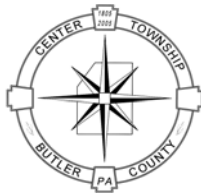


Board of Supervisors:

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
 November 9, 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 Vice Chairman Alan Smallwood; Supervisors Ronald Flatt, Kenneth Frenchak (via telephone) and Philip Wulff; Township Solicitor Michael Gallagher; Township Engineer Ronald Olsen and Township Secretary/Treasurer Anthony Amendolea.

PUBLIC TO BE HEARD:

1. Latuska read the following letter from Family Life Ministries:

"Dear Friends:

We would like to take this opportunity to express our heartfelt gratitude for your ongoing support of the food pantry ministry here in Center Twp. Your act of love through your generous support helped us serve 528 families consisting of over 1000 family members this past year, and helped provide our church the opportunity to express the love of Christ in a tangible way right in our own community! The smiles on their faces and the tears of gratitude from those we serve make it all worthwhile and it is only possible because people (like you) care enough to help us.

Please feel free to contact us in the future, if you have any questions regarding the pantry or how it is operated. Also know that we continue to pray for your families, and trust that you will continue to allow God to be a part of your life and all you do. Our prayer is that you develop your own personal relationship with Jesus Christ and that your life in Him be as joyous and prosperous as His word promises to those who are believers. Again let me say "thank you" for your caring generosity, I speak blessings over your families and pray your needs be met through the riches of God's amazing grace.

2. Mr. Dennis Beblo, 131 Manor Court: Mr. Beblo stated stormwater from Margate Drive empties onto his lot. The pipe from the catch basin should be connected to an existing drain. Mr. Beblo stated he would accept responsibility after the pipe is connected. **Flatt motioned authorizing (1) Township Solicitor Gallagher with the assistance of Township Engineer Olsen to prepare a right-of-way easement and hold harmless agreement between Mr. Dennis Beblo and Center Township and (2) upon receipt of signatures and reimbursement to the Township, the Public Works department may begin work. Latuska seconded. Motion carried.**

3. Mr. Harry Peterson, 110 Elise Drive: Mr. Peterson stated JT Butler planted trees along the swale but left an area of seventy-six (76) feet behind his property. Also, grass has not been planted. He requests the Board consider a mandatory buffer zone for future projects.
4. Mr. David Festog, 114 Elise Drive: Mr. Festog stated water runoff contains mud and rocks from the Sheetz/Rite Aid project and fills the swale. Township Engineer Olsen will contact the Butler County Conservation District.
5. Mr. Philip Mennor, 112 Elise Drive: Mr. Mennor thanked the Board for intervening to rectify the situation with JT Butler.
6. Nathan Wulff, 5168 McCandless Road: Mr. Wulff presented the Unionville Volunteer Fire Department Fire Calls for September 2016 as:

Type of Calls	Number of Calls
Motor vehicle accidents	8
Automatic fire alarms	7
Service calls	3
Structure fires	4
Medicals	5
Brush fires	1
Dive calls	0
Vehicle fires	0
CO Activation	0
Technical rescues	0
HazMat	0
Total	28

7. Mr. Brad Cavaliero, 100 North Maple Drive: Mr. Cavaliero was contacted by the Department of Environmental Protection stating the Hull Plan Association would not need an emergency permit for Hull Lake. He would have to apply for a draw off permit to lower the lake by two (2) feet. ***Latuska motioned authorizing Township Solicitor Gallagher with Township Engineer Olsen's assistance to prepare a waiver agreement between Center Township and the Hull Lake Association. Smallwood seconded. Motion carried.***

MINUTES:

1. Agenda Setting Meeting - October 11, 2016: ***Latuska motioned approving the minutes of the Agenda Setting Meeting held on Tuesday, October 11, 2016. Smallwood seconded. Motion carried.***
2. Regular Meeting - October 12, 2016: ***Latuska motioned correcting, Engineer's Report, Item 1, which reads "emergency." to read "emergency exists.", the minutes of the Regular Meeting held on Wednesday, October 12, 2016. Smallwood seconded. Flatt abstained due to being absent. Motion carried 4 to 0.***

TREASURER'S REPORT:

1. October 2016: ***Latuska motioned approving the October 2016 Treasurer's Report. Flatt***

seconded. Motion carried.

2. Warrant List 16-10-20: *Latuska motioned approving Warrant List 16-10-20. Flatt seconded. Motion carried.*
3. Warrant List 16-11-21: *Latuska motioned approving Warrant List 16-11-21. Wulff seconded. Motion carried.*
4. Authorize Ad for 2017 Proposed Budget: The Board of Supervisors reviewed the 2017 proposed budget at their workshop meeting held on Monday, November 7, 2016. The 2017 budget reflects a balanced budget of \$1,956,700 in revenues and expenditures, with no tax increase. The Board will consider adopting the budget at their regular meeting scheduled for Wednesday, December 14, 2016 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 2017 Proposed Budget in the Butler Eagle edition on Sunday, November 20, 2016. Flatt seconded. Motion carried.*

ZONING REPORT: October 2016: Construction costs were \$13,425.00 fees collected were \$434.53.

SUBDIVISION & LAND DEVELOPMENTS:

1. BASD Land Development No. 2016-09-09, Preliminary & Final, Expires 12/26/2016: Mr. Glenn Miller, Stantec, presented. Butler School District proposes adding additional parking spaces at Center Township Elementary School. Butler County Planning Commission, "*questioned if this addition will require additional Storm Water Management and additional Handicap space designations.*", per review letter dated September 22, 2016. Township Engineer Olsen's comments are, as follows:
 - a. The purpose of the Application appears to be the proposed addition of approximately 24 parking spaces at the front of the school.
 - b. The proposed parking spaces are at a location not adjacent to any pedestrian entrance and therefore interconnecting sidewalks to entries may be appropriate. The proposed location of the parking will possibly conflict with school bus and employee parking and parent drop-off movements and should be considered carefully by the Applicant.
 - c. Parking spaces dimensions should, at minimum, meet Zoning Ordinance Appendix B Figure 20 with 9' width, 20' length, and 24' aisle. A landscaped bulb should be provided every 10 spaces per Figure 30 unless permitted otherwise by the Township.
 - d. Spot proposed elevations and paving details should be added to the drawings as well as a curb detail.
 - e. Stormwater runoff from the school has been an ongoing problem to lands downstream of the school. We recommend that the submission include a Post Construction Stormwater Management Plan meeting the Township's Act 167 Stormwater Management Ordinance, possibly complying by the construction of two the Township's standard On-lot Stormwater Detention Sumps per standard Details SD 22 and SD 23.
 - f. A recording block should be added to the cover sheet; the Township Planning Commission

signature block should be changed to "Review" rather than approval.

- g. As part of the approval process, the Applicant should execute a Stormwater Management Operation and Maintenance Agreement for the stormwater management system selected and this must be recorded at the County Recorder's Office.
- h. The Applicant must provide an Engineer's Construction Cost Estimate for approval by the Township Engineer.
- i. The Applicant must provide Performance Security in the amount of 110% of Township-required improvements including stormwater management and revegetation.

The Planning Commission, contingent on items c, d, e, f, g, h and i, recommended granting preliminary and final approval of the Butler Area School District Land Development No. 2016-09-09. The Board of Supervisors tabled the plan due to no representation at their meeting held on Wednesday, October 12, 2016. Flatt stated calculations for stormwater should be provided. ***Latuska motioned denying the Butler Area School District a waiver for stormwater. Smallwood seconded. Motion carried.***

Latuska motioned tabling the Butler Area School District Land Development No. 2016-09-09. Wulff seconded. Motion carried.

- 2. Weser II Minor Subdivision No. 2016-10-10, Final, Expires 01/24/2017: Mr. Mark Seesox presented. Ms. Tomi Herold proposes removing 5.071 acres (m/l) from Center Township Map 060-2F106-1E and conveying to Center Township Map 060-2F106-1EE. Butler County Planning Commission had no comments per letter dated October 12, 2016. Township Engineer Olsen had no comments. The Planning Commission recommended granting final approval to the Weser II Minor Subdivision No. 2016-10-10. ***Wulff motioned granting final approval the Weser II Minor Subdivision No. 2016-10-10. Latuska seconded. Motion carried.***

OLD BUSINESS:

- 1. Administrative Assistant Hire: The Board received seven (7) applications for the casual administrative assistant position. Four (4) interviews are scheduled for Thursday, November 10, 2016.
- 2. Nonresident Earned Income Tax Ordinance No. 2016-11-03: Butler County Tax Collection Committee discussed with Mr. Bill Leonard, District Manager of Berkheimer, the possibility of adopting a nonresident Earned Income Tax. The one (1) percent tax would affect nonresidents of Pennsylvania. The funds would go directly to Center Township. The Ordinance was advertised on Sunday, October 23, 2016, Sunday, October 30, 2016 and Sunday, November 6, 2016. ***Latuska motioned adopting the Nonresident Earned Income Tax Ordinance No. 2016-11-03. Smallwood seconded. Motion carried.***

NEW BUSINESS:

- 1. Leicht & Associates Engagement Letter: Mr. William Leicht, Leicht and Associates, submitted an engagement letter to perform the 2016 Audit in the amount of \$18,000.

Latuska motioned authorizing himself to sign the Leicht and Associates engagement letter. Flatt seconded. Motion carried.

2. Adopt CPA Appointment Resolution No. 2016-11-17: William D. Leicht and Associates submitted an engagement letter to conduct the 2016 Audit in the amount of \$18,000, which the Board agreed with. **Latuska motioned adopting the CPA Appointment Resolution No. 2016-11-17. Flatt seconded. Motion carried.**
3. Employee "Right-to-Know" Policy Resolution No. 2016-11-18: Based on a Loss Prevention Survey conducted by the State Workers Insurance Fund, a recommendation was *"The township authority (township, public works department, fire department) should develop and maintain a simple Pennsylvania Worker and Community "Right-to-Know" program that is similar to OSHA's Hazard Communication program. The program should include provisions for container labeling, collection and availability of safety data sheets (SDSs), and an employee-training program. Also, the chemical inventory list (table of contents) located in front of the SOS book should be kept up- to-date. Training for affected employees should be conducted and documented."* **Latuska motioned adopting the Employee "Right-to-Know" Policy Resolution No. 2016-11-18. Smallwood seconded. Motion carried.**
5. **Ratify Debt Payment:** The required principal payment for 2016 is \$112,000.00 and interest is \$7,965.53 per loan agreement. Township Secretary/Treasurer Amendolea prepared a payment of \$194,965.53 which included \$112,000.00 with an additional \$75,000.00 on the principal and \$7,965.53 interest. **Latuska motioned ratifying the additional principal payment of \$75,000.00. Flatt seconded. Motion carried.**
6. Release Consultant Fees: Township Secretary/Treasurer Amendolea recommends releasing the following consultant fees:

Development	Type	Approval	Instrument Number	Amount
POS Future	Land Development	12/09/2015	201603010003930	774.33
McDeavitt	Major Subdivision	6/8/2016	201607120013995	\$2,078.25
Wallace	Lot Line	07/13/2016	201610070020899	\$361.25
Neal	Minor Subdivision	07/13/2016	201607280015205	\$228.75

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

7. Authorize Ad for Comprehensive Plan Review Committee: The Board of Supervisors and Planning Commission are accepting Letters of Intent from individuals interested serving on the Comprehensive Plan Review Committee. **Latuska motioned authorizing placement of an advertisement in the Butler Eagle in the "Help Wanted - General" section. Frenchak seconded. Motion carried.**

PUBLIC WORKS:

1. Authorize Ad for Antiskid: Step Up Foreman Brewster requests advertising for 3,000 tons of Type AS-3B antiskid. The antiskid will be mixed 50/50 with the road salt. **Latuska**

motioned authorizing placement of advertisements in the Butler Eagle editions of Sunday, November 27, 2016 and Thursday, December 1, 2016 for 3,000 tons of antiskid Type AS-3B. Smallwood seconded. Motion carried.

2. Boy Scouts Troop 6 Donation:: The Boy Scouts picked up litter along various Township Roads. *Latuska motioned authorizing a donation in the amount of \$2,500.00 for their efforts. Smallwood seconded. Motion carried.*
3. Matson Lumber Road Bond: Step Up Foreman Brewster contacted Matson Lumber concerning necessary repairs to Palmer Road (T-511). The repairs have been completed. *Latuska motion, based on Step Up Foreman Brewster's recommendation, authorizing the release of the Matson Lumber road bond for Palmer Road (T-511) in the amount of \$18,750.00. Smallwood seconded. Motion carried.*

ENGINEER'S REPORT:

1. Ron Bole Stormwater Complaint: 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.

Township Solicitor Gallagher stated Mr. Bole would need to prove the Township installed Rip Rap and concrete box.

2. Floodplain Ordinance: Ms. Leslie Rhoads is reviewing the proposed floodplain ordinance. Flatt does not agree with wording in Section 2.02, Applicability which states "anywhere within the (Name of Municipality)".

SOLICITOR'S REPORT:

1. Cypher Insurance Claim: Flatt, Wulff and Mr. and Mrs. Cypher met on Tuesday, October 11, 2016. A meeting will be set with Township Engineer Olsen to see what will work to solve the situation. Olsen contacted PennDot for old maps of storm drains on Sunset Drive (T-442). Township Solicitor Gallagher will provide Flatt and Wulff the agreement for signatures.
2. Sheetz/Blatt Agreement: Meeting is being held on Thursday, November 10, 2016 at the

Center Township Municipal Office at 11:00 a.m.

- 3. Holding Tank Ordinance: Township Solicitor Gallagher and Sewage Enforcement Officer, Doug Duncan, are developing a "Holding Tank" ordinance for another municipality. Duncan suggests the Township amend the existing ordinance. ***Latuska motioned authorizing Township Solicitor Gallagher and Sewage Enforcement Officer, Doug Duncan to review the existing "Holding Tank" ordinance. Smallwood seconded. Motion carried.***
- 4. Public Utilities Commission Complaint: Canadian National Railroad is requesting to have the complaint withheld. A meeting is scheduled for Friday, December 16, 2016 at the Pinehurst Bridge.
- 5. Collective Bargaining Agreement: A meeting is scheduled for Wednesday, December 7, 2016 at 9:30 a.m.

MISCELLANEOUS: None

ADJOURNMENT:

The meeting adjourned to an executive session to discuss possible litigation at 8:30 p.m. The meeting reconvened at 8:55 p.m. with no action taken.

Latuska made a motion to adjourn at 8:56 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