

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
 September 14, 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 6:34 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 7:00 p.m.

PUBLIC TO BE HEARD:

1. Mr. Phillip Mennor, 112 Elise Drive: Mr. Mennor stated his property was washed out after the recent storm. He contacted Mr. Keith Wessan but has not received any response. ***Latuska motioned authorizing Township Solicitor Gallagher to contact JT Butler to establish a meeting at Mennor's property with two (2) Board members to discuss the situation. Smallwood seconded. Motion carried.***
2. Mr. David Festog, 114 Elise Drive: Mr. Festog stated the drain across Elise Drive (T-518) is not paved. Stormwater from hillside filled in the swale. He installed a fence and a boulder from the hillside damaged it.
3. Ms. Jamie Dumbaugh, 175 Spring Run Road: Township Solicitor Gallagher review the plan for Cherrywood Springs. His opinion is the property owner is responsible to install the on lot stormwater retention sump. The Dumbaugh's would need to file a suit against Bastian Homes. Mr. George White was contacted by Township Secretary/Treasurer Amendolea requesting inspection report of the system. He discussed with Tim Burns, Bastian Homes, who stated the distance exceeded two hundred (200) feet to the neighbor's property line. Frenchak questioned if they purchased the lots. Flatt stated covenants are a private agreement and not enforceable by the Township. Latuska stated the majority of the Board thought there is a failure in the system. ***Latuska motioned that due to the circumstances in this case, the Dumbaugh's will not need to install an on lot stormwater detention sump at this time contingent on the signing of a hold harmless agreement to include future property***

owners releasing the Township from any damage which may occur. Wulff seconded. Motion carried.

4. Mr. Paul Dunn, Rite Aid: Mr. Dunn stated that J.T. Butler will hydro seed the area tomorrow. Rite Aid has a contract with Wiest Paving to pave the parking lot and Elise Drive (T-518). Sheetz to start construction next week.
5. Mr. Nathan Wulff, 5168 McCandless Road: Mr. Wulff presented the Unionville Volunteer Fire Department Fire Calls for August 2016 as:

Type of Calls	Number of Calls
Motor vehicle accidents	11
Automatic fire alarms	4
Service calls	7
Structure fires	2
Medicals	1
Brush fires	0
Dive calls	1
Vehicle fires	0
CO Activation	2
Technical rescues	0
Total	27

The reporting software is up and running. There is a community day for Saturday, September 24, 2016 from 11:00 a.m. to 3:00 p.m.

MINUTES:

1. Conditional Use Hearing - R E Gas Development LLC - August 8, 2016: ***Latuska motioned approving the minutes of the Conditional Use Hearing - R E Gas Development LLC held on Monday, August 8, 2016. Frenchak seconded. Motion carried***
2. Agenda Setting Meeting - August 8, 2016: ***Latuska motioned approving the minutes of the Agenda Setting Meeting held on Monday, August 8, 2016. Smallwood seconded. Motion carried.***
3. Regular Meeting - August 10, 2016: ***Latuska motioned approving the minutes of the Regular Meeting held on Wednesday, August 10, 2016. Frenchak seconded. Motion carried.***

TREASURER'S REPORT:

1. August 2016: ***Latuska motioned approving the August 2016 Treasurer's Report. Flatt seconded. Motion carried.***
2. Warrant List 16-08-16: ***Latuska motioned approving Warrant List 16-08-16. Frenchak seconded. Motion carried.***

3. Warrant List 16-09-17: ***Latuska motioned approving Warrant List 16-09-17. Frenchak 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 11, 2016 and Monday, November 7, 2016 at 6:00 p.m. in the Butler Eagle edition for Sunday, October 2, 2016. Smallwood seconded. Motion carried.***
5. Authorize Ad to Appoint CPA for 2016 Audit: ***Latuska motioned authorizing placement of an ad to appoint a CPA for the 2016 Audit in the Butler Eagle editions for Sunday, October 2, 2016 and Sunday, October 9, 2016. Frenchak seconded. Motion carried.***

ZONING REPORT: August 2016: Construction costs were \$1,161,506.00 fees collected were \$7,963.13.

SUBDIVISION & LAND DEVELOPMENTS:

1. Yousko Major Subdivision No. 2016-08-06, Preliminary, Expires 11/24/2016: ***Flatt motioned to table the Yousko Major Subdivision No. 2016-08-06 due to lack of representation. Latuska seconded. Motion carried.***

OLD BUSINESS: None

NEW BUSINESS:

1. 2017 Pension Plan Minimum Municipal Obligation: ***Latuska motioned (1) approving the 2017 Pension Plan Minimum Municipal Obligation in the amount \$44,857.57 and (2) authorizing Township Secretary/Treasurer Amendolea to sign as the Chief Administrative Officer. Flatt seconded. Motion carried.***
2. Center Township Food Bank Donation: ***Latuska motioned donating \$3,500.00 to Family Life Ministries for the Center Township Food Bank. Flatt seconded. Motion carried.***
3. Set Halloween Night: ***Latuska motioned establishing Halloween Night as the same as Butler City and Butler Township. Wulff 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 17, 2016. The leave pick up will continue through Friday, November 18, 2016. 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. Road Damage Resolution No. 2016-08-15: Due to road damage on McCandless Road (T-410) during construction of a new dwelling. The Board requested a resolution be drafted for a statement be included in the permitting application. ***Latuska motioned adopting the Road Damage Resolution No. 2016-08-15. Smallwood seconded. Motion carried.***

6. McMahan Insurance Claim: Mr. Dan Ashe, Integrated Risk Management, seeks how to proceed on settling Mr. McMahan's claim for damage totaling \$365.00. He suggests the Township take one of the following actions:
 - a. Have Integrated Risk Management deny the claim which the claimant may file a small claims action, or
 - b. Offer fifty percent (50%) of the out of pocket damages, or
 - c. Pay the claim in full.

Latuska motioned to deny Mr. McMahan's claim for damage due to disobeying the work area signs and speeding through the work zone. Smallwood seconded. Motion carried.

7. Dunham's Sign Application: Mr. Fred Reitano, J. J. Gumberg Associates, stated Dunham Sports is replacing the former Dick's Sporting Goods sign. They applied for a sign permit which was denied for being too large. Dunham Sports requests that the Board grant a permit without the variance process since the previous sign was larger than the Durham's proposed sign. Mr. Reitano stated the sign is in conformance with Section 20-2102.B. Township Solicitor Gallagher's opinion is the grant of a variance runs with the land. Therefore, Dunham's is acting within the scope of the variance granted to Dick's. The variance remains in effect, notwithstanding the change of Lessee, and therefore no re-hearing is required for Dunham's.

8. Ms. Dorothy Rodgers' Memorial Donation: Ms. Dorothy Rodgers passed away Thursday, September 8, 2016. She was a former secretary. ***Latuska motioned authorizing a donation of \$50.00 to Children's Hospital in memory of Ms. Dorothy Rodgers. Flatt seconded. Motion carried.***

PUBLIC WORKS:

1. Award 2016 Line Painting Contract: The Township received the following bids for the 2016 Line Painting Contract:

Company	Price per Linear Foot	Total Bid
Midlantic Marking Inc 12041 Old National Pike New Market, MD 21774	\$.067	\$33,500
Parking Lot Painting Company 2991 Industrial Blvd Bethel Park, PA 15102	\$.07	\$35,000
Willman & Williams 1605 E Route 422 Fenelton, PA 16034-9746	\$.07	\$35,000

Latuska motioned awarding the 2016 Line Painting Contract to Midlantic Marking, Inc. at \$.067 per linear foot for 500,000 up to 600,000 linear feet. Smallwood seconded. Motion carried.

2. Fuel Monitoring Motherboard: Due to a power surge, the motherboard was damaged in the system which monitors the fueling system. The replacement cost is \$1,211.50. ***Latuska motioned ratifying the purchase of the fuel monitoring motherboard in the amount of \$1,211.50. Smallwood seconded. Motion carried.***

3. Release Matson Lumber Road Bond (Henricks/Palmer Roads): Matson Lumber Company requests the release of their road bond for Henricks Road (T-830) and Palmer Road (T-511). Step Up Foreman Brewster recommends not releasing due to damage on Palmer Road (T-511) which needs repaired. ***Latuska motioned authorizing Township Secretary/Treasurer Amendolea to send a letter to Matson Lumber and Brookville Insurance Agency to draw down on the bond prior to release. Wulff seconded. Motion carried.***

4. Kline Right-of-Way & Easement Agreement: The Township needs to install a catchbasin on property owned by Ms. Evelyn Kline, 554 Holyoke Road. A Right-of-Way and Easement Agreement must be signed. ***Latuska motioned accepting the Kline Right-of-Way and Easement Agreement. Smallwood seconded. Motion carried.***

5. Butler County Annual Safety Training - 10/12/16 - Butler - \$10: Step Up Foreman Brewster requests authorization to send six (6) employees to the Butler County Safety Seminar on Wednesday, October 12, 2016. ***Latuska motioned authorizing six (6) employees and two (2) board members; Bryan Blakeley, Gregory Brewster, Ronald Flatt, Michael Iscrupe, Joseph Miller, Alan Smallwood, Jared Smith and Thomas Smith to attend the Butler County Safety Seminar on Wednesday, October 12, 2016 at ten (10) dollars per attendee. Frenchak seconded. Motion carried.***

6. First Responders Electrical Hazards Training - 10/14/2016 - Parker - \$0: Central Electric will hold a First Responders' Electrical Hazard training on Friday, October 14, 2016 from 9:00 a.m. to 11:00 a.m. The Safety Committee recommends all employees attend the training session. ***Latuska motioned authorizing Bryan Blakeley, Gregory Brewster, Michael Iscrupe, Joseph Miller, Jared Smith and Thomas Smith to attend the First Responders Electrical Hazards Training at no cost. Flatt seconded. Motion carried.***

7. Mercer Road (T-494)/Sunset Drive (T-442): Step Up Foreman Brewster requested authorization to tar and chip Sunset Drive (T-442) from Mercer Road (T-494) to Pine Drive (T-690) approximately 1,000 feet by 24 feet. He received quotes from the following:

Company	Quote
Hepfl Paving Inc	\$4,568.00
Spangler Brothers Paving Inc	\$6,900.00

Latuska motioned awarding the Sunset Drive Contract for tar and chip 1,000 feet by 24 feet from Mercer Road (T-494) to Pine Drive (T-690) to Hepfl Paving Inc in the amount of \$4,568.00. Flatt seconded. Motion carried.

8. Excess Millings: The Township has excess millings. Smallwood stated that the Center Township Baseball Association is interested in taking them.
9. Ratify Purchase of Truck Bed for 2001 Ford F-250: Step Up Foreman Brewster located a new truck bed from a private owner for the 2001 Ford F-250 due to the original bed rusting out. ***Latuska motioned ratifying the purchase of the truck bed for the 2001 Ford F-250 in the amount of \$2,250.00. Smallwood seconded. Motion carried.***

ENGINEER'S REPORT:

1. Mar Vel Drive (T-517) Drain Crossing: Mr. Ron Bole, 140 La Ray Drive, stated his basement was flooded due to stormwater from Mar Vel Drive (T-517). Township Engineer Olsen visited the site on Friday, August 26, 2016. He recommends the following:
 - a. Retain our firm to design a new stormsewer system along the southern side of Mar-Vel Drive near the intersection with Lyn Dale Drive. This may involve a few inlets and interconnecting piping, increased in size to a 15" diameter in order to convey runoff from a 50 year frequency storm to meet provisions of the new Township Stormwater Management Ordinance (Section 21-702.G.3).
 - b. Replace the cement concrete box within the easement on Banister's property with a new 2'x4' inlet.
 - c. If the Township determines that the replacement of the clogged 8" pipe through lands of Banister is a Township health, safety, and welfare issue, then request our firm to design a properly sized replacement piping system within the existing 10' easement and either have Township forces construct this or go out for public bid for this work.

Latuska motioned authorizing Township Solicitor Gallagher to research the responsibility for the stormwater easement from Mar Vel Drive (T-517) and La Ray Drive (T-515). Smallwood seconded. Motion carried.

2. East Hilltop Drive (T-700) Stormwater Runoff: Township Engineer Olsen visited the site on Wednesday, August 31, 2016. He recommends the following:
 - a. Clear rocks that are partially blocking the entrance to a Township culvert pipe at the southwestern intersection of East Hilltop Road and Eastview Drive to prevent stormwater from overtopping that intersection and subsequently sheet-flowing down the pavement surface of the steep portion of East Hilltop Drive.
 - b. About halfway down the hill, cut a new interconnecting V-shaped ditch in a southeasterly direction (45° from centerline) across the steep East Hilltop Drive pavement so that the northern ditch water runs into the southern ditch. Place R-4 rock riprap in this above a geotextile felt fabric to a depth of at least 1 foot thickness with resulting ditch to be 1' deep and 4' wide at its top.
 - c. Place a 'Road Closed' barricade across the road somewhere above the new V..'.ditch location facing uphill. Install a similar barricade below the new V-ditch facing downhill.
 - d. Clean sediment from the DeAngelis front yard.
 - e. Remove vegetative sediment from the top of the Township inlet on the cul-de-sac adjacent to 215 East Hilltop Drive.

- f. Monitor the condition of ditches after every major storm and remove any sediment collecting at entrances to the Township stormsewer system serving this area. Especially critical is the removal of any sediment blocking the stormsewer system headwall at the steep East Hilltop Drive cul-de-sac.
- g. Any legalities of placing the suggested barricades would be properly addressed to the Township Solicitor.

Property owner notified the Township that she was flooded again. Smallwood directed Step Up Foreman Brewster to cut a ditch across East Hilltop Drive (T-700) to prevent future stormwater problems.

- 3. Lakewood Drive (T-709)/Hull Lake: The Board authorized Township Engineer Olsen to investigate the situation of the collapsing concrete box. Due to the damage of the concrete box, Township Engineer Olsen declared it as an emergency repair. ***Latuska motioned, based on Township Engineer Olsen's recommendation, to close Lakewood Drive (T-709) at Hull Plan Lake. Frenchak seconded. Motion carried.***

Latuska motioned authorizing Township Engineer Olsen to submit a letter declaring Lakewood Drive as an emergency repair. Flatt seconded. Motion carried.

Flatt motioned authorizing Latuska, Smallwood and Olsen to hire a contractor to remove the road to be ratified at the next meeting. Frenchak seconded. Motion carried.

Smallwood motioned authorizing Step Up Foreman Brewster to rent the necessary barricades for the road closure. Frenchak seconded. Motion carried.

- 4. Margate Drive (T-770) Stormwater: Township Engineer Olsen requested a PA One Call to locate utilities. A maintenance agreement will need to be signed between Dennis Beblo and Center Township.
- 5. JT Butler/Mennor Stormwater Agreement: The Township received an agreement between JT Butler and Phillip B and Donna L Mennor which states "*Township to provide a new inlet at 112 Elise Drive.*" Township Engineer Olsen response is "*Center Township was contemplating assisting JT Butler with some of the storm sewer work (since the development of the site promised to alleviate flooding of properties along Elise Drive receiving runoff from Route 8). Contrary to what was hand-written in the subject letter, Center Township never took official action to provide any new inlets along Elise Drive. Instead, the Township did provide storm sewer pipe to the Developer for his use in replacing the Township's substandard-sized storm sewers within the right of way of Elise Drive. This pipe was delivered to JT Butler by the Township and it was subsequently installed by the Developer's private contractor.*"
- 6. Sheetz/Rite Aid Retention Facility: Mr. Paul Dunn, Rite Aid, stated that JT Butler is responsible for the fencing of the retention pond.
- 7. Township Official Map: Township Engineer Olsen recommends the following course of action:
 - a. Update the Township Comprehensive Plan to gather the ideas of Township residents as well as

elected and appointed officials regarding desired economic resource goals and the need for an Official Map. This may require reconvening your Comprehensive Plan Committee or a request to your Planning Commission to assist you with this. We have confirmed with Municipal Planner Rick Grossman that he is willing to provide subconsultant services to us to act as a facilitator for the Comprehensive Plan Update if you wish him to do this. Rick has provided municipal planning for many years and is well-respected. Our Planning Administrator Karen Pierce is also available to provide plan research and administrative planning duties.

- b. Concurrently with a. (above) take action to adopt the Official Map which requires several procedures including holding a public hearing with a 45-day comment period as required by the Pennsylvania Municipalities Planning Code.
- c. Once enacted, a copy of the Official Map may be forward to PennDOT District 10 and to the Butler County Planning Commission, with a request that the proposed road network shown on the Official Map be presented to the Southwestern Pennsylvania Commission and to the Central Office of the Pennsylvania Department of Transportation as well as all local, State and Federal agencies with a request for assistance in funding the needed transportation improvements.

In addition, he recommends amending the current Economic Resources Overlay District to include the statement "*Dedication to the Township by property owners (or beneficial owners) who wish to voluntarily use a specific zoning overlay district that requires dedication of lands and perhaps building of improvements as a condition of using this overlay*" with the advice of the Township Solicitor.

SOLICITOR'S REPORT:

1. Cypher Insurance Claim: Dr. Ronald Cypher, 100 Cherokee Drive, stated his property was washed out once again due to stormwater runoff. He wants the problem resolved. Flatt reviewed the agreement to make adjustments to the Butler Veterinary Clinic retention pond. Flatt stated he is evaluating new information and responsibilities. ***Latuska motioned authorizing Flatt, Wulff, Township Solicitor Gallagher and Township Engineer Olsen to meet with Dr. and Mrs. Cypher once the new information is evaluated. Flatt seconded. Motion carried.***
2. Center Township/Cambridge/Veterans Affairs Emergency Access Agreement: Center Township/Cambridge healthcare Solutions developed an Emergency Access Agreement. The Board is not please with the circumstances. The consensus of the Board is not to divulge details. ***Latuska motioned to accept the Emergency Access Agreement between Center Township and Cambridge Healthcare Solutions. Frenchak seconded. Smallwood was silent. Motion carried 4 to 0.***

Cambridge Healthcare Solutions will submit an amended land development incorporating Township Engineer Olsen's recommendations and the Emergency Access Agreement. ***Latuska motioned authorizing the Planning Commission to accept the late submission of the Cambridge Healthcare Solutions land development submission. Frenchak seconded. Smallwood was silent. Motion carried 4 to 0.***

MISCELLANEOUS:

1. Butler Area Transit Authority: Frenchak stated that Butler Area Transit Authority will be

inviting the Township to a meeting in October.

2. Butler Area Sewer Authority: Frenchak stated Butler Area Sewer Authority wants to meet with the Township in October.
3. Brandon Property: Frenchak and Step Up Foreman Brewster will meet with Mr. Robert Brandon to mark the radius for the pavers, provide topsoil and leveling of property.
4. Aubrey/Brennan Property: Frenchak noted that Mr. John Aubrey stated the property owners on North Duffy Road are filing a suit to stop the sale of the property.
5. Butler Township Notcher: Step Up Foreman Brewster borrowed Butler Township's notcher for McCandless Road.

ADJOURNMENT:

The meeting adjourned to an executive session to discuss possible litigation at 9:05 p.m. The meeting reconvened at 9:19 p.m. with no action taken.

Flatt made a motion to adjourn at 9:20 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