

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
Patrick Gauselmann, Zoning Officer

Center Township Board of Supervisors
 Regular Meeting Minutes
 July 13, 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 6:30 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; Supervisors Ronald Flatt and Philip Wulff; Township Solicitor Michael Gallagher; Township Engineer Ronald Olsen and Township Secretary/Treasurer Anthony Amendolea. Kenneth Frenchak arrived at 6:38 p.m.

PUBLIC TO BE HEARD:

1. Latuska: Latuska noted that Mr. David Hargrave, Cambridge, and Mr. David Cord, Veterans Administration, were in attendance to answer any questions or concerns about the Veterans Administration Health Care Center construction.
2. Mr. David Hargrave: Mr. Hargrave met with the residents of Cornell Drive to discuss the scheduling of asphaltting of the parking lot, the dumpster drops and screening.
3. Mr. David Cord: Mr. Cord appreciates the Board attending the quarterly public meetings.
4. Flatt: Flatt complimented Mr. Cord for having the quarterly public meetings. Flatt asked about bus service to the Veterans Administration Health Care Center.
5. Mr. Nathan Wulff, 5168 McCandless Road: Mr. Wulff presented the Unionville Volunteer Fire Department Fire Calls for June 2016 as:

Type of Calls	Number of Calls
Motor vehicle accidents	8
Automatic fire alarms	5
Service calls	6
Structure fires	5
Medicals	2
Brush fires	4
Dive calls	1
Vehicle fires	1
Technical rescues	2
Total	34

Two (2) members were certified in motor vehicle rescue. A truck committee was formed to investigate the purchase of a new engine.

6. Mr. Thomas Schiebel, 118 Willow Run Drive: Mr. Schiebel attended the meeting held on Wednesday, May 11, to discuss securing the Maintenance Facility. There was no discussion at the June 8, 2016 meeting.
7. Mr. George White, 319 Palmer Road: Mr. White responded to Frenchak's comment made on Monday, July 11, 2016 concerning naming the Veterans Administration Health Care Center drive for Andrew Erie. Mr. Erie was involved with Township in many ways before and during his tenure as a Supervisor.
8. Mr. Harry Peterson, 110 Elise Drive: Mr. Peterson stated that the last rain water overflowed the wall being constructed at the Sheetz/Rite Aid project. The run off washed out his property.
9. Mr. Mark Lauer, 385 Mahood Road: Mr. Lauer stated that the gas companies need to repair areas on Unionville Road (T-805) and Mahood Road (T-860).

MINUTES:

1. Agenda Setting Meeting – June 6, 2016: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on Monday, June 6, 2016. Flatt seconded. Motion carried.*
2. Regular Meeting - June 8, 2016: *Latuska motioned correcting, Engineer's Report, Item 2 as reads "to the" to read "to sign the" the minutes of the Regular Meeting held on Wednesday, June 8, 2016. Flatt seconded. Motion carried.*

TREASURER'S REPORT:

1. June 2016: *Latuska motioned approving the June 2016 Treasurer's Report. Smallwood seconded. Motion carried.*
2. Warrant List 16-06-12: *Latuska motioned approving Warrant List 16-06-12. Flatt seconded. Motion carried.*
3. Warrant List 16-07-13: *Latuska motioned approving Warrant List 16-07-13. Flat seconded. Motion carried.*

ZONING REPORT: June 2016: Construction costs were \$2,465,222.00 fees collected were \$13,048.68.

SUBDIVISION & LAND DEVELOPMENTS:

1. Wallace Lot Line Revision No. 2016-02-01, Final, Expires 07/15/2016: Mr. Donald Wallace proposes consolidating 1764 North Main Street Extension (Center Township Map 060-S4-

A1B) consisting of .512 acres (m/l) and 1766 North Main Street Extension (Center Township Map 060-S4-A1C) consisting of .796 acres (m/l). Butler County Planning Commission had no comments per review letter dated February 23, 2016. Township Engineer Olsen's comments are as follows (*Mr. Wallace's comments are italicized*):

- a. This application is for a lot consolidation prior to a separate land development application.
- b. The Applicant should contact his private attorney regarding the legalities of showing an abandonment of the 25' R/W along the southern property line without signatures of J.P. Oliver being on the plan. (*The twenty-five (25) foot right-of-way will be abandoned*)

The Planning Commission recommended approval of the Wallace Lot line Revision No. 2016-02-01 at their meeting held on Wednesday, February 24, 2016.

