

Board of Supervisors:
Ronald Flatt, Chairman
Philip Wulff, Vice Chairman
Edward Latuska, Supervisor
Robert Sloan, Supervisor
Alan Smallwood, Supervisor



Anthony Amendolea, Secretary/Treasurer
Michael Gallagher, Solicitor
Gateway Engineers, Engineer
Patrick Gauselmann, BCO/Zoning Officer

Center Township Board of Supervisors
 Regular Meeting Minutes
 February 14, 2018
 6:30 p.m.

CALL TO ORDER:

Vice Chairman Philip Wulff 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 Vice Chairman Wulff, present were; Supervisors Edward Latuska, Robert Sloan and Alan Smallwood; Township Solicitor Michael Gallagher; Township Engineer David Heath; and Township Secretary/Treasurer Anthony Amendolea. Chairman Ronald Flatt was absent.

PUBLIC TO BE HEARD:

- A. Mr. Nathan Wulff, Unionville Fire Chief: Mr. Wulff presented the Unionville Volunteer Fire Company report for January 2018 as follows:

Type of Calls	Number of Calls
Motor vehicle accidents	13
Automatic fire alarms	7
Service calls	10
Structure fires	3
Medicals	4
Brush fires	0
Dive calls	1
Vehicle fires	1
Total	39

He received pictures of the new engine in production. Chassis should be available by the end of February or mid March. The fire department will be selling the engine which will be replaced.

- B. Mr. Jonathan Kay, Pennsylvania Fish and Boat Commission: Mr. Kay stated the Pennsylvania Fish and Boat Commission is interested in providing canoe/kayak access at the property located at 707 Oneida Valley Road (Center Township 060-2F61-36D). An agreement between Center Township and the Pennsylvania Fish and Boat Commission is required for enforcement. Center Township would be protected against lawsuits for recreational use for fishing and hunting.

- C. Mr. Randy Brown, 137 Moore Road: Mr. Brown discussed with the Federal Emergency Management Agency about the Pennsylvania Fish and Boat Commission using the property at 707 Oneida Valley Road (Center Township 060-2F61-36D). There are forms to be

completed for approval by the Federal Emergency Management Agency.

- D. Corporal Jacob Jesse, Pennsylvania State Police: Corporal Jesse provided information on crime statistics in Center Township for the past six (6) months.
- E. Mr. Brad Cavaliero, 100 North Maple Drive: Mr. Cavaliero has concerns about the invoices he received for the proposed Hull Lake dam repairs. He stated former Township Engineer Ronald Olsen provided costs for each phase. However, these invoices exceeded the cost estimate. In addition, he stated he received a letter from the Pennsylvania Department of Environmental Protection requesting a dam safety plan. Mr. Cavaliero requests assistance from the Township. Also, he stated the Hull Lake Residents Association is interested in acquiring the triangle located at Glenwood Way and Beechwood Boulevard to place a marquis to post events held by the Hull Lake Residents Association. They will need to provide a hold harmless agreement to Center Township.

MINUTES:

- A. Reorganization/Regular Meeting - January 2, 2018: *Latuska motioned approving the minutes of the Reorganization/Regular Meeting held on Tuesday, January 2, 2018. Wulff seconded. Motion carried.*

TREASURER'S REPORT:

- A. January 2018: *Latuska motioned approving the January 2018 Treasurer's Report. Sloan seconded. Motion carried.*
- B. Warrant List 18-01-02: *Latuska motioned approving Warrant List 18-01-02. Wulff seconded. Motion carried.*
- C. Warrant List 18-02-03: *Latuska motioned approving Warrant List 18-02-03. Wulff seconded. Motion carried.*

ZONING REPORT: January 2018: Construction costs were \$6,000.00 fees collected were \$1,750.00.

SUBDIVISION & LAND DEVELOPMENTS:

- A. A & D Holdings Land Development No. 2017-09-15, Preliminary & Final, Expires 03/25/2018: Mr. James Day presented. A & D Holding Company LLC proposes to expand their parking lot on Center Township Map 060-S3-14 and consolidate Parcel 14 (1.9190 acres) and Parcel 15 (2.3075 acres) into Parcel 14-R (4.226 acres). Butler County Planning Commission had no comments per review letter dated October 24, 2017. Township Engineer Heath's comments are as follows (*Mr. James Day comments are italicized*):
 1. Encroachments on the northern property boundary, shown throughout the plan set, should also be depicted on the Consolidation Plan
 2. Per section 21-802.A of the ordinance, please provide a Stormwater Management Site Plan for review. The SWM site plan should include all items in section 21-802.A.22, 'Notes and Statements'. Also, please move all callouts to visible areas, as one is obstructed by the soil table. (*Additional plan sheets have been created to be exclusively "Stormwater Management Plan" and included with this submission.*)
 3. Per the BMP Manual, all pervious pavement systems must be designed with an overflow system. Bed bottoms should be level or nearly level. Please provide further detail to ensure that these conditions are met. The underdrains are not sufficient as an overflow measure. Please incorporate additional measures to meet these criteria. (*The volume calculations are based on the*

infiltration bed below the porous pavement, which is 2' wider on the ease, north and west pavement edges. The BMP worksheet 5 has been revised to reflect an infiltration bed instead of the porous pavement, as the porous pavement itself is not used as any storage volume.)

4. Please provide pre and post development drainage area maps with land use breakdown and time of concentration paths to support all calculations. The post development maps and existing contours indicate that some offsite drainage may reach the parking area and infiltration into the system. Please add this area to the calculations and ensure that the proposed BMP can handle this area. *(The pre and post development drainage area maps are included within the SWM report Appendix section.)*
5. The Post Development peak rate numbers from the table in section VI of the narrative are inconsistent with the calculations. Please explain where the numbers in the table on page section VI of the narrative are from. They don't appear to match those numbers that are shown in the routing calculations. *(The pre and post development drainage area maps are included within the SWM report Appendix section.)*
6. Curbing should be added at the western most side of the lot with a surface drainage structure to collect surface runoff that is not contained or collected by the pervious pavement. We have concerns with the crowned grading, as flow is being directed towards the PennDOT right-of-way. Curbing is necessary in order to contain any surface runoff that is not collected by the system, since the outside stone edging will likely not collect much of the surface runoff, and will direct it onto the adjacent property's driveway and the PennDOT right-of-way. The original inverse crown grading is preferred, with an inlet installed to act as the overflow structure. *(The parking lot grading has been revised to be crowned, to distribute any surface runoff to the perimeter edging stone. No inlet is now warranted.)*

The Planning Commission, contingent on completion of a Stormwater Maintenance Agreement, items 1 through 6 and correct number of parking spaces, recommended preliminary and final approval of the A&D Holding Land Development No. 2017-09-15.

Sloan motioned, contingent on the final review by Township Engineer Heath and receipt of the Stormwater Maintenance Agreement, granting preliminary and final approval of the A & D Holding Land Development No. 2017-09-15. Latuska seconded. Motion carried.

- B. Mack Minor Subdivision No. 2018-01-02, Final, Expires 04/25/2018: Mr. Stan Graff presented. The purpose is to subdivide the original Parcel (50.436 acres) into two parcels, Lot 1 (10.632 acres) and Residual (39.804 acres) to settle the estate of T. Raymond and Beatrice Mack (Clay Township Map 080-2F59-A20). Butler County Planning Commission had no comments per review letter dated January 5, 2018. Township Engineer Heath's comments are as follows *(Mr. Graff's comments are italicized)* :

1. The parcel(s) zoning district is not included on the plan. *(has been added)*
2. The current zoning development standards are not included on the plan. *(has been added)*
3. The FEMA flood zone designation for the parcel(s) is not included on the plan. *(has been added)*
4. The name and address of the proposed subdivider is not included on the plan. *(has been added)*
5. The cartway width of the roadways is not included on the plan. *(has been added)*
6. The existing utilities and utility services to existing structures is not included on the plan. *(has been added)*
7. A "25' dedicated R/W" is indicated on Mack Road through the submission. Please provide clarification as to the "dedicated" ownership. *(Right-of-Way has been corrected to thirty-three (33) feet.)*

The Planning Commission, based on Township Engineer Heath's recommendation, recommended final approval of the Mack Minor Subdivision No. 2018-01-02.

Latuska motioned, based on Township Engineer Heath's recommendation, granting final approval of the Mack Minor Subdivision No. 2018-01-02. Sloan seconded. Smallwood abstained. Motion carried 3 to 0.

- C. Schmidt/Reddick Minor Subdivision No. 2018-01-03, Final, Expires 04/25/2018: Mr. Emil Schmidt presented. Mr. Schmidt proposes conveying .69 acres (m/l) from Center Township Map 060-2F106-14A to Center Township Map 060-2F106-14AA to settle the estate of Edna L. Reddick. The Butler County Planning Commission had no comments per review letter dated January 26, 2018. Township Engineer Heath had no comments.

The Planning Commission, contingent on receipt of Butler County Planning Commission's review letter, recommended final approval of the Schmidt/Reddick Minor Subdivision No. 2018-01-03. Contingency was met. ***Latuska motioned, based on Township Engineer Heath's recommendation, granting final approval of the Schmidt/Reddick Minor Subdivision No. 2018-01-03. Wulff seconded. Motion carried.***

- D. Rodgers/Kiser Minor Subdivision No. 2018-01-04, Final, Expires 04/25/2018: Ms. Mary Rodgers originally convey 3.66 acres (m/l) from Center Township Map 060-2F61-14BF to Center Township Map 060-2F61-13 which was approved by the Board of Supervisors on February 13, 2013. However, Ms. Judith Kiser did not purchase the property. Ms. Rodgers is now subdividing 3.666 acres (m/l) from Center Township Map 060-2F61-14BF to create a new lot with existing non-conforming structures. Butler County Planning Commission had the following comment per review letter dated January 31, 2018: *BCPC notes that New Lot # 1 may be too small for a Planning Waiver & Non-Building Declaration. Please consult with PA Department of Environmental Protection.* . Township Engineer Heath's comments are as follows: *(Ms. Cheryl Hughes comments are italicized)*

1. The depiction of remnant parcel is lacking bearing and distances. *(We have added deed bearings and distances to the remnant parcel.)*
2. The request for planning wavier & non-building declaration paperwork is missing from the submission . Certification of the SEO inspection of the Remnant parcel on-lot septic system is needed. *(Non-building waiver is on the plan and it is my understanding certification of the SEO inspection is no longer required.)*

The Planning Commission, contingent on receipt of Butler County Planning Commission's review letter, item 1 and correction of spelling error in Notes "aas" to "as", recommended final approval of the Rodgers/Kiser Minor Subdivision No. 2018-01-04. Contingencies are met. ***Latuska motioned, based on Township Engineer Heath's recommendation, granting final approval of the Rodgers/Kiser Minor Subdivision No. 2018-01-04. Sloan seconded. Motion carried.***

OLD BUSINESS:

- A. Duffy Highlands Developer's PRD:
1. Developer's Agreement: The developer's agreement denotes that the wearing course and sidewalks will not be completed prior to November 2018. ***Latuska motioned, based on Township Solicitor Gallagher's recommendation, authorizing Chairman Flatt or in his absence Vice Chairman Wulff to sign the Duffy Highlands Developer's Agreement. Smallwood seconded. Motion carried.***
 2. Stormwater Management Operation and Maintenance Agreement: ***Latuska motioned, based on Township Solicitor Gallagher's recommendation, authorizing***

Chairman Flatt or in his absence Vice Chairman Wulff to sign the Duffy Highlands Stormwater Management Operation and Maintenance Agreement. Sloan seconded. Motion carried.

- B. Veterans Administration Drainage: Drainage from the Veterans Administration Health Clinic flows through a trap prior to crossing North Duffy Road (T-509). Mr. Robert Brennan stated he will be relocating the drainage system on his property. He stated he is willing to assist the Township with correcting the drainage. **Latuska motioned authorizing Township Engineer Heath to assist Mr. Robert Brennan in resolving the situation. Wulff seconded. Motion carried.**

NEW BUSINESS:

- A. International Mechanical Code Essentials/International Fuel Gas Code Essentials, 2/27 - 3/1/2018, Bethlehem, \$1,500: Building Code Official/Zoning Officer Gauselmann requests authorization to attend the "International Mechanical Code Essentials and International Fuel Gas Code Essentials" training from Tuesday, February 27, 2018 through Thursday, March 1, 2018 at a cost of approximately \$1,500.00 in Bethlehem, Pennsylvania. **Latuska motioned authorizing Building Code Official/Zoning Officer Gauselmann to attend "International Mechanical Code Essentials and International Fuel Gas Code Essentials" training in Bethlehem, Pennsylvania from Tuesday, February 27, 2018 through Thursday, March 1, 2018 not to exceed \$1,500.00. Wulff seconded. Motion carried.**

- B. Release Consultant Fees: Township Secretary/Treasurer Amendolea requests authorization to release the following consultant fees:

Development	Type	Approval	Instrument Number	Amount
McCafferty	Minor	08/09/2017	201708280018282	\$129.00
Clark	Minor	10/12/2017	201710110022215	\$750.00

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

- C. Adopt Records Destruction Resolution No. 2018-02-08: Township Secretary/Treasurer Amendolea submitted a request to destroy various records from 2005 through 2015 in accordance with Municipal Records Manual approved December 16, 2008. **Latuska motioned adopting the Records Destruction Resolution No. 2018-02-08. Wulff seconded. Motion carried.**

- D. 401 North Duffy Road Garage Demolition: The Butler County Fire School desires to use the single family dwelling at 401 North Duffy Road (Center Township Map 060-2F104-10B) on Saturday, June 2, 2018 and Sunday, June 3, 2018. The school requests the garage be removed to permit space for equipment. **Wulff motioned authorizing (1) the road crew, renting a roll off container, to demolish the garage and (2) use of a private contractor, upon receipt of quotes and approval of two (2) supervisors (to be ratified) if demolition cannot be completed by the road crew. Latuska seconded. Motion carried.**

PUBLIC WORKS:

- A. Release Allegheny Wood Products Road Bond (Byers Road T-500): Allegheny Wood Products, Inc requests the release of their road bond for Byers Road (T-500) in the amount of \$2,520.00. **Latuska motioned, based on Public Works Foreman Brewster's recommendation, releasing Allegheny Wood Products, Inc road bond for Byers Road (T-**

- 500) in the amount of \$2,520.00. Sloan seconded. Motion carried.**
- B. Request for "School Bus Stop Ahead" Sign: Ms. Jennifer Lamberto requests a "School Bus Stop Ahead" sign be placed in the vicinity of Sheryl Buffington's Daycare Palace located at 325 Sunset Drive. Public Works Foreman Brewster stated a sign is already there going north on Sunset Drive (T-442).
- C. Release Elkhorn Construction Road Bond (Rider Church Road (T-569): Elkhorn Construction requests release of their road bond for Rider Church Road (T-569) in the amount of \$3,750.00. **Latuska motioned, based on Public Works Foreman Brewster's recommendation, releasing Elkhorn Construction road bond for Rider Church Road (T-569) in the amount of \$3,750.00. Wulff seconded. Motion carried.**
- D. Jamisonville Road (T-832) Stop Sign: Wulff stated he received a request to install a "Stop" sign on Jamisonville Road (T-832) at the ninety (90) degree bend west of State Route 308 (SR0308). **Wulff motioned authorizing (1) Township Engineer Heath to perform a traffic study and (2) upon completion adopting an ordinance authorizing placement of the "Stop" sign. Sloan seconded. Motion carried.**
- E. Sale of 2003 Ford F550 Utility Truck: Public Works Foreman Brewster requests authorization to advertise the sale of the 2003 Ford F550 utility truck. **Wulff motioned authorizing the placement of an ad in the Butler Eagle editions for Wednesday, February 28, 2018 and Sunday, March 4, 2018. Sloan seconded. Motion carried.**
- F. 2018 - 2019 Salt Contract: The Township must enter into a contract with the Commonwealth, if we want to participate in the Costars Salt Contract. The Township will enter into the contract for 3,000 tons. We are required to purchase at least sixty percent (60%) (1,800 tons) or a maximum of 140% (4,200 tons). **Latuska motioned to enter into the 2018 – 2019 Costars Salt Contract for 3,000 tons. Smallwood seconded. Motion carried.**
- G. Replacement of 2005 International Truck: Latuska stated he wants the road crew to function effectively. Wulff stated there is no reason to decide since a new truck would be available for four (4) to six (6) months. He would like to have a two (2) year span between purchasing vehicles. Sloan stated it is unreasonable to spend funds for repairs and not replace the truck. Sloan and Smallwood will further investigate and make a recommendation to the Board.
- H. Drain Pipe and Catchbasins: Public Works Foreman Brewster requests authorization to advertise to purchase 2,500 feet of drain pipe and twenty (20) catchbasins.
- I. Damage Mailbox: A resident claimed that their mailbox was damaged by the snow plow. Public Works Foreman Brewster stated he discuss the situation with them and reset the mailbox but it did not solve the situation.
- J. 2018 Dodge Ram Utility Truck: The utility truck should be completed by the end of February. The Township has not received an invoice. **Latuska motioned that Chairman Flatt approve the invoice, upon receipt. Sloan seconded. Motion carried.**
- K. Margate Drive (T-770) Complaint: A complaint was received concerning speeding and parking on Margate Drive (T-770). **Sloan motioned authorizing placement of "Speed Limit" signs and "Watch Children" signs. Latuska seconded. Motion carried.**

ENGINEER'S REPORT:

- A. Floodplain Ordinance: Ms. Leslie Rhoads has agreed to assist municipalities to adopt a new floodplain ordinance which must be adopted no later than August 2, 2018. She requests answers to the following questions:
1. Title of Floodplain Administrator and back up. Needs to be the TITLE of a permanent position within the community. They can delegate or enter into a written agreement with a 3rd party, but the **3rd party should NOT be listed in the ordinance itself.** *Building Code Official or Code Enforcement Officer.*
 2. Do you have a local Zoning Hearing Board? *Yes*
 3. What is your decision making body? [Board, Council, etc.] *Board of Supervisors*
 4. Is your penalty for violation an offense, summary offense, or misdemeanor? Our old model only listed misdemeanor, but I have had solicitors tell me not all municipalities can enforce that type of penalty. Please confirm this with your solicitor. *Summary, \$1,000.00*
 5. How restrictive do you want to be (intent)?
 - a. completely restrictive (no development in the floodplains). Variance procedure is more of due process and not a way to "permit"
 - b. permit development with some higher standards (safer than minimums). Can keep any higher standard options you don't currently have in bold for your consideration at this time.
 - c. same standards you have now (will need copy of current ordinance if I don't already have it). I will incorporate those standards into our latest model.
 - d. minimum standards needed to comply (highly recommend 1.5 ft freeboard at a minimum as cost and safety effectiveness will pay for itself in the long run).
 6. Will you want the new ordinance to become effective upon signing, # days after signing or same date as new maps? *Same date as maps.*

Township Engineer Heath will attend the Post-Letter of Final Determination meeting scheduled for Tuesday, February 27, 2018.

SOLICITOR'S REPORT:

- A. Beblo's Hold Harmless Agreement: The Township corrected the stormwater situation on Margate Drive (T-770). Mr. Dennis Beblo requests the Township maintain the storm sewer to the creek. If Mr. Dennis Beblo prepares the drawing and documents for the easement, the Township will consider adoption of easement.

MISCELLANEOUS:

- A. "Dustless" Surface: Butler Floor and Carpet does not want to place concrete surface on the lower portion of the lot. They will pave the drive and employee/customer parking. The Board suggests the Planning Commission consider (1) up to a two (2) year agreement to complete the concrete pad, (2) the stormwater management operation and maintenance agreement be recorded and (3) Butler Floor and Carpet request a modification to the land development ordinance.

ADJOURNMENT:

The meeting adjourned to an executive session to discuss possible litigation and personnel at 8:12 p.m. The meeting reconvened at 9:59 p.m. with no action taken.

Latuska made a motion to adjourn at 10:00 p.m. Sloan seconded. Motion carried.

<hr/> Anthony A. Amendolea Township Secretary/Treasurer	<i>Absent</i> <hr/> Ronald E. Flatt Chairman
<hr/> Phillip B. Wulff Vice Chairman	<hr/> Edward G. Latuska Supervisor
<hr/> Robert M. Sloan Supervisor	<hr/> Alan H. Smallwood Supervisor