

Board of Supervisors:  
*Ronald Flatt, Chairman*  
*Kenneth Frenchak Jr, Vice Chairman*  
*Andrew Erie, Supervisor*  
*Edward Latuska, Supervisor*  
*Philip Wulff, Supervisor*



*Anthony Amendolea, Secretary/Treasurer*  
*Mark Lauer, Public Works Director*  
*Richard Round, BCO/Zoning Official*  
*Michael Gallagher, Solicitor*  
*Olsen & Associates, Engineer*

**CENTER TOWNSHIP BOARD OF SUPERVISORS**

Reorganization/Regular Meeting Minutes

January 7, 2013

6:30 p.m.

**CALL TO ORDER:**

Supervisor Ronald Flatt called the Reorganization/Regular Meeting, of the Center Township Board of Supervisors, to order at 6:31 p.m. The meeting was held at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

**ROLL CALL:**

In addition to Supervisor Flatt, present were Supervisors Andrew Erie, Kenneth Frenchak, Edward Latuska, and Philip Wulff; Township Secretary/Treasurer Anthony Amendolea.

**REORGANIZATION**

**APPOINTMENTS:**

A. Board of Supervisors

1. Appointment Recording Secretary Protem: *Flatt motioned appointing Anthony Amendolea as Recording Secretary Protem. Erie seconded. Motion carried unanimously.*
2. Appoint Chairman Protem: *Flatt motioned appointing Kenneth Frenchak as Chairman Protem. Latuska seconded. Frenchak abstained. Motion carried 4 to 0.*
3. Chairman: *Latuska motioned appointing Ronald Flatt as Chairman. Wulff seconded. Flatt abstained. Motion carried 4 to 0.*
4. Vice Chairman: *Latuska motioned appointing Kenneth Frenchak as Vice Chairman. Wulff seconded. Frenchak abstained. Motion carried 4 to 0.*
5. Wages & Benefits of Supervisors: *Latuska motioned setting the Supervisors salary at \$2,500 in accordance with the Second Class Township Code, Article VI, Section 606a and authorizing the health benefits for the following Board members:*

SUPERVISOR	COVERAGE
Andrew Erie	Employee and Spouse
Edward G Latuska	Employee
Philip Wulff	Family

*Erie seconded. Motion carried unanimously.*

6. Vacancy Board Chairperson: *Flatt motioned appointing Brian Hortert as Vacancy Board Chairperson. Frenchak seconded. Motion carried unanimously.*

B. Administration

1. Township Secretary/Treasurer & Wage: *Flatt motioned appointing Anthony Amendolea as Township Secretary/Treasurer with wages of \$2.32 per hour (\$4,825.60 annually) for Township Treasurer duties and \$1.57 per hour (\$979.68 annually) for Township Secretary duties effective January 1, 2013. Erie seconded. Motion carried unanimously.*
2. Treasurer's Bond: *Flatt motioned setting the Treasurer's Bond at \$800,000 and pay the fee of \$1,125.00 to H A Thomson. Frenchak seconded. Motioned carried unanimously.*
3. Recording Secretary: *Flatt motioned appointing Anthony Amendolea as Recording Secretary. Erie seconded. Motion carried unanimously.*
4. Public Records Officer: *Flatt motioned appointing Anthony Amendolea as Public Records Officer. Erie seconded. Motion carried unanimously.*
5. Public Works Director & Wage: *Flatt motioned appointing Mark Lauer as Public Works Director with a salary of \$49,670.40 annually, paid as \$1,910.40 bi-weekly, effective January 1, 2013. Frenchak seconded. Motion carried unanimously.*
6. Building Code Official/Zoning Officer and Wage: *Flatt motioned appointing Richard Round as Building Code Official/Zoning Officer with a salary of \$42,328.00 annually, paid as \$1,628.00 bi-weekly, effective January 1, 2013. Frenchak seconded. Motion carried unanimously.*
7. Assistant Zoning Officer: *Frenchak motioned appointing Mark Lauer as Assistant Zoning Officer. Latuska seconded. Motion carried unanimously.*
8. Dog Control Officer & Wage: *Flatt motioned appointing James Wagner as Dog Officer with wages remaining at \$12.00 per hour, \$5.00 per dog, and mileage. Latuska seconded. Motion carried unanimously.*
9. Sewage Enforcement Officer & Fees: *Flatt motioned appointing Douglas Duncan as Sewage Enforcement Officer with fees set by the 2013 Fee Schedule,*

**Resolution No. 2013-01-06. Latuska seconded. Motion carried unanimously.**

10. Alternate Sewage Enforcement Officer: **Erie motioned appointing David Ice as Alternate Sewage Enforcement Officer. Latuska seconded. Motion carried unanimously.**
  11. Fleet Inspection Mechanic: **Flatt motioned appointing Bill Errera as Fleet Inspection Mechanic. Erie seconded. Motion carried unanimously.**
- C. Professional
1. Township Solicitor & Fee: **Flatt motioned appointing Michael Gallagher as Township Solicitor at \$150.00 per hour. Latuska seconded. Motion carried unanimously.**
  2. Township Engineer & Fee: **Flatt motioned appointing Ron Olsen, doing business as Olsen and Associates, LLC, as Township Engineer with a fee as set in the 2013 Fee Schedule, Resolution No. 2013-01-06. Latuska seconded. Motion carried unanimously.**
- D. Recommending Boards, Committees, & Persons
1. Planning Commission Resolution No. 2013-01-01: **Latuska motioned approving Resolution No. 2013-01-01 appointing Lloyd S. Eagal to the Planning Commission for the term of January 1, 2013 through December 31, 2016. Erie seconded. Motion carried unanimously.**
  2. TCC Delegate Resolution No. 2013-01-02: **Erie motioned approving Resolution No. 2013-01-02 appointing Gary Rauschenberger, Ronald Flatt, and Edward Latuska as Butler County Tax Collection Committee delegates. Frenchak seconded. Flatt and Latuska abstained. Motion carried 3 to 0.**
  3. UCC Appeals Board Resolution No. 2013-01-03: **Latuska motioned approving Resolution No. 2013-01-03 appointing Patrick I. McCarren to the Uniform Construction Code Appeals Board for the term of January 1, 2013 through December 31, 2017. Erie seconded. Motion carried unanimously.**
  4. UCC Appeals Board Resolution No. 2013-01-04: **Frenchak motioned approving Resolution No. 2013-01-03 appointing Paul J. Shanor to the Uniform Construction Code Appeals Board for the term of January 1, 2013 through December 31, 2017. Erie seconded. Motion carried unanimously.**
  5. Zoning Hearing Board Resolution No. 2013-01-05: **Erie motioned approving Resolution No. 2013-01-05 appointing Kasey McCollough, as alternate, to the Zoning Hearing Board for the term of January 1, 2013 through December 31, 2015. Latuska seconded. Motion carried unanimously.**
  6. Emergency Management Coordinator: **Flatt motioned appointing Mark Lauer as**

**Emergency Management Coordinator.** *Latuska seconded. Motion carried unanimously.*

**ESTABLISH MEETING DATES, TIMES, & LOCATION:**

A. Regular Business Meetings: *Erie motioned scheduling the Regular Business Meetings at 6:30 p.m. on the second (2<sup>nd</sup>) Wednesday of each month to be held at the Municipal Building, 419 Sunset Drive, Butler PA 16001. Latuska seconded. Motion carried unanimously.* The Regular Meeting dates are:

February 13	March 13	April 10
May 8	June 12	July 10
August 14	September 11	October 9
November 13	December 11	

B. Agenda Setting Meetings: *Erie motioned scheduling the Agenda Setting Meetings for the Monday before the second (2<sup>nd</sup>) Wednesday of each month except in November, due to Veterans Day (Monday, November 11, 2013), which will be Tuesday, November 12, 2013, at 6:30 p.m. to be held at the Municipal Building, 419 Sunset Drive, Butler, PA 16001. Latuska seconded. Motion carried unanimously.* The Agenda Setting Meetings are:

February 11	March 11	April 8
May 6	June 10	July 8
August 12	September 9	October 7
November 12 (Tuesday)	December 9	

C. 2014 Reorganizational/Regular Agenda Setting Meeting: *Erie motioned setting the 2014 Reorganizational Agenda Setting Meeting for Thursday, January 2, 2014. Latuska seconded. Motion carried unanimously.*

D. 2014 Reorganization/Regular Meeting: *Erie motioned setting the 2014 Reorganization/Regular Meeting for Monday, January 6, 2014 to be held at the Municipal Building, 419 Sunset Drive, Butler PA 16001. Latuska seconded. Motion carried unanimously.*

**CERTIFY DELEGATE TO STATE ASSOCIATION’S CONVENTION:** *Flatt motioned certifying Frenchak, if he attends, as a delegate to the Pennsylvania State Association of Township Supervisors from April 21 through April 24, 2013. Latuska seconded. Frenchak abstained. Motion carried 4 to 0.*

**MILEAGE REIMBURSEMENT RATE:** The Internal Revenues Service (IRS) established the mileage rate for 2013 at \$.565 per mile. *Flatt motioned setting the mileage rate at \$.565 per mile as established by the IRS. Erie seconded. Motion carried unanimously.*

**APPOINTMENT OF DEPOSITORIES:** *Latuska motioned appointing NexTier Bank as the Township Depository. Erie seconded. Motion carried unanimously.*

**APPOINTMENT OF AUTHORIZED SIGNERS:** *Erie motioned appointing authorized signers as Ronald Flatt, Andrew Erie, Kenneth Frenchak, Edward Latuska, Philip Wulff, and Anthony Amendolea to sign checks which require two supervisors' signatures and Township Secretary/Treasurer's signature. Latuska seconded. Motion carried unanimously.*

**APPOINTMENT OF PERSON TO MAKE DEPOSITS:** *Erie motioned appointing Richard Round to deposit receipts. Latuska seconded. Motion carried unanimously.*

**HOLIDAYS FOR NON-UNION EMPLOYEES:** *Flatt motioned authorizing non-union employees to observe the same holiday schedule as union employees. Erie seconded. Motion carried unanimously.*

**FEE RESOLUTION No. 2013-01-06:** *Frenchak motioned adopting, the 2013 Fee Schedule, Resolution No. 2013-01-06. Latuska seconded. Motion carried unanimously.*

*Reorganizational meeting concluded at 6:47 p.m. Township Solicitor Gallagher and Township Engineer Olsen joined the Board.*

### **REGULAR**

**PUBLIC TO BE HEARD (3 MINUTE LIMIT):** None

#### **MINUTES:**

1. Agenda Setting Minutes – December 10, 2012: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on December 10, 2012. Erie seconded. Motion carried unanimously.*
2. Regular Minutes – December 12, 2012: *Flatt motioned correcting the minutes of the Regular Meeting held on December 12, 2012, by adding “Solicitor Gallagher reminded the Board that he had been instructed on several occasions since July to act for the Board in relation to the 5 to 3 Referendum, and that although he was not now recommending any course of action, he wanted to inform the Board that time was running out to take action in this matter, should the Board chose to do so” to the Solicitor’s Report. Latuska seconded. Motion carried unanimously.*

#### **TREASURER’S REPORT**

1. December 2012: *Latuska motioned approving the December 2012 Treasurer’s Report. Erie seconded. Motion carried unanimously.*
2. Warrant List 12-12-24: *Latuska motioned approving Warrant List 12-12-24. Erie seconded. Motion carried unanimously.*
3. Warrant List 13-01-01: *Flatt motioned approving Warrant List 13-01-01. Latuska seconded. Motion carried unanimously.*

**ZONING REPORT:** December 2012: Construction costs were zero fees collected were \$50.00.  
**SUBDIVISION & LAND DEVELOPMENTS:** None

**SOLICITOR'S REPORT:** *(The Board permitted Gallagher to present his report due to scheduling conflict)*

1. Center Township vs County of Butler and Board of Elections: Township Solicitor Gallagher filed the petition against the 5 to 3 referendum. County Solicitor Graham signed the acceptance today. The Auditor General received the notice but may not intervene.

*Gallagher departed at 6:49 p.m.*

**OLD BUSINESS:**

1. 164 South Benbrook Road Stormwater Exemption Request: Mr. William McGarvey requested the exemption for 164 South Benbrook Road be granted. Township Engineer Olsen recommended Mr. Steve Paraska follow Chapter 21 of the Center Township Codified Ordinances due to neighbors complaints of stormwater runoff. ***Latuska motioned, based on Township Engineer Olsen's recommendation, (1) rejecting the request for 164 South Benbrook Road Stormwater Exemption quoting Chapter 21, Article III, Section 21-302, Subsection A, Subparagraph 2 and (2) authorize Township Engineer Olsen to review and approve, if in compliance with Chapter 21 of the Center Township Codified Ordinances, stormwater management plan to be submitted by Mr. Garvey.***
2. Use of Township Abandoned Road: Township Solicitor Gallagher provided an opinion for use of an abandoned Township road. His opinion is Nathan Brown's legal question does not involve the Township and recommends the Board take no further action. ***Frenchak motioned directing Township Secretary/Treasurer Amendolea to provide a copy of Township Solicitor Gallagher's opinion to Mr. Nathan Brown. Erie seconded. Motion carried unanimously.***

**NEW BUSINESS:**

1. Installation & Maintenance Agreement for Small Flow Treatment Facility: The Sewage Enforcement Officer, Doug Duncan, reviewed the "Installation and Maintenance Agreement for Small Flow Treatment Facility". He recommends revising (1) Section 4 to include tests for "Total Suspended Solids" and "Biochemical Oxygen Demands" and (2) Section 9 requiring ten percent (10%) of the construction cost of the system. ***Flatt motioned, based on Sewage Enforcement Officer Duncan's recommendation, revising (1) Section 4 to include tests for "Total Suspended Solids" and "Biochemical Oxygen Demands" and (2) Section 9, requires ten percent (10%) of the construction cost of the system of the Small Flow Treatment Facility Agreement. Erie seconded. Motion carried unanimously.***
2. Butler County Humane Society Agreement: ***Frenchak motioned accepting the agreement with the Butler County Humane Society authorizing James Wagner, Dog Officer, to drop off dogs. Erie seconded. Motion carried unanimously.***

3. Release 2012 Fire Tax: *Flatt motioned authorizing the release of \$90,000 from the 2012 Fire Tax to Unionville Volunteer Fire Company. Erie seconded. Motion carried unanimously.*
4. Mr. Terry Steffy, 538 Oneida Valley Road, Permit Refund Request: Mr. Terry Steffy, 538 Oneida Valley Road, requests a refund for Building Permit 22510 issued August 10, 2012 in the amount of \$688.00. Building Code Official/Zoning Officer Round performed one (1) inspection. *Erie motioned authoring a refund of \$688.00 minus one (1) inspection fee (\$65.00) and twenty percent (20%) administration fee (\$124.60) totaling \$498.40. Latuska seconded. Motion carried unanimously.*

#### **PUBLIC WORKS DIRECTOR:**

1. Posting and Bonding Local Roads, 1/11/2013, Clarion, \$0: *Flatt motioned authorizing Public Works Director Lauer to attend the "Posting and Bonding Local Roads" training on January 11, 2013 in Clarion, PA with no registration fee. Erie seconded. Motion carried unanimously.*
2. 2003 Utility Truck: The 2003 Ford F350 Utility Truck has been out of service since a week before Thanksgiving. The vehicle will not start. Currently the vehicle is at Bacher Automotive for diagnostics.
3. 2011-2012 Salt Contract: The required salt purchase of 1,800 tons prior to December 31, 2012 was fulfilled.
4. Tree Trimming: Due to the exceptional weather, the road crew will be trimming trees on Township roads.

#### **ENGINEER'S REPORT:**

1. Hilltop Drive Reconstruction: Township Engineer Olsen is setting up a meeting with Gregori Construction, Board of Supervisors, and Public Works Director Lauer to discuss the deficiencies from the Hilltop Drive Reconstruction project. Gregori Construction has not submitted a revised application for payment.
2. Stormwater On-Lot Detention Sump: *Flatt motioned authorizing Township Engineer Olsen to review and revise Standard Detail No. 22 to replace current diagram. Erie seconded. Motion carried unanimously.*

#### **MISCELLANEOUS:**

1. Shift Change: *Frenchak motioned authorizing Public Works Director Lauer to institute the road crew's shift change, as necessary, due to inclement weather. Latuska seconded. Flatt opposed to the split shift. Motion carried 4 to 1.*
2. West Brewster Road Stormwater Runoff: Flatt spoke with Mr. Steve Williams, PennDot, who visited the site in the past. Rip Rap was placed in the drainage ditches as agreed to

by the residents. Mr. William stated the areas may need maintenance.

- 3. Butler County Emergency Management Classes: Butler County Emergency Services submitted a list of classes the Emergency Management Coordinator is required to attend in 2013.
- 4. Road Crew Appreciation: Mr. Joe Fair wrote “Just a note of thanks to you and your men for the job you did on Leeward and Windy Drive. It was much appreciated by everyone up here. If I can ever return the favor, please let me know.”
- 5. Vacation Sale Back: Public Works Director Lauer was not fully compensated for unused vacation days. *Flatt motioned authorizing Public Works Director Lauer (1) reimbursement of 2012 unused vacation days and (2) continued accrual and usage of comp time. Frenchak seconded. Motion carried unanimously.*

**ADJOURNMENT:**

*Frenchak motioned to adjourn at 8:00 p.m. Erie seconded. Motion carried unanimously.*

Anthony A. Amendolea Township Secretary/Treasurer	Ronald E. Flatt Chairman
Kenneth J. Frenchak, Jr Vice Chairman	Andrew Erie Supervisor
Edward G. Latuska Supervisor	Philip B. Wulff Supervisor