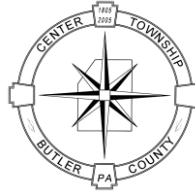


Board of Supervisors:  
 Thomas Schiebel, Chairman  
 Andrew Erie, Vice Chairman  
 Ronald Flatt, Supervisor  
 Kenneth Frenchak Jr, Supervisor  
 Edward Latuska, Supervisor



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

**BOARD OF SUPERVISORS**

Regular Meeting Minutes  
 February 9, 2011  
 6:30 p.m.

**CALL TO ORDER:** Chairman Thomas Schiebel called the Regular Meeting, of the Center Township Board of Supervisors, to order at 6:30 p.m. The meeting was held at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

**ROLL CALL:** In addition to Chairman Schiebel, present were Supervisors Andrew Erie; Ronald Flatt; Kenneth Frenchak and Edward Latuska; Township Solicitor Michael Gallagher; Township Engineer Ron Olsen; and Township Secretary/Treasurer Anthony Amendolea. Public Works Director Mark Lauer was absent.

**PUBLIC TO BE HEARD (3 MINUTE LIMIT):**

1. Mr. Howard J. Allison, 109 Barron Lane: Mr. Allison expressed his gratitude for the Township making a donation to Trinity Lutheran Church in memory of his father.
2. Mr. Glen White, Advance Forestry: Mr. White, representing M. K. Hardwoods, requests a waiver of the fourteen (14) day requirement prior to logging. Property lines and trees were marked in blue in May 2010. Frenchak asked why was the logging operation delayed. Mr. White stated the timber was not sold until recently. Flatt states the intention of the ordinance is to provide for adjacent property owners to dispute the boundary lines. *Flatt motioned granting the waiver of the fourteen (14) day waiting period with the condition, as recommended by Township Solicitor Gallagher, M. K. Hardwoods harvest trees from the center of property until the fourteen (14) days lapses. Latuska seconded. Frenchak voted against voicing his opinion that the ordinance should be followed. Motion carried 4 to 1.*

**MINUTES:**

1. Agenda Setting Minutes – December 29, 2010: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on December 29, 2010. Erie seconded. Motion carried unanimously.*
2. Reorganization/Regular Minutes – January 3, 2011: *Latuska motioned approving the minutes of the Reorganization/Regular Meeting held on January 3, 2011. Frenchak seconded. Motion carried unanimously.*

**TREASURER'S REPORT:**

1. Warrant List 11-01-02: *Schiebel motioned approving Warrant 11-01-02. Erie seconded. Motion carried unanimously.*
2. Warrant List 11-01-03: *Schiebel motioned approving Warrant List 11-01-03. Erie seconded. Motion carried unanimously.*
3. Warrant List 11-01-04: *Schiebel motioned approving Warrant List 11-01-04. Erie seconded. Motion carried unanimously.*
4. Warrant List 11-01-05: *Schiebel motioned approving Warrant List 11-01-05. Erie seconded. Motion carried unanimously.*
5. Warrant List 11-02-06: *Schiebel motioned approving Warrant List 11-02-06. Erie seconded. Motion carried unanimously.*
6. Warrant List 11-02-07: *Schiebel motioned approving Warrant List 11-02-07. Frenchak seconded. Motion carried unanimously.*
7. Fire Department CD: A CD in the amount of \$100,318.08 will mature on February 19, 2011. *Flatt motioned authorizing Secretary/Treasurer Amendolea to deposit \$100,318.08, upon maturity, in the Fire Protection Fund checking account. Erie seconded. Motion carried unanimously.*

**ZONING REPORT:** January 2011: Construction costs were \$11,500 fees collected were \$244.88.

**SUBDIVISION & LAND DEVELOPMENTS:**

1. CSR Developers LLR No. 11-01-01, SR 308/Moore Rd, 4 Lots: CSR Developers LLR 11-01-01, Moore Rd, 4 lots: CSR Developers, represented by Mr. Leo Rosenbauer, S D Graff Professional Surveying, proposes to revise lot lines for Map and Parcels: 2F63 8CA; 8CB; 8CC; 8CD; and 8CE which are located east of West Sunbury Road (SR 308) and Moore Road (T-567). The revision request eliminates one lot. Impact fees of \$1,380 per lot remains unchanged. Mr. Rosenbauer asks for preliminary and final approval. The Butler County Planning Commission did not have any comments. After reviewing Township Engineer comments at their January 26, 2011 meeting, the Planning Commission made the following motion:

*“Lynd motioned, as recommended by Township Engineer Olsen, recommends preliminary and final approval of CSR Developers LLR No. 11-01-01. Paroli seconded. Motion carried unanimously.”*

Flatt states the plan depicts abutting property owned by his brothers, Tim and David Flatt; his mother, Ms. Jean Flatt; and himself. When his brother subdivided property from his mother, the surveyor made an error. The error was corrected when Flatt subdivided property from his mother. Flatt stated he has connection to this plan.

***Frenchak motioned granting preliminary and final approved, as recommended by the Planning Commission, of CSR Developers LLR No. 11-01-01. Flatt seconded. Motion carried unanimously.***

**OLD BUSINESS:**

1. Ratify Ad for Zoning Hearing Board: Chairman Schiebel authorized Secretary/Treasurer Amendolea to advertise for an alternate member to the Zoning Hearing Board on January 5, 2011. ***Flatt motioned ratifying the advertisement of an alternate member to the Zoning Hearing Board as authorized by Chairman Schiebel on January 5, 2011. Latuska seconded. Motion carried unanimously.***
2. Appoint Dog Control Officer: Frenchak was authorized to interview candidates for the vacant Dog Control Officer position. A total of fifteen (15) individuals applied, which Frenchak interviewed three (3) candidates. ***Frenchak motioned appointing Mr. Jack C. Wagner, as Dog Control Officer, at a wage of \$12.00 per hour, \$5.00 per dog, and mileage. Flatt seconded. Motion carried unanimously.***

**NEW BUSINESS:**

1. Release Fire Tax: The Unionville Volunteer Fire Company submitted 2010 annual report as required by the Second Class Township Code, Article XVIII, Section 1803(a). ***Flatt motioned authorizing Secretary/Treasurer Amendolea to release \$90,000 of the 2010 Fire Real Estate Tax from the Fire Protection Fund to the Unionville Volunteer Fire Company. Erie seconded. Motion carried unanimously.***
2. Dellich Trucking Performance Bond: The Board of Supervisors awarded the 2011 Antiskid Contract to Dan Dellich Trucking in the amount of \$46,800. As part of the award, the successful bidder must post a performance bond in the amount of 100% of the bid within twenty (20) days. Dellich Trucking must post a performance bond no later than February 15, 2011.
3. Destruction of Records Resolution No. 2011-02-05: Township Secretary/Treasurer Amendolea requests authorization to dispose of records as set forth in the Municipal Records Manual approved December 16, 2008. ***Flatt motioned approving Resolution No. 2011-02-05 authorizing the destruction of records as set forth in the Municipal Records Manual approved December 16, 2008. Erie seconded. Motion carried unanimously.***
4. Appoint Zoning Hearing Board Alternate Resolution No. 2011-02-06: Mr. Allan E. Whitmire submitted a letter of interest to serve on the Center Township Zoning Hearing Board, as an alternate, for a three (3) year term from February 9, 2011 through December 31, 2013. ***Flatt motioned adopting Resolution No. 2011-02-06 appointing Allan E. Whitmire to the Center Township Zoning Hearing Board, as an alternate, for a three (3) year term from February 9, 2011 through December 31, 2013. Erie seconded. Motion carried unanimously.***
5. Authorize Solicitor's Review of Proposed Fire Insurance Escrow Ordinance: Building

Code Official/Zoning Officer asks the Board to adopt a Fire Insurance Escrow Ordinance. The purpose of the ordinance requires insurance companies to place a portion of the proceeds in escrow with the Municipality to cover costs of removing, repairing, or securing a damaged building. ***Schiebel motioned authorizing the Township Solicitor to review the proposed Fire Insurance Escrow ordinance. Flatt seconded. Motion carried unanimously***

6. Maintenance Facility Tobacco Free Request: Schiebel received a request to make the Maintenance Facility tobacco free. ***Schiebel motioned requesting the Maintenance Facility at 150 Henricks Road be a tobacco free facility with a resolution to be passed at the March 9, 2011 meeting. Frenchak seconded. Flatt voted no because he preferred more time to consider. Motion carried 4 to 1.***

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

1. Release J. B. Mill & Fabricating, Inc Road Bonds (Mahood/Jamisonville): J. B. Mill and Fabricating, Inc performed logging operations on the Wayne E. Dallos property (3F39 7A) on Mahood Road and Thelma M. Fleeger property (2F108 4) on Jamisonville Road. They request release of their road bonds for Mahood Road (T-860) and Jamisonville Road (T-832). ***Latuska motioned, as recommended by the Public Works Director Lauer, approving the release of J. B. Mill and Fabricating, Inc road bonds for Mahood Road (T-860) and Jamisonville Road (T-832). Erie seconded. Motion carried unanimously.***
2. Emergency Management Quarterly Training – 3/16/2011 – 9-1-1 Center - \$0: Butler County Emergency Management Agency scheduled a mandatory training session for Wednesday, March 16, 2011 from 7:00 – 9:00 p.m. The training will be conducted at the Butler County’s 9-1-1 Center, 120 McCune Drive, Butler, PA 16001. ***Frenchak motioned authorizing Emergency Management Coordinator Lauer to attend the mandatory Emergency Management Quarterly training on Wednesday, March 16, 2011 at the Butler County 9-1-1 Center, 120 McCune Drive, Butler, PA 16001 with no fee. Schiebel seconded. Motion carried unanimously.***

#### **ENGINEER’S REPORT:**

1. SR 8/Benbrook Road Signal: IA Construction is still waiting for some poles to arrive. A wing wall must be constructed for a flashing warning sign located on northbound State Route 8 prior to the intersection with South Benbrook Road. State Representative Stevenson replied he would like to attend the ribbon cutting ceremony when scheduled. Olsen suggested Federal Representatives be invited since stimulus monies were used for the project.
2. Butler County Stormwater Management Ordinance: Flatt asked if the recently adopted Butler County Stormwater Management Ordinance authorize the Township to enforce existing stormwater problems. Olsen stated the Township could incorporate the change at time of adoption of the Butler County Stormwater Management Ordinance.
3. Maintenance Facility Finalization: Olsen wanted to finalize the maintenance facility with

Uhl Construction by increasing the maintenance bond. However, Uhl Construction's insurance company would not approve. Therefore, the finalization will take place in May when the final seeding will be complete.

#### **SOLICITOR'S REPORT:**

1. Center Township vs. Morgan: Township Solicitor Gallagher attended a Status Conference Hearing held on January 28, 2011. The Department of Environmental Protection issued a permit to Mr. Edward Morgan to install a small flow treatment facility. Mr. Morgan must post a maintenance bond in the amount of \$3,000. Next status conference hearing is scheduled for May 2, 2011 unless system is installed and bond is posted.
2. Center Township vs. Oliver: Township Solicitor Gallagher received a notice from the Commonwealth Court for Mr. Jerome Oliver to file a brief by March 21, 2011. The Township's brief will be due April 20, 2011. Gallagher anticipates a hearing before the Commonwealth Court sometime late summer or early fall.

#### **MISCELLANEOUS:**

1. Comprehensive Plan: Frenchak stated he invited members of the Comprehensive Plan steering committee and Jeff Pierce to the Agenda Setting Meeting to be held on March 7, 2011.

#### **ADJOURNMENT:**

*Schiebel made a motion to adjourn at 7:23 p.m. Flatt seconded. Motion carried unanimously.*

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Anthony A. Amendolea  
Township Secretary/Treasurer

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Thomas G. Schiebel  
Chairman

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Andrew Erie  
Vice Chairman

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Ronald E. Flatt  
Supervisor

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Kenneth J. Frenchak Jr  
Supervisor

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Edward G. Latuska  
Supervisor