The Board of Supervisors tabled the Wallace Lot Line Revision No. 2016-02-01 due to no representation at their meeting held on Wednesday, March 9, 2016 and Wednesday, April 13, 2016.

The Board voted to disapprove, in accordance with Chapter 14, Section 14-404.D.3.b.(3), the Wallace Lot Line Revision No. 2016-02-01 effective May 23, 2016 unless a letter requesting an extension is received prior to that date. A letter requesting an extension to July 15, 2016 was received.

Flatt motioned granting final approval of the Wallace Lot Line Revision No. 2016-02-01. Latuska seconded. Smallwood abstained. Motion carried 4 to 0.

2. Giles/Starlight Minor Subdivision No. 2016-03-02, Reapproval, 90 Days Elapsed: Mr. Mike Ogin, Gateway Engineers, presented. Giles Holdings Future LLC, owner of Butler County tax parcel 060-2F106-14B, and Starlight Drive-In Inc, owner of tax parcel 060-2F106-140, are proposing a Lot Line Revision to allow Giles Holdings access to Route 8 and the existing traffic light for State Route 8 (SR0008) and South Benbrook Road (SR3007). They request a modification to Center Township Codified Ordinance Chapter 14, Article IV, Section 14-403, Paragraph B.3. to allow for a scale of one hundred twenty feet (120') to one inch (1"), an appropriate scale for the size of the plan area. *Subdivision or Land Development Plat: A plat of the lot or lots to be formed or developed, drawn to a scale not smaller than one hundred feet (100') to one inch (1").* Butler County Planning Commission had no comments per review letter dated March 16, 2016. Township Engineer Olsen's comments are as follows (*Mr. Ogin's comments are italicized*):
 - a. The plan is a minor subdivision. Tract 1 is proposed to be conveyed from Starlight Drive-In Inc. to Giles Holdings Future LLC and to be consolidated into a single lot. This conveyance will necessarily be by deed after the plan is recorded.
 - b. No new stand-alone lots will be created. Therefore, no Sewage Facilities Planning Modules are required.
 - c. The Application states that public sewage is available, but it appears only the Giles property has access to public sewer service. This should be discussed at the Township meetings. (*will verify that Starlight Drive-In is on public sewer*)

- d. It is my recollection that the Township at one time signed an agreement with DeMarsh granting access to the Township 's traffic signal for a contribution of \$20,000. This should be discussed with the Solicitor for applicability. *(is not aware of an agreement granting Starlight Drive-In access to the traffic signal)*
- e. We recommend that the Planning Commission recommend approval of this subdivision.
- f. It is our understanding that John Giles will be submitting a Pre-Application Review for a Land Development in the near future.

Sloan stated Checklist Item I, B.3.a. (Name, address, phone number of subdivider) is not shown on the plan. In addition,

The Planning Commission recommended granting modification to Center Township Codified Ordinance Chapter 14, Article IV, Section 14-403, Paragraph B.3. to allow for a scale of one hundred twenty feet (120') to one inch (1"), an appropriate scale for the size of the plan area.

The Planning Commission, contingent on (1) Checklist Item I, B.3.a. (Name, address, phone number of subdivider) is shown on the plan and (2) the centerline for State Route 8 (SR0008) North should be depicted, recommended approval of the Giles/Starlight Minor Subdivision No. 2016-03-02.

The Board granted modification to Center Township Codified Ordinance Chapter 14, Article IV, Section 14-403, Paragraph B.3. to allow for a scale of one hundred twenty feet (120') to one inch (1"), an appropriate scale for the size of the plan area.

The Board, based on Township Engineer Olsen's recommendation that the contingencies were met, granted final approval of the Giles/Starlight Minor Subdivision No. 2016-03-02.

Flatt motioned reapproving the Giles/Starlight Minor Subdivision No. 2016-03-02. Frenchak seconded. Smallwood abstained. Motion carried 4 to 0.

- 3. Neal Minor Subdivision No. 2016-06-04, Final, Expires 09/19/2016: Ms. Nancy Neal proposes subdividing ten (10) acres (m/l) to be conveyed to her grandson from Center Township Map 060-2F108 2 consisting of fifty (50) acres (m/l) Butler County Planning Commission had no comments per review letter dated June 10, 2016. Township Engineer Olsen comments are as follows *(Mr. Steven Graff's comments are italicized)*:
 - a. The Application meets the definition of a Minor Subdivision. One new lot is being created. The remnant should be labeled as Lot 2. *(Remnant labeled as Lot 2)*
 - b. Test pit and percolation test hole locations are shown on the plan . Unless already submitted to the Township, the Applicant must submit Sewage Percolation Test Data and Sewage Facilities Planning Modules. The PaDEP requires that the Township Sewage Enforcement Officer conduct an inspection of the on-lot sewage treatment on the remnant parcel to verify that it is functioning correctly. The Applicant should contact the Township office to make arrangements for this inspection (Subdivision and Land Development Ordinance, Section 14-403G.2). *(No action required on plan)*

- c. Only existing electric utilities are shown on the plan. If other utilities serve the properties, these should be indicated (SALDO Section 14-403G.1). *(No action required on plan)*
- d. The Center Township standard on-lot sump detail should be added to the plan (Center Township Standard Detail S.D.22). *(Center Township Standard Detail S.D. 22 added to plan)*
- e. A note should be added to the plan that a "Highway Occupancy Permit is required from Center Township for any future driveway access to Mahood Road" (Codified Ordinance Article III). *(Highway occupancy note added to plan)*
- f. The Applicant should be aware that additional stormwater management may be required for regulated activities creating impervious areas on the lots. *(No action required on plan)*

The Planning Commission, contingent on Pennsylvania Department of Environmental Protection's approval of the Sewage Facilities Planning Module, recommended approval of the Neal minor Subdivision No. 2016-06-04.

Flatt motioned, contingent on receipt of the Department of Environmental Protection's letter approving the Sewage Facilities Planning Module, granting final approval of the Neal Minor Subdivision No. 2016-06-04. Frenchak seconded. Smallwood abstained. Motion carried 4 to 0.

OLD BUSINESS:

- 1. Pinehurst Road (T-603) Bridge: Township Solicitor Gallagher contacted Mr. Mark Paul, Canadian National Railroad, who stated the Township owns the Pinehurst Road (T-603) Bridge. Township Engineer Olsen suggested that Township Solicitor Gallagher contact the Public Utilities Commission for the track maps.
- 2. Ivancik Drainage Easement Agreement: Paul and Julie Ivancik is providing the Township with a hundred (100) foot by ten (10) foot (1004.24 square feet) easement to correct existing stormwater issues. ***Latuska motioned accepting the Ivancik Drainage Easement Agreement. Frenchak seconded. Motion carried.***
- 3. Spring Run Road Stormwater Detention Sumps: Two (2) properties on Spring Run Road erected single family dwellings without installing the required on lot stormwater detention sump. Contractor was notified of the requirement of the installation of an on lot stormwater detention sump but states a provision of two hundred (200) feet which the Township did not adopt. Latuska directed Township Secretary/Treasurer Amendolea to send letter informing of the requirement to property owner and contractor. Township Solicitor Gallagher will check to see if Temporary Occupancy could be revoked. ***Latuska motioned authorizing Patrick Gauselmann, Zoning Officer, to send letter notifying the owners to construct on lot stormwater detention sumps within thirty (30) days. Smallwood seconded. Motion carried.***

NEW BUSINESS:

- 1. Boarts Agricultural Security Request: Mr. and Mrs. Gary Boarts submitted an application to

add 14.9 acres (m/l) (Center Township Map 060-2F106-16) to the Center Township Agricultural Security Area. The 14.9 acres (m/l) parcel will be added to the Agricultural Security Area after expiration of one hundred eighty (180) days from June 20, 2016.

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

Development	Type	Approval	Instrument Number	Amount
Douthett	Minor	7/8/2015	201508100017475	\$34.50
Keystone Ridge	Minor	7/8/2015	201510080022425	\$287.00
Keystone Consultants	Minor	7/8/2015	201508180018222	\$386.50

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

3. Schneider Agricultural Security Request: Mr. and Mrs. Michael Schneider submitted an application to add 26 acres (m/l) (Center Township Map 060-3F43-26) to the Center Township Agricultural Security Area. The 26 acres (m/l) parcel will be added to the Agricultural Security Area after the expiration of one hundred eighty (180) days from June 29, 2016.
4. Butler Area Sewer Closing Balance: An error was made at the time of closing on the old Municipal Building located at 419 Sunset Drive. There is a balance due of \$68.20. ***Latuska motioned authorizing the payment of \$68.20 to the Butler Area Sewer Authority to settle the amount due at closing. Wulff seconded. Motion carried.***
5. Subdivision and Land Development Course, Butler, 10/27, 11/03, and 11/10/2016, \$60: The Butler County planning Commission is sponsoring a Subdivision and Land Development Course on October 27, 2016, November 3, 2016 and November 10, 2016 from 6:00 p.m. to 9:30 p.m. Information will be given to the Planning Commission. Flatt will attend.
6. Schedule Hearing for R E Gas Development Conditional Use No. 2016-01: R E Gas Development submitted a request for a Conditional Use for the Kern Well Pad to be located at 205 West Brewster Road (Center Township Map 060-3F43-17). ***Latuska motioned scheduling a Conditional Use hearing for Monday, August 8, 2016 at 6:00 p.m. Wulff seconded. Motion carried.***

PUBLIC WORKS:

1. Litter Control: Latuska stated that there is a litter problem along roads. Step Up Foreman Brewster contacted Boy Scouts Troop 6 to see if there was any interest in picking up trash along Center Township. In return the Township would make a donation
2. 105 Elise Drive Stormwater: Mr. Jeffrey Knauer, 105 Elise Drive is not satisfied with the work that was completed to solve his stormwater problem. Step Up Foreman Brewster stated that topsoil was placed and seeded. A catch basin needs to be asphalted.
3. Purchase of Tiger Ditcher Attachment Kit: Smallwood reported that ditches are clogged

along roads. Currently, we use Franklin Township's ditcher, when available. Under State Power Equipment Contract #4400011400 the price for a Tiger DA22-120HDCOV, Ditcher Attachment Kit is \$9,671.68 and the price for Ditcher Reversing Kit is \$1,649.20. ***Flatt authorized purchase, under State Power Equipment Contract #4400011400, of a Tiger DA22-120HDCOV, Ditcher Attachment Kit for \$9,671.68 and the Ditcher Reversing Kit for \$1,649.20, totaling \$11,320.88. Flatt seconded. Motion carried.***

ENGINEER'S REPORT:

1. Mercer Road (T-494)/North Duffy Road (T-509) Intersection: Township Engineer Olsen provided a drawing of the current right-of-way and proposed additional right-of-way of .071 acres (m/l). Frenchak is willing to talk to Mr. Robert Brandon about donating the property to the Township. ***Frenchak motioned authorizing Township Secretary/Treasurer Amendolea to prepare a letter for Latuska's signature to notify Mascaro Construction and Cambridge Healthcare Solutions PA to repair the corner of North Duffy Road (T-509) and Mercer Road (T-494). Latuska seconded. Smallwood abstained. Motion carried 4 to 0.***
2. Elise Drive Culvert Replacement & Extension Certificate of Completion: Township Engineer Olsen presented the Certificate of Compliance for Latuska's signature. ***Flatt motioned authorizing Chairman Latuska to sign the Certificate of Completion. Latuska seconded. Motion carried.***
3. Stoughton Golf Course Stormwater Detention: Mr. Van Smith constructed a storage building several years ago which required stormwater management. The detention system has not been installed. Township Engineer Olsen and Wulff will research.
4. Butler Area Sewer Authority Meeting: Township Engineer Olsen and Latuska met with Butler Area Sewer Authority to discuss placing sewage on the property of Dave Bocci. An agreement with Mr. Bocci was signed several years ago. Township Engineer Olsen is presenting a letter to the Butler Area Sewer Authority Directors to honor that agreement. He suggested a three (3) party agreement be drafted between Butler Area Sewer Authority, David Bocci and Center Township. ***Frenchak motioned authorizing Chairman Latuska to sign the letter to the Butler Area Sewer Authority Directors. Smallwood seconded. Motion carried.***
5. Official Township Map: Township Engineer Olsen recommended amending the Economic Resource Overlay District to direct developers using the overlay district to donate a dedicated right-of-way. ***Latuska motioned authorizing Township Engineer Olsen to continue working on the official Township map. Frenchak seconded. motion carried.***

SOLICITOR'S REPORT:

1. Croll Property Condemnation: Mr. Dewayne Croll is accepting the appraisal for the property condemnation.

MISCELLANEOUS: None

ADJOURNMENT:

The meeting adjourned to an executive session to discuss possible litigation at 8:35 p.m. The meeting reconvened at 8:59 p.m. with no action taken.

Flatt made a motion to adjourn at 9:00 p.m. Smallwood 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