction costs were \$27,000.00 fees collected were \$100.84.

SUBDIVISION & LAND DEVELOPMENTS: None

OLD BUSINESS:

1. Life Insurance & Short Term Disability: Our current coverage for Life Insurance and Short Term Disability will expire on Monday, February 29, 2016. Township Secretary/Treasurer Amendolea receive quotes from the following:

Company	Life Insurance	Short Term Disability	Total per Month
Hartford Insurance	\$107.80	\$220.88	\$328.68
Trustees Insurance Fund	\$58.38	\$193.12	\$251.50

Latuska motioned ratifying the acceptance of the Life Insurance for \$58.38 and Short Term Disability for \$193.12 per month from Trustees Insurance Fund. Flatt seconded. Motion carried.

NEW BUSINESS:

1. Ratify Donation for Marylou Moorhead: Ms. Marylou Moorhead, former employee Charlie Moorhead's spouse, passed away on Tuesday, January 5, 2016. A \$50.00 donation was made to Saint Judes Hospital in her memory. *Latuska motioned ratifying the donation of \$50.00 to Saint Judes Hospital in memory of Ms. Marylou Moorhead. Wulff seconded. Motion carried.*
2. Authorize Ad for Economic Resource Overlay District : A public hearing is scheduled for Wednesday, March 16, 2016 at 6:00 p.m. to obtain public comment and testimony on the Economic Resource Overlay District overlay. *Latuska motioned (1) scheduling the public hearing for Wednesday, March 16, 2016 at 6:00 p.m. to be held at the Unionville Volunteer Fire Company Firehall, 102 Mahood Road, Butler PA and (2) placement of an ad in the Butler Eagle editions for Sunday, February 28, 2016 and Sunday, March 6, 2016. Flatt seconded. Motion carried.*

3. Authorize Ad for Firework Ordinance: The Board of Supervisors are amending the violation penalty for fireworks which requires an amendment. **Latuska motioned authorizing an ad of intent to adopt in the Butler Eagle edition for Sunday, February 28, 2016. Frenchak seconded. Motion carried.**

4. Records Destruction Resolution No. 2017-02-07: Township Secretary/Treasurer Amendolea submitted a request to destroy various records from 1998 through 2013 in accordance with the Municipal Records Manual approved December 16, 2008. **Latuska motioned adopting the Records Destruction Resolution No. 2016-02-07. Frenchak seconded. Motion carried.**

1. 2016 Traffic Signal Maintenance Agreement: Bronder Technical Services submitted a agreement for maintenance and repair of traffic signals 2016. The cost increased slightly for 2016. **Latuska motioned authorizing Chairman Latuska to sign the Traffic Signal Maintenance and Repair agreement for 2016. Flatt seconded.** After a brief discussion, the Board desires to receive prices from Bruce and Merrilees. Motion was withdrawn. **Frenchak motioned to table for a comparison of costs. Latuska seconded. Motion carried.**

5. Collection of Unpaid Business Privilege Tax & Home Occupation Permit Fees: An individual has been operating a home occupation since 2003. He paid the Business Privilege tax from 2003 but had never received a Home Occupation Permit from the Township. The consensus of the Board is to send a letter requesting unpaid Home Occupation Permit fees.

6. Release Consultant Fees: Township Secretary/Treasurer Amendolea recommends releasing the following Consultant Fees:

Development	Type	Approval	Instrumental Number	Amount
Master	Lot Line Revision	8/12/2015	201510020021894	\$370.00
Sutton	Lot Line Revision	9/9/2015	201509300021643	\$432.50
EM Energy	Lot Line Revision	11/10/2015	2016001290001922	\$462.50

Latuska motioned releasing the consultant fees, as noted. Frenchak seconded. Motion carried.

7. JB Mechanical Invoice Adjustment: The Board of Supervisors disputed invoices from J B Mechanical due to repairs not being made properly. J B Mechanical submitted a credit invoice for \$800.00 and a full credit invoice in the amount of \$584.00 which the remaining balance is \$2,501.00. **Wulff motioned authorizing a final payment of \$1,250.50. Flatt seconded. Motion carried.**

8. Release R E Gas Development Sewage Holding Tank Bond: R E Gas Development removed all sewage storage tanks from the Renick and Gray well sites. **Latuska motioned, based on Sewage Enforcement Officer Doug Duncan's recommendation, to release the R E Gas Development Sewage Holding Tank Bond in the amount of \$4,200.00. Wulff seconded. Motion carried.**

9. Sale of Municipal Building: The Board received an offer on the old municipal building. The Board will counter offer. Mr. Hirdaypal S. Gill and Ms. Halmanda Gill offer to purchase the Municipal Building located at 419 Sunset Drive, Butler PA 16001 for \$153,000, "as is where

is" with no mortgage. ***Latuska motioned, contingent on the review by Township Solicitor Gallagher, to accept the offer of \$153,000.00, "as is where is", less a \$5,000.00 deposit. Wulff seconded. Motion carried.***

10. Mineral Extraction Setback Discrepancy: Township Solicitor Gallagher stated that the setback for an oil and gas drilling operation within Center Township is five hundred (500) feet. Mr. Steve Harris questioned Act 13 requirement permits the property owner to waive the setback. Gallagher agreed stating the Board needs to review the ordinance.

PUBLIC WORKS:

1. 2016 - 2017 Salt Contract: The Township must enter into a contract with the Commonwealth, if we want to participate in the Costars Salt Contract. The Township will enter into the contract for 3,000 tons. We are required to purchase at least sixty percent (60%) (1,800 tons) or a maximum of 140% (3,120 tons). ***Latuska motioned to enter into the 2016 – 2017 Salt Contract for 3,000 tons. Flatt seconded. Motion carried.***
2. Lions Road (T-694) Guide Rail: Step Up Foreman Brewster received quotes for guide rail from the following:

Company	Amount
Fence Maintenance Service	\$4,215.00
Green Acres Contracting	\$5,412.50

Another gas line is being installed in that area and this will be discussed at a later date.

3. Trailer Purchase/Sale of 2004 Viking Trailer:
 - a. Trailer Purchase: Step Up Foreman Brewster receive quotes for a 2016 trailer from the following:

Company	Amount
Altmeyer's Trailer Sales Inc	\$6,070.00
Turner Tractor Inc	\$7,950.00
Viking Trailers	\$9,400.00

Smallwood motioned authorizing the purchase of a 2016 trailer from Altmeyer's Trailer Sales Inc in the amount of \$6,070.00. Latuska seconded. Motion carried.

- b. Sale of 2004 Viking Trailer: ***Frenchak motioned placing an ad in the Butler Eagle to sale the 2004 Viking Trailer. Latuska seconded. Motion carried.***
4. Release Interstate Gas Marketing Road Bond (Pine Tract Road T-578): Interstate Gas Marketing Inc requests release of their road bond for Pine Tract Road (T-578). ***Latuska motioned, based on Step Up Foreman Brewster's recommendation, releasing Interstate Gas Marketing Inc's road bond for Pine Tract Road (T-578). Flatt seconded. Motion carried.***

5. Purchase of Rolling Stairs: The Safety Committee recommended purchasing rolling stairs for use by the Road Crew. **Latuska motioned, based on the Safety Committee's recommendation, purchasing a ten foot Fold-N-Store ladder in the amount of \$1,001.00. Smallwood seconded. Motion carried.**

6. Authorize Ad for Purchase of Pipe: Step Up Foreman Brewster will be replacing storm drains along Brown Road (T-412), Elise Drive (T-518), Jamisonville Road (T-832), and Minich Road (T-420). He requests authorization to advertise for the following pipe:

Quantity	Unit	Description
260	Feet	N-12-15" x 20' Smooth Bore Plain End
7	Each	N-12-15" Split Couplers with ties
1,100	Feet	N-12-18" x 20' Smooth Bore Plain End
28	Each	N-12-18" Split Couplers with ties
420	Feet	N-12-24" x 20' Smooth Bore Plain End
11	Each	N-12-24" Split Couplers with ties
300	Feet	N-12-36" x 20' Smooth Bore Bell End

Latuska motioned authorizing placement of an ad in the Butler Eagle edition of Sunday, February 28, 2016 and Wednesday, March 2, 2016. Flatt seconded. Motion carried.

7. Summer Hires: Smallwood stated the Township could post a notice at the Butler County Community College for summer hires. The school requires a job description prior to posting notice. A brief discussion of the possibility of raising the hourly wage.

8. Sale of 1991 Bobcat 743: **Frenchak motioned authoring placement of an ad in the Butler Eagle for the sale of the 1991 Bobcat 743. Latuska seconded. Motion carried.**

ENGINEER'S REPORT:

1. Tax Increment Financing Construction Cost Estimates: PennDot met with the Township on Wednesday, February 3, 2016 to present five (5) concepts of the reconfiguring of the Route 422 cloverleaf. With the possible configuration, developers may be interested in developing in that area. The Tax Increment Financing would allow for improving sanitary sewers, three phase power and construction of a roundabout. Property owners in the Tax Increment Financing area would pay the taxes and up to eighty (80) percent would be invested to pay for the infrastructure. The taxing bodies, Butler County, Butler Area School District, Center Township and possibly Butler Township have to agree on creating the Tax Increment Financing district. Township Engineer Olsen suggested the Township meet with the Southwest Pennsylvania Commission to discuss the Route 422 cloverleaf project. **Latuska motioned directing Township Solicitor Gallagher to distribute the Tax Increment Financing memo for their review. Frenchak seconded. Motion carried.**

Latuska motioned authorizing Township Solicitor Gallagher to review the Municipalities Planning Code in creating an official map of the Township showing proposed roads. Smallwood seconded. Motion carried.

2. Sheetz/Rite Aid Project: Mr. Terry Astleford, J T Butler, requested assistance with the purchase of twenty-four (24) inch corrugated pipe, two (2) manholes, frames, covers, end wall and R-7 Rip Rap. A pre-construction conference is scheduled for Wednesday, February 17, 2016 at 10:00 a.m. at the project site. Township Solicitor Gallagher stated the Performance Bond should issued to Center Township as a single obligee. ***Latuska motioned authorizing the purchase of twenty-four (24) inch N-12 by one hundred forty (140) feet to be installed within the right-of-way of Elise Drive (T-518) to the discharge point of the existing watercourse west of Elise Drive (T-518). Flatt seconded. Motion carried.***
3. Act 167 Implementation Workshop - Butler County Planning Commission - April 14th: Butler County Planning Commission scheduled a "Act 167 Implementation Workshop for Thursday, April 14, 2016 from 10:00 a.m. to 12:00p.m. Township Engineer Olsen and Latuska will attend.
4. PennDot Meeting - SR 8/South Benbrook Road: Township Engineer Olsen asked the Board to consider inviting Mr. Jerrod Crosby, David E Wooster and Associates, to attend the meeting, when scheduled, with PennDot and Mr. John Giles to discuss the intersection of State Route 8 (SR0008) and South Benbrook Road (SR3007).

SOLICITOR'S REPORT:

1. Property Condemnation: The Board of Supervisors want to proceed with the condemnation of property. The process requires an exhibit drawing, property appraisal, title search and resolution authorizing declaration of taking. ***Latuska motioned authorizing (1) Township Engineer Olsen to prepare an exhibit drawing of the property to be condemned; (2) Township Solicitor Gallagher to do a title search; (3) Jim Keffalas to prepare an appraisal of the property; (4) Township Solicitor Gallagher to prepare a Resolution of Taking and file the Declaration of Taking. Frenchak seconded. Smallwood abstained. Motion carried 4 to 0.***

MISCELLANEOUS:

1. PUC Complaint: The PUC received and filed the complaint. Township Solicitor Gallagher stated it may take up to three (3) months before a hearing is scheduled.
2. Letter of Appreciation: Latuska read the letter of appreciation for Cheryl Schaefer.

*"The Center Township Board of Supervisors thank you for your service on the Planning Commission from January 21, 2008 through December 31, 2015.
Your eight (8) years of service have benefited the residents of Center Township. You were instrumental in revising the Center Township Comprehensive Plan, reviewing Zoning and Subdivision and Land Development ordinance changes, and reviewing developers' plans for projects of Veterans Administration Clinic, Sheetz and Rite Aid.
Again, thank you for your dedicated service to Center Township and its residents."*
3. Firehall Parking Lot: The parking lot was not plowed. He is concerned with the liability.
4. "Speed Minder" Signs: Frenchak recommends the radar sign.

- 5. Firehall Sign: Frenchak wants to work with the fire department to replace their sign.
- 6. "Jake Brakes" Frenchak stated that trucks use their "jake brakes" along State Route 8 near the Clearview Mall.
- 7. North Duffy Road: Township Engineer Olsen stated North Duffy Road near the construction site should be shaved off. ***Latuska motioned authorizing Township Engineer Olsen to discuss with the property owners about reducing the grade. Frenchak seconded. Motion carried.***

ADJOURNMENT:

The meeting adjourned to an executive session to discuss personnel at 8:52 p.m. The meeting reconvened at 9:14 p.m. with no action taken.

Latuska made a motion to adjourn at 9:15 p.m. Flatt seconded. Motion carried.

Anthony A. Amendolea
Township Secretary/Treasurer

Edward G. Latuska
Chairman

Alan H. Smallwood
Vice Chairman

Ronald E. Flatt
Supervisor

Kenneth J. Frenchak Jr
Supervisor

Phillip B. Wulff
Supervisor