

CENTER TOWNSHIP

419 Sunset Drive

Butler, PA 16001

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Board of Supervisors:
Daniel Cox, Chairman
Andrew Erie, Vice-Chairman
Ronald Flatt, Supervisor
Brian Hortert, Supervisor
Daniel Plaisted, Supervisor

Michael D. Gallagher, Solicitor
Olsen & Assoc., Engineer
Martha Hufhand, Township Secretary

BOARD OF SUPERVISORS

Reorganization and Regular Meeting Minutes

January 3, 2005

6:30 p.m.

CALL TO ORDER: The Regular Meeting of the Center Township Board of Supervisors was called to order at 6:30 p.m. by Chairman Dan Cox at the Center Township Municipal Building, 419 Sunset Drive, Butler, Penna.

ROLL CALL: Present were Chairman Cox; Vice-Chairman Andrew Erie; Supervisors Brian Hortert, Daniel Plaisted, and Ronald Flatt; Township Solicitor Michael Gallagher; Township Engineer Ron Olsen; and Township Secretary Martha Hufhand.

PUBLIC TO BE HEARD: None

REORGANIZATION:

Appointments:

A. Board of Supervisors:

1. Appointment Recording Secretary Protem: Cox made a motion to appoint Hufhand as Secretary Protem. Erie seconded. Motion carried unanimously.

2. Appointment Chairperson Protem: Cox made a motion to appoint Erie as Chairperson Protem. Flatt seconded. Motion carried.

3. Chairperson: Erie made a motion to nominate Cox as Chairperson. Hortert seconded. Motion carried.

4. Vice-Chairperson: Flatt made a motion to nominate Erie as Vice-Chairperson. Hortert seconded. Motion carried.

5. Wages and Health Benefits of Supervisors: Plaisted made a motion to reauthorize the Supervisors' salary at \$2,500. Flatt seconded. Motion carried.

6. Vacancy Board Chairperson: Plaisted made a motion to reappoint Ed Latuska as Vacancy Board Chairperson. Cox seconded. Motion carried unanimously.

B. Administration:

1. Public Works Director & Wage: Plaisted made a motion to reappoint Mark Lauer as Public Works Director with a wage increase of 3½ %. Flatt seconded. Motion carried unanimously.
2. Township Secretary & Wage: Plaisted made a motion to reappoint Martha Hufhand as Township Secretary at a wage of \$2,000 per year. Hortert seconded. Motion carried unanimously.
3. Township Treasurer & Wage: Plaisted made a motion to reappoint Anthony Amendolea as Township Treasurer at a wage of \$2,500 per year. Hortert seconded. Motion carried unanimously.
4. Treasurer's Bond (\$800,000): Cox made a motion to set the Treasurer's Bond at \$800,000. Flatt seconded. Motion carried unanimously.
5. Recording Secretary: Plaisted made a motion to appoint Hufhand as Recording Secretary. Erie seconded. Motion carried unanimously.
6. Zoning Officer/Code Enforcement Officer: Erie made a motion to appoint Mark Lauer as the Zoning Officer/Code Enforcement Officer. Cox seconded. Motion carried unanimously.
7. Assistant Zoning Officer: Cox made a motion to appoint an M.D.I.A. representative as the Assistant Zoning Officer. Erie seconded. Motion carried unanimously.
8. Building Code Official: Cox made a motion to appoint an M.D.I.A. representative as the Building Code Official. Erie seconded. Motion carried unanimously.
9. Dog Officer: Flatt made a motion to reappoint Donald Wagoner as the Dog Officer with a \$12 per call, \$5 per dog + mileage fee. Erie seconded. Motion carried unanimously.
10. Sewage Enforcement Officer & fees: Plaisted made a motion to reappoint John Colombo as Sewage Enforcement Officer at the 2005 & 2006 fee schedule (attached). Erie seconded. Motion carried unanimously.
11. Alternate Sewage Enforcement Officer: Plaisted made a motion to reappoint Chuck Smith as Alternate Sewage Enforcement Officer at the same fee schedule as the SEO. Erie seconded. Motion carried unanimously.
12. Fleet Inspection Mechanic: Erie made a motion to reappoint Errera as Fleet Inspection Mechanic. Flatt seconded. Motion carried unanimously.
13. Seasonal Employees/Wages (Summer Students): Plaisted made a motion to reappoint Joshua Black and John Stewart as seasonal employees at a wage of 7.50/hr. Flatt seconded. Motion carried unanimously.

C. Professional:

1. Township Solicitor & fee: Plaisted made a motion to reappoint Michael Gallagher, Esq. as the Township Solicitor at an hourly rate of \$120. Cox seconded. Motion carried unanimously.
2. Township Engineer & fee: Flatt made a motion to reappoint Ron Olsen as Township Engineer at a fee schedule as attached. Cox seconded. Motion carried unanimously.
3. Cox made a motion for the Chairman to make assignments to the solicitor and engineer. Flatt seconded. Motion carried unanimously.

D. Recommending Boards, Committees and Persons:

1. Planning Commission: Erie made a motion to reappoint Ken Frenchak, Jr. for a four-year term 2005-2008. Hortert seconded. Motion carried unanimously.
2. BOCA Board: Cox made a motion to reappoint Phil Wulff for a four-year term 2005-2008. Plaisted seconded. Motion carried unanimously.
3. Emergency Management Coordinator: Cox made a motion to reappoint Mark Lauer as Emergency Management Coordinator. Flatt seconded. Motion carried unanimously.

Establishing Meeting Dates, Time, and Location - Board of Supervisors:

A. Agenda Setting Meetings: Cox made a motion to schedule the Agenda Setting Board Meetings for the Monday preceding the second Wednesday of each month at 6:30 p.m. (except for October 5) at the Municipal Building. Flatt seconded. Motion carried unanimously.

B. Regular Business Meetings: Plaisted made a motion to schedule the Regular Board Meetings for the second Wednesday of each month at 6:30 p.m. at the Municipal Building. Flatt seconded. Motion carried unanimously.

C The Quarterly Public Hearings will be scheduled for 6:30 p.m. at the Municipal Building March 2, June 1, September 7, and December 7.

Certify Delegate to State Association's Convention: Plaisted made a motion to appoint Cox as the delegate to the convention from Center Township to include expenses to attend being paid by the Township. Flatt seconded. Motion carried unanimously.

Mileage Reimbursement Rate: Cox moved to continue to use the IRS rate which is 40½ cents a mile for 2005. Erie seconded. Motion carried unanimously.

Appointment of Depositories: Plaisted made a motion to appoint Citizen's Bank of Evans City as the Township Depositor. Hortert seconded. Motion carried unanimously.

Appointment of Person to Make Deposits: Plaisted made a motion to appoint Mark Lauer to make bank deposits. Erie seconded. Motion carried unanimously.

Holidays for Non-union Employees: Plaisted made a motion for non-union employees to observe the same holiday schedule as Union employees. Cox seconded. Motion carried unanimously.

Resolution for Fees: Plaisted made a motion to adopt Resolution 05-01-01 containing the fee schedule (attached) for 2005. Erie seconded. Motion carried unanimously.

REGULAR MEETING:

MINUTES:

1. Agenda Setting Meeting: Flatt made a motion to adopt the minutes of the Agenda Setting Meeting held December 6, 2004. Plaisted seconded. Hortert abstained because he was absent from this meeting. Motion carried.

2. Regular Meeting: Cox made a motion to approve the minutes of the Regular Meeting held December 8, 2004, with a correction on page 3 of the spelling of Carlberg's name in two places. Flatt seconded. Motion carried unanimously.

TREASURER'S REPORT:

1. December 2004: Plaisted made a motion to approve the December 2004 Treasurer's Report while abstaining voting on check #8441, for Lou Negley Bottled Water, a client of his. Hortert seconded. Motion carried unanimously.

2. Warrant List 04-12-24: Plaisted made a motion to approve Warrant List 04-12-24 while abstaining voting on check #8480, for Lou Negley Bottled Water, a client of his. Cox seconded. Motion carried unanimously.

3. Warrant List 05-01-01 Plaisted made a motion to approve Warrant List 05-01-01. Hortert seconded. Motion carried unanimously.

4. CD 05-15-05: Plaisted made a motion authorizing the Treasurer to investigate rates and to make a recommendation to Hortert & Cox for a decision as to rate and term of the CD. Flatt seconded the motion. Motion carried unanimously.

5. Hydrant Fund CD: Plaisted moved to authorize the Treasurer to recommend a rate and a term to Hortert & Cox to purchase a \$200,000 Hydrant Fund CD. Flatt seconded. Motion carried unanimously.

ZONING REPORT - December construction costs were \$306,200 and fees collected \$1,258.

SUBDIVISIONS & LAND DEVELOPMENTS:

1. Glen Herold, 473 W. Sunbury Rd., Minor Subdivision #04-10-20, Final Approval: Herold presenting. Flatt moved to authorize the Chairman to sign the Sewage Planning Module. Plaisted seconded. Motion carried unanimously. At the recommendation of the Planning Commission, Flatt made a motion to grant the request for a modification to Chapter 14, Article IV, and to review this

as a minor subdivision. Plaisted seconded. Motion carried unanimously. Flatt moved to grant final approval to the Herold Minor Subdivision. Plaisted seconded. Motion carried unanimously.

2. Ponderosa Land Development: Attorney Muscatello and Jim Barnett of Gray-Warnick Engineering presenting. Flatt moved to grant a modification to Chapter 14, Article IV 14-403 by not requiring storm water management. Plaisted seconded. Motion carried unanimously. Per the recommendation of the Planning Commission, Flatt moved to waive the requirement for preliminary approval. Plaisted seconded. Motion carried unanimously. Flatt moved to grant final approval contingent upon the receipt of a hold harmless indemnification for the sewage line and, if required by BASA, a Sewage Planning Module. Plaisted seconded. Motion carried unanimously.

NEW BUSINESS:

1. Impact Fees: Plaisted made a motion to ratify the vote authorizing advertising the Township's intent to adopt impact fees. Erie seconded. Motion carried unanimously.

2. Impact Fees Resolution: Flatt made a motion to adopt Resolution 05-01-02 (attached). Cox seconded. Motion carried unanimously. Flatt made a motion to authorize advertising for interested parties for the advisory committee. Plaisted seconded. Motion carried unanimously.

3. Waiver for chemical toilets & dumpsters for construction sites: Erie made a motion to adopt the waiver. Hortert seconded. Motion carried unanimously.

4. 2005 Primary Certification: Plaisted made a motion to authorize the chairman to sign the certification for the 2005 primary. Erie seconded. Motion carried unanimously.

5. Union Contract: Flatt made a motion to approve the amendment to the contract which removes the sentence that says "Employee hired after July 1, 1998, receive individual insurance coverage only." Erie seconded. Motion carried unanimously.

PUBLIC WORKS DIRECTOR:

1. Hydrants on Palmer Road: Cox moved for a letter to be sent to PAWC requesting fire hydrants on Palmer Road. Erie seconded. Motion carried unanimously.

2. Tractor Mower: Erie made a motion to purchase a Tiger Special John Deere 6320-4 wheel drive tractor mower using the GSA State Contract #2420-01 at a cost of \$81,343.65. Cox seconded. Motion carried unanimously.

3. Payment for 2005 International Truck: Erie made a motion to pay \$86,598 for the 2005 International single axle truck received last month. Flatt seconded. Motion carried unanimously.

4. South Asia Tsunami: Erie made a motion for the flag to be flown at half mast for the remainder of the week in support of the victims of the Asian Tsunami. Plaisted seconded. Motion carried unanimously.

ENGINEER'S REPORT:

1. Rte 308/Sunset/Henricks Signal: The engineer has received a letter from PennDot which discusses the procedure for acquiring a ROW by municipalities and conveying them to the State. The Secretary of Transportation has to sign off on the taking of a ROW by eminent domain. Cox is going to schedule a meeting with PennDot to discuss these items and the status of the project.

2. Glenwood Way Bridge: PennDot has advised the engineer that the Hydrological & Hydraulic analysis has been approved with minor changes.

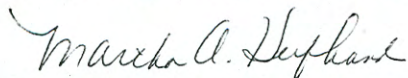
3. Public Sewer Service for Rte 38/Glenwood Way Area: Regarding the discussion at last month's meeting, BASA said that "the Authority cannot consider the expansion of its service area to serve new development at this time, even if that area were to be constructed with CDBG funds. However, Center Township may wish to continue the investigation of this area by conducting a 'needs assessment' to determine the conditions of the existing on-lot septic systems. Sewer extensions necessary to eliminate a public health hazard may be looked at in a different perspective by the Authority and DEP." Olsen said the process would be time consuming and suggested looking at this in 2005.

SOLICITOR'S REPORT:

1. Update on litigation: The solicitor said that the Bowser case has been dropped by the Court for no action. Thompson requested that the court give her more time to continue the two cases against the Township and the case of Thompson against Plaisted, Schenck, and Latuska. The Court has granted her a 6-month extension and, if there is no action the cases, they will be dismissed. It is not known at this time if the developer will appeal the decision in the Dunbar case. The case of Schenck against the 4 supervisors has no precedent value. She appealed and the court dismissed the case.

2. Executive Session: The Board adjourned to Executive Session at 7:35 p.m. to discuss the Coyle case and an aspect of the Thompson case. No decisions are to be made.

ADJOURNMENT: Regular meeting reconvened at 8:17 p.m. and Hortert made a motion to adjourn Plaisted seconded. Motion carried unanimously.



MARTHA A. HUFHAND
Township Secretary

DANIEL COX
Chairman

ANDREW ERIE
Vice-Chairman

RONALD FLATT
Supervisor

BRIAN HORTERT
Supervisor

DANIEL PLAISTED
Supervisor