

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



Anthony Amendolea, Secretary/Treasurer
Michael Gallagher, Solicitor
Olsen Craft Associates, Engineer
Patrick Gauselmann, Zoning Officer

<p>Center Township Board of Supervisors Regular Meeting Minutes April 12, 2017 6:30 p.m.</p>
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CALL TO ORDER:

Chairman Edward Latuska called the Regular Meeting, of the Center Township Board of Supervisors, to order at 6:30 p.m. The meeting was held at the Unionville Volunteer Fire Company Firehall, 102 Mahood Road, Butler PA 16001.

ROLL CALL:

In addition to Chairman Latuska, present were Vice Chairman Alan Smallwood; Supervisors Ronald Flatt, Kenneth Frenchak, and Philip Wulff; Township Solicitor Michael Gallagher; Township