

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 Craft Associates, Engineer
Patrick Gauselmann, Zoning Officer

<p>Center Township Board of Supervisors Regular Meeting Minutes March 8 , 2017 6:30 p.m.</p>
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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 Supervisors Ronald Flatt, Alan Smallwood and Philip Wulff; Township Solicitor Michael Gallagher; Township Engineer Olsen; and Township Secretary/Treasurer Anthony Amendolea. Kenneth Frenchak arrived at 6:33 p.m.

The meeting adjourned to an executive session at 6:33 p.m. for possible litigation. The meeting reconvened at 6:48 p.m. with no action taken.

PUBLIC TO BE HEARD:

1. Mr. Joe Penrod, Cambridge Healthcare Solutions PA: Mr. Penrod stated the Veteran's Health Clinic is eighty (80) percent complete on the first floor while the second floor is ninety-five (95) percent complete. Furniture is being installed on the second floor. Site work will be completed in the spring. Final occupancy is expected for mid May and turned over to the Veteran's Administration midsummer.
2. Mr. Nathan Wulff, 5168 McCandless Road: Mr. Wulff presented the Unionville Volunteer Fire Company report for February 2017 as follows:

Type of Calls	Number of Calls
Motor vehicle accidents	8
Automatic fire alarms	9
Service calls	6
Structure fires	3
Medicals	2
Brush fires	0
Dive calls	0
Vehicle fires	1
Total	29

MINUTES:

1. Agenda Setting Meeting - February 6, 2017: ***Latuska motioned approving the minutes of the Agenda Setting Meeting held on Monday, February 6, 2017. Flatt seconded. Motion***

carried.

2. Regular Meeting - February 8, 2017: *Latuska motioned correcting, Public to be Heard, Item 3 "changed" to read "change", the minutes of the Regular Meeting held on Wednesday, February 8, 2017. Frenchak seconded. Motion carried.*
3. Special Meeting - Purchase of Property - February 28, 2017: *Latuska motioned approving the minutes of the Special Meeting - Purchase of Property held on Tuesday, February 28, 2017. Smallwood seconded. Motion carried.*

TREASURER'S REPORT:

1. February 2017: *Latuska motioned approving the February 2017 Treasurer's Report. Flatt seconded. Motion carried.*
2. Warrant List 17-02-04: *Latuska motioned approving Warrant List 17-02-04. Frenchak seconded. Motion carried.*
3. Warrant List 17-03-05: *Latuska motioned approving Warrant List 17-03-05. Flatt seconded. Motion carried.*

ZONING REPORT: February 2017: Construction costs were \$74,633.00 fees collected were \$468.38.

SUBDIVISION & LAND DEVELOPMENTS:

1. Jiffy Mart Land Development No. 2017-02-02, Final, Expires 05/20/2017: Mr. Paul Gill was present. He proposes relocating the existing retaining wall to provide space to expand current business.
 - a. The new flat area resulting from the regrading will be gravel surfaced and stormwater management will be provided as part of the future approval of the Land Development.
 - b. Approval of this Retaining Wall Relocation Submission does not approve the Land Development.

The Planning Commission recommended, contingent on the receipt of the Butler County Planning Commission review letter, granting final approval of the Jiffy Mart Land Development No. 2017-02-02 for the relocation of the retaining wall.

Flatt motioned, contingent on the receipt of the Butler County Planning Commission review letter, granting final approval of the Jiffy Mart Land Development No. 2017-02-02 for the relocation of the retaining wall. Frenchak seconded. Motion carried.

OLD BUSINESS:

1. Planned Residential Development Ordinance No. 2017-03-02: The Board held a public hearing on Monday, March 6, 2017 to obtain comment on enacting an Ordinance entitled "An Ordinance establishing Planned Residential Developments and the requirements for tentative and final approval thereof; establishing PRD as a permitted Use in the R-2 Multi-Family Residential District; and eliminating sanitariums, convalescent homes and retirement homes, as a Conditional Use, in the R-1A Zone".

The Planning Commission recommended approval at their meeting held Wednesday, February 22, 2017. The notice of the public hearing was published in the Butler Eagle editions of Sunday, February 12, 2017 and Sunday, February 19, 2017. The Butler County Planning Commission had no comments.

Mr. Brennan thanked the Board for considering the Planned Residential Development.

Latuska motioned adopting the Planned Residential Development Ordinance No. 2017-03-02. Frenchak seconded. Motion carried.

NEW BUSINESS:

1. Medical Marijuana: The Commonwealth of Pennsylvania has made medicinal marijuana legal. There will be two (2) licenses issued by the State; one for growing and one for a dispensary. Growing may only take place in an enclosed area within an industrial zone only. Dispensaries may be permitted in the "C-1", Service and Retail Commercial District as a pharmacy.
2. Release Consultant Fee: Township Secretary/Treasurer Amendolea recommends releasing the following consultant fees:

Development	Type	Approval	Instrument Number	Amount
Isaacs	Minor	10/12/2016	201611230024754	\$416.50
Herold/Weser	Minor	08/10/2016	201608250017502	\$440.00
Errera	Lot Line	10/12/2016	201610310022752	\$439.00
Tack	Minor	10/12/2016	201611100023707	\$539.00

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

3. PA One Call Proclamation Resolution No. 2017-03-09: Pennsylvania One Call System is requesting Center Township make a proclamation designating April as "Pennsylvania 811 Safe Digging Month" ***Latuska motioned adopting the PA One Call Proclamation Resolution No. 2017-03-09. Smallwood seconded. Motion carried.***
4. Butler Transit Authority Resolution No. 2017-03-10: Butler Area Transit Authority requests the annual resolution for local matching funds be adopted. No Center Township funds will be used. ***Latuska motioned adopting the Butler Transit Authority Resolution No. 2017-03-10. Smallwood seconded. Motion carried.***
5. Flood Proofing Workshop: The Pennsylvania Emergency Agency is conducting "Flood Proofing Workshop for Community Officials" on Wednesday, April 5, 2017 from 1:00 p.m. to 4:30 p.m. ***Latuska motioned authorizing Flatt to attend the "Flood Proofing Workshop for Community Officials" on Wednesday, April 5, 2017 from 1:00 p.m. to 4:30 p.m. which will held at the Butler County EMA Office, 120 McCune Drive, Butler, PA. Flatt seconded. Motion carried.***
6. Sign Ordinance Review: The Zoning Hearing Board Solicitor, Leo Stepanian, requests the Planning Commission and Board of Supervisors review the current sign ordinance due to the number of variances received for signs. Flatt will contact Mr. Allan Whitmire, Zoning Hearing Board, to review the sign ordinance.
7. Schedule Hearing for Sheetz Liquor License: Mr. Mark Kozar, Flaherty and O'Hara requests a public hearing for the transfer of a restaurant liquor license. Sheetz would like to sell beer for on premises consumption and to go and wine to go. ***Latuska motioned (1) scheduling a public hearing for Monday, April 10, 2017 at 6:00 p.m. to be held at the Unionville Volunteer Fire Company Firehall and (2) authorize advertising in the Butler Eagle editions of Sunday, March 26, 2017 and Sunday, April 2, 2017. Wulff seconded. Motion***

carried.

8. Ratify Ad for Joint Meeting: The Board will be meeting with Pennsylvania Department of Transportation, Butler County Commissioners and Butler Township Commissioners on Friday, March 10, 2017 at the Butler Township Municipal Building. Since a majority of Board members may be present, the meeting had to be advertised. The ad was in the Butler Eagle edition for Wednesday, March 8, 2017. ***Latuska motioned ratifying the placement of an ad in the Butler Eagle edition for Wednesday, March 8, 2017. Frenchak seconded. Motion carried.***

PUBLIC WORKS:

1. Award Contract for Pipe Purchase: The following bids were received:

Company	Bid Bond	Quantity	Description	Amount
Chemung Supply Company Route 14 Miracle Mile Elmira, NY 14903-1094	Yes	1,580 feet 50 each	15"x20' Smooth Bore Plain End - \$5.65 per foot 15" Split Couplers with ties - \$7.05 each	\$16,657.00
		580 feet 20 each	18"x20' Smooth Bore Plain End - \$7.80 per foot 18" Split Couplers with ties - \$9.65 each	
		80 feet 2 each	24"x20' Smooth Bore Plain End - \$13.10 per foot 24" Split Couplers with ties - \$16.25 each	
		40 feet 1 Each	48"x20' Smooth Bore Bell End - \$39.50 per foot 48" Slip Joint - \$0.00 each	
Interstate Pipe & Supply Company 152 Hindman Rd Butler, PA 16001-2417	Yes	1,580 feet 50 each	15"x20' Smooth Bore Plain End - \$0.00 per foot 15" Split Couplers with ties - \$0.00 each	\$16,658.64
		580 feet 20 each	18"x20' Smooth Bore Plain End - \$0.00 per foot 18" Split Couplers with ties - \$0.00 each	
		80 feet 2 each	24"x20' Smooth Bore Plain End - \$0.00 per foot 24" Split Couplers with ties - \$0.00 each	
		40 feet 1 Each	48"x20' Smooth Bore Bell End - \$0.00 per foot 48" Slip Joint - \$0.00 each	
Walsh Equipment Inc 796 Unionville Rd Prospect, PA 16052-2116	Yes	1,580 feet 50 each	15"x20' Smooth Bore Plain End - \$5.52 per foot 15" Split Couplers with ties - \$6.15 each	\$16,851.26
		580 feet 20 each	18"x20' Smooth Bore Plain End - \$7.93 per foot 18" Split Couplers with ties - \$8.89 each	
		80 feet 2 each	24"x20' Smooth Bore Plain End - \$13.50 per foot 24" Split Couplers with ties - \$14.63 each	
		40 feet 1 Each	48"x20' Smooth Bore Bell End - \$44.70 per foot 48" Slip Joint - \$148.50 each	

Latuska motioned to disqualified Interstate Pipe and Supply Company proposal due to an incomplete bid package. Smallwood seconded. Motion carried.

Latuska motioned awarding the 2017 Pipe Contract to Chemung Supply Company for \$16,657.00. Wulff seconded. Motion carried.

2. Ratify 2003 Food Truck Repair: Step Up Foreman Brewster, based on Smallwood's recommendation, took the 2003 Ford Utility truck to Pine Hill Auto, Carrollton, Ohio for repairs. The cost was \$3,198.29. ***Latuska motioned ratifying the 2003 Ford Utility truck repair in the amount of \$3,198.29. Flatt seconded. Motion carried.***

3. Lakeview Drive (T-650) Fire Hydrant Application: Pennsylvania American Water Company is replacing the main water line along Lakeview Drive (T-650). Unionville Volunteer Fire Department is requesting two (2) fire hydrants. Step Up Foreman will contact Pennsylvania American Water Company to see if two (2) hydrants may be installed. ***Latuska motioned, contingent on Pennsylvania American Water Company permitting installation of two (2) fire hydrants, authorizing himself to sign the Application for Public Fire Hydrant. Flatt seconded. Motion carried.***
4. Garage Door Maintenance: Step Up Foreman Brewster had Thomas Giel repair a garage door. He would like to have an annual maintenance be performed on the doors. Thomas Giel has a maintenance contract for \$780.00 per year. James Abbott will perform a one time service for \$600.00 plus parts.
Latuska motioned authorizing James L. Abbott to perform an initial maintenance visit for the garage doors at a cost of \$600.00 plus parts and authorize a follow up inspection at \$65.00 per hour later in 2017. Flatt seconded. Motion carried.
5. Air Handler Blower Motor: The air handler blower motor is squealing. Wulff will inspect the motor to determine the cause.

ENGINEER'S REPORT:

1. Lakewood Drive/Hull Lake Repair: Township Engineer Olsen stated there was ~~nothing~~ nothing (*corrected 04/12/2017*) new to report. Wulff stated the divers tried to locate the primary drain but failed due to ice on the lake.
2. Bole's Stormwater: Mr. Ron Bole stated that the affected individuals would not sign the temporary easement agreement due to the vagueness. Mr. Bole requested the agreement state the width of easement and date construction would be completed. Township Engineer Olsen and Township Solicitor Gallagher stated an easement of ten (10) feet existed. The Township would need an additional twenty (20) feet. The completion date is set for September 30, 2017. ***Latuska motioned authoring Township Secretary/Treasurer Amendolea to amend the Temporary Easement Agreement to reflect the additional easement of twenty (20) feet with a completion date of September 30, 2017. Flatt seconded. Motion carried.***
3. Beblo's Stormwater: Mr. Dennis Beblo presented pictures of stormwater damage. He wants the Township to accept responsibility. Smallwood, Flatt, Wulff, Township Engineer Olsen and Step Up Foreman Brewster will meet at the site on Wednesday, February 15, 2017 at 1:00 p.m. The Township will connect in to the existing thirty (30) inch concrete pipe with neither party accepting responsibility. ***Latuska motioned authorizing (1) Township Solicitor Gallagher to prepare an agreement for neither party accepting responsibility and (2) Township will connect existing stormwater into the Thirty (30) inch concrete pipe. Wulff seconded. Motion carried.***
4. Clearview Mall/Sheetz/Rite Aid Intersection: Vehicles exiting the Clearview Mall and Sheetz/Rite Aid have a green signal at the same time. Mr. Jerrod Crosby, David E. Wooster and Associates, reported:

"We have been alerted of concerns that have arisen regarding the traffic signal at the proposed Rite Aid/Sheetz development along SR 0008. Based upon these concerns I visited the site this morning and monitored the intersection and the operations of the traffic

signal for approximately 2 hours. Based on my observations the traffic signal is operating as designed and has been installed and timed properly with the overwhelming majority of traffic adhering to the new lane configurations and standard operations. However, there a few drivers (approximately 5%) that are not adhering to the new signing and pavement markings that revised the old lane configuration of the mall access drive from a dual left turn lanes/ optional right turn lane to the proposed single left turn and thru/right turn lane. The drivers in question continue to make an illegal left turn from the thru/right turn lane which is creating the area of concern. There are currently 3 signs(with the additional signs placed by the twp) and 4 - 8'x12' pavement markings alerting the drivers of the lane configuration which are not being observed by a few wrongdoers. Adding the opposing traffic from the, soon to open, Rite/ Aid and Sheetz development will actually help improve the situation as the change in lane configuration will become more clear.

Following my observations this morning I spoke with Representatives of the Department of Transportation and they agreed with the findings that the signal is functioning as intended and the perceived concerns will be eliminated as drivers become accustomed to the new lane configuration. We did discuss some possible signage and pavement items that could be added. The following recommendations could provide some additional assistance for motorists having difficulty adjusting to the new configuration:

- a. Install an additional post mounted lane use control sign near the right turn yield movement within the mall approach.
- b. Install tracer lines within the intersection guiding the left turn movements into the proper lanes to further eliminate any confusion. These tracer lines would be installed on a temporary basis and would fade over time (4-6 months). As the tracers fade the motorists will become accustomed to the normal operations of the traffic signal.

Please keep in mind the change in lane configuration change was necessary to improve the overall operation of the intersection/ traffic signal which is currently working very well and will continue to do so once the proposed development is open. The signal is designed to function as a typical 4 way intersection allowing both side-streets to operate simultaneously as there is plenty of area to allow these movements to occur. The majority of the signals along the Route 8 corridor and through Butler all operate in a similar fashion to this signal."

Frenchak contacted the Butler Eagle to run an ad in the paper informing the public of the change in signalization which may cost up to \$500.00. In addition, he contacted the radio station for their assistance. He stated Wendy's would permit placement a changeable letter sign on their property.

Frenchak motioned authorizing \$1,000.00 be spent on ads in the Butler Eagle and on the Butler County Radio Network for public service announcements about the new signalization and turning lanes. Latuska seconded. Motion carried.

5. Rite Aid/Sheetz Parking Lot Lights: The Township received complaints about the glare from the parking lot lights for Rite Aid and Sheetz from surrounding neighbors. Rite Aid and Sheetz stated they would correct the problem.

SOLICITOR'S REPORT:

1. Sewage Ordinance Amendment: ***Latuska motioned authorizing Township Solicitor Gallagher to prepare and advertise for the proposed sewage ordinance amendment. Flatt seconded. Motion carried.***

MISCELLANEOUS:

1. Cypher's Stormwater: Hold harmless agreements were signed Dr. Ronald Cypher, Dr. Keith Harvey and Mr. John Giles with neither party accepting responsibility. The Township will start reducing the water flow from the overflow outlet of Butler Veterinary Clinic retention pond.
2. Center Township Property: The Township owns property designated as Center Township Map 060-2F104-14C consisting of 3.23 acres (m/l). Two (2) individuals are interested in

purchasing the property. ***Latuska motioned authorizing advertisement in the Butler Eagle edition for Sunday, March 26, 2017 for the sale of property (Center Township Map 060-2F104-14C) consisting of 3.23 acres (m/l). Smallwood seconded. Motion carried.***

ADJOURNMENT:

The meeting adjourned to executive session at 8:00 p.m. to discuss litigation. The meeting reconvened at 8:35 p.m. with no action taken.

Latuska made a motion to adjourn at 8:36 p.m. Frenchak 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