

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



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

CENTER TOWNSHIP BOARD OF SUPERVISORS  
Regular Meeting Minutes  
March 14, 2012  
6:30 p.m.

**CALL TO ORDER:**

Chairman Ronald Flatt called the Regular Meeting, of the Center Township Board of Supervisors, to order at 6:33 p.m. The meeting was held at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

**ROLL CALL:**

In addition to Chairman Flatt, present were Vice Chairman Andrew Erie; Supervisors Kenneth Frenchak, Edward Latuska, and Philip Wulff; Township Solicitor Michael Gallagher; Township Engineer Ron Olsen; Public Works Director Mark Lauer; and Township Secretary/Treasurer Anthony Amendolea.

A moment of silence was observed for the passing of former Sewage Enforcement Officer, John Colombo.

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

1. Mr. William McGarvey, 172 Woodcrest Drive; Mr. McGarvey designed a stormwater management plan for Joshua Isacco. The plan will use the existing pond on the adjacent property (Center Township Map 060-2F61-31). Mr. McGarvey requests a modification from Chapter 21, Stormwater Management, Article III, Section 21-302A, 21-302B, and 21-303C. **Flatt motioned authorizing modification, based on Township Engineer Olsen's recommendation that the Applicant is in compliance with Chapter 21, Stormwater Management, Article III, Sections 21-302A, 21-302B, and 21-302C. Erie seconded. Motion carried unanimously.**
2. Mr. Lloyd Eagal, 1003 Sunset Drive; Mr. Eagal is against the request to adopt a Community Rights ordinance. Marcellus Shale drilling is good for the community. If ordinance is adopted, the Township could realize a large expense defending against the gas companies.
3. Mr. Daniel Gosselin, 125 Connemara Lane; Mr. Gosselin referred to the Butler County tourism brochures. Marcellus Shale drilling will change the quality of life. He is for the adoption of the Community Rights ordinance.
4. Mr. Robert Morris, 5258 Elliott Road; Mr. Morris stated the citizens of the Township have the right to life. Community rights provide property rights and self government. He supports adoption of the Community Rights ordinance.
5. Mr. Robert Gosselin, 125 Connemara Lane; Mr. Gosselin stated Act 13 was

- signed into law by Governor Corbett on February 14, 2012. The law prohibits healthcare providers to reveal health threats. He supports a Community Rights ordinance.
6. Ms. Helene E'Toile, 125 Connemara Lane: Ms. E'Toile discussed the ten (10) families in Connoquenessing Township that lost their water or it was contaminated. Rex Energy provided water buffalos until two (2) weeks ago. She supports the Community Rights ordinance.
  7. Ms. Anna Gullickson, 5258 Elliott Road: Ms. Gullickson recited the Second Class Township Code, Article VI, Section 607(1) and the Constitution of the Commonwealth. She requests the Board advertise the Community Rights ordinance she presented and hold a public hearing.
  8. Mr. Glenn Hundertmark, 5274 Elliott Road: Mr. Hundertmark stated Act 13 superseded local ordinances. Unconventional wells are permitted in all zones.
  9. Ms. Carol Powers, 532 West Sunbury Road: Ms. Powers supports the Community Rights ordinance. Marcellus Shale creates a loss of water.
  10. Ms. Sharon Stehle, 202 Central Drive: Ms. Stehle supports the Community Rights ordinance. She is not against development but there should be other safer ways.
  11. Mr. Dale Rusnak, 133 Stoney Run Road: Mr. Rusnak has several gas and oil wells located near his property. Road was damaged by the excessive truck traffic.
  12. Mr. Bob Stirling, 840 Mercer Road: Mr. Stirling stated if the Township enacted a Community Rights ordinance, lawsuits could follow.

**MINUTES:**

1. Agenda Setting Meeting Minutes - February 6, 2012: ***Latuska motioned approving the minutes of the Agenda Setting Meeting held on February 6, 2012. Erie seconded. Motion carried unanimously.***
2. Regular Meeting Minutes - February 8, 2012: ***Frenchak motioned approving the minutes of the Regular Meeting held on February 8, 2012. Latuska seconded. Motion carried unanimously.***

**TREASURER'S REPORT**

1. January 2012: ***Frenchak motioned approving the January 2012 Treasurer's Report. Erie seconded. Motion carried unanimously.***
2. February 2012: ***Flatt motioned approving the February 2012 Treasurer's Report. Latuska seconded. Motion carried unanimously.***
3. Warrant List 12-02-04: ***Latuska motioned approving Warrant List 12-02-04. Frenchak seconded. Motion carried unanimously.***
4. Warrant List 12-03-05: ***Latuska motioned approving Warrant List 12-03-05. Frenchak seconded. Motion carried unanimously.***

**ZONING REPORT:** February 2012: Construction costs were \$5,900.00 fees collected were \$277.70.

**SUBDIVISION & LAND DEVELOPMENTS:**

1. Fleig Lot Line Revision No. 2012-02-01, 210 - 212 Maplewood Dr, Final, Expires 05/21/2012: Mr. John Fleig presented a lot revision for 210 - 212 Maplewood Drive (Center Township Map 060-S5-A25 & 060-S5-A26) consisting of 1.18 acres (m/l). Mr. Fleig requests to transfer .15 acres from Center Township Map 060-S5-A25 to 060-S5-A26. Since the lots do not meet the required acreage and frontage, the Center Township Zoning Hearing Board approved a variance at their hearing held on December 13, 2011. Butler County Planning has not reviewed the plan.

The Planning Commission recommended approval with contingencies of (1) receiving Butler County Planning Commission approval and (2) adding a note to the mylar for the driveway easement.

***Frenchak motioned granting final approval to Fleig Lot Line Revision No. 2012-02-01, contingent on receipt of the Butler County Planning Commission comments. Erie seconded. Motion carried unanimously.***

2. M. G. Rental, L.P. Land Development No. 2012-02-02, Preliminary/Final Approval, Expires May 21, 2012: Mr. Leo Rosenbauer, S. D. Graff Professional Surveying, presented a land development plan for 172 Unionville Road (Center Township Map 060-3F41-22K) consisting of 2.32 acres (m/l). Mr. Gary Schneider, M. G. Rental, L.P., proposes to construct a 1,471 square foot addition to the existing building. The project includes removal of a 1,167 square foot metal building, addition of 89 square feet of sidewalk, and an additional handicap parking space. There is no increase in impervious areas. Butler County Planning Commission had no comments per letter dated February 16, 2012.

The Planning Commission granted a modification of Center Township Codified Ordinances Chapter 14, Article IV, Subsection 14-403A and recommended approval of M G Rental Land Development No. 2012-02-02 with contingencies of (1) water well location shown on the mylar and (2) pending review of Rosenbauer's comments by Township Engineer Olsen.

***Frenchak motioned granting modification to Chapter 14, Subdivision and Land Development, Article IV, Section 14-403.A. Erie seconded. Motion carried unanimously.***

***Frenchak motioned granting preliminary and final approval to M. G. Rental L.P. Land Development No. 2012-02-02. Erie seconded. Motion carried unanimously.***

**OLD BUSINESS:**

1. Hospital/Building Height Amendment Ordinance No. 2012-03-01: The Board of Supervisors held a public hearing on March 12, 2012 to hear testimony and public comment on the hospital/building height amendment. ***Erie motioned adopting Hospital/Building Height Amendment Ordinance No. 2012-03-01. Latuska seconded. Motion carried unanimously.***
2. Leaf Bag Purchase: At the Board of Supervisors meeting held on February 8, 2012, the Board authorized the purchase of two thousand (2,000) leaf bags at \$.418 per bag from Dano Group. However, at the

time of ordering, Township Secretary/Treasurer realized the actual price is \$.479 per bag. **Flatt motioned authorizing the purchase of two thousand (2,000) leaf bags at \$.479 per bag from Dano Group totaling \$958.00. Erie seconded. Motion carried unanimously.**

**NEW BUSINESS:**

1. Grottenthaler Noise Complaint: Ms. Carol Grottenthaler stated, at the public to be heard section at the Board of Supervisors meeting held on February 6, 2012, that Ghostriders II has excessive noise emanating from their establishment. She was informed to file a formal complaint so Building Code Official/Zoning Officer Round could investigate. **Flatt motioned authorizing to research a possible noise ordinance and rental of a decimeter to investigate the noise complaint at the Township's discretion. Erie seconded. Motion carried unanimously.**
2. Center Township PTO Donation: Ms. Linda Martsolf submitted a letter requesting the Township make a donation to the Center Township PTO for a Basket and More Fundraiser to be held on April 21, 2012. No action was taken.
3. Prevailing Wage Resolution No. 2012-03-09: The Pennsylvania Association of Township Supervisors asks the township pass a resolution to urge members of the Pennsylvania General Assembly to support the Prevailing Wage reform package, specifically House Bills 1329 and 1685. **Wulff motioned adopting the Prevailing Wage Resolution No. 2012-03-09 with copies sent to House and Senate members, Pennsylvania Association of Township Supervisors. Latuska seconded. Motion carried unanimously.**
4. Proposed Community Rights Ordinance: Ms. Anna Gullickson presented a Community Rights ordinance to the Board. She requests a public hearing be established to enact the ordinance. **Erie motioned initiating the process to enact the Community Rights ordinance. Motion died for lack of a second.**
5. Records Destruction Resolution No. 2012-03-10: The Board of Supervisors adopted Resolution No. 2009-04-11, on April 8, 2009, declaring its intent to follow procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008. **Latuska motioned adopting Resolution No. 2012-03-10 authorizing destruction of records as set forth in the Municipal Records Manual. Erie seconded. Motion carried unanimously.**
6. Beacon Lite Sewage Enforcement: Mr. Christopher P. Kuminkoski applied for sewage repair permits (7711 through 7714, dated October 22, 2007). Building Code Official/Zoning Officer Round asked the Sewage Enforcement Officer, Doug Duncan, to investigate and proceed with possible legal action to correct sewage malfunction. **Flatt motioned authorizing the Building Code Official Round and Sewage Enforcement Officer Duncan to proceed with establishing a possible legal case, with direction from Solicitor Gallagher, as required. Erie seconded. Motion carried unanimously.**
7. Marcellus Shale Seminar, Butler County Community College, 3/6/2012, \$15: Members of the Board attended the Marcellus Shale Seminar at the Butler Community College on March 6, 2012. The Chamber of Commerce presented an invoice to the Township in the amount of \$45.00 (15\$.00

per attendee). Supervisor Wulff paid the registration fee prior to attending and does not desire to be reimbursed. **Flatt motioned authorizing the payment of the registration fee for Flatt, Frenchak, and Latuska totaling \$45.00 (15.00 per attendee). Latuska seconded. Motion carried unanimously.**

The meeting adjourned to an executive session to discuss the following item at 7:35 p.m. The meeting reconvened at 7:37 p.m.

8. Personnel Response to Emergency Calls: **Latuska motioned tabling Personnel Response to Emergency Calls. Erie seconded. Motion carried unanimously.**

**PUBLIC WORKS DIRECTOR:**

1. Weight Limit Study: The Township received bids from the following companies:

Company	Bid
Senate Engineering Company U-PARC, 420 William Pitt Way Pittsburgh, PA 15238	\$28,900
The EADS Group 15392 Route 322 Clarion, PA 16214	\$15,500

**Flatt motioned awarding the Weight Study Contract to the EADS Group in the amount of \$15,500 to be performed at the direction of Public Works Director Lauer. Erie seconded. Motion carried unanimously.**

2. Spring Road Maintenance - April 2, 2012, Cranberry Twp, \$0: Public Works Director Lauer requests permission to attend the Spring Road Maintenance training on April 2, 2012 in Cranberry Township at no cost to the Township. **Flatt motioned authorizing Public Works Director Lauer, Allison, Brewster, Moorhead, Winchester, and Young to attend the Spring Road Maintenance training on April 2, 2012 in Cranberry Township at no cost to the Township. Frenchak seconded. Motion carried unanimously.**
3. Authorize Ad for PA Clean Up Day - April 21, 2012: Center Township will participate in the annual PA Clean up Day on April 21, 2012. Residents will be authorized to drop items off at the maintenance buildings, 150 Henricks Road and 1161 Sunset Drive from 8:00 a.m. to 12:00 p.m. on April 21, 2012. **Erie motioned authorizing an ad be placed in the Butler Eagle for the PA Clean Up Day event to be held on April 21, 2012, or rain date April 28, 2012, if required, from 8:00 a.m. to 12:00 p.m. Frenchak seconded. Motion carried unanimously.**

**Flatt motioned authorizing Public Works employees to attend the PA Clean Up Day on April 21, 2012 or rain date April 28, 2012, if required, from 7:30 a.m. to 12:30 p.m. Erie seconded. Motion carried unanimously.**

4. Uniform Contract: A letter was sent to current uniform provider, Iron City Uniform Rental, by registered mail on January 29, 2012 to terminate service effective April 3, 2012. Public Works Director Lauer received a quote from Cintas Corporation providing the same service for approximately \$3,000 less per year. **Latuska motioned authorizing**

**Public Works Director Lauer to establish a contract with Cintas Corporation. Frenchak seconded. Erie opposed. Motion carried 4 to 1.**

- 5. Street Sweeping: Public Works Director Lauer stated the annual street sweeping is scheduled for March 26, 2012. If weather permits, the date could be moved to March 19, 2012.

**ENGINEER'S REPORT:**

- 1. Mr. Wayne Dallos, 359 Mahood Road, is building an animal heavy use pad which was designed by the State. Township Engineer Olsen recommends a waiver from Chapter 21, Stormwater Management, Article III, Section 21-302, Subsection A.3. **Erie motioned granting a waiver, based on Township Engineer's recommendation, from Chapter 21, Stormwater Management, Article III, Section 21-302, Subsection A.3, contingent on receipt of letter from Township Engineer Olsen. Flatt seconded. Motion carried unanimously.**

**SOLICITOR'S REPORT:** None

**MISCELLANEOUS:**

- 1. Dollar General: Frenchak stated work began on the Dollar General site, 1627 North Main Street Extension (Center Township Map 060-S3-10).
- 2. Complaints: Frenchak received several complaints concerning vehicles at Wayne Elliott Auto Sales, 1915 North Main Street Extension (Center Township Map 060-S7-F3) and on Emil Schmidt's property, 1950 North Main Street Extension (Center Township Map 060-2F106-26C).

**ADJOURNMENT:**

The meeting adjourned to executive session to discuss possible litigation at 8:04 p.m. The meeting reconvened at 8:27 p.m. with no action taken.

**Flatt motioned to adjourn at 8:28 p.m. Seconded by Frenchak. Motion carried unanimously.**

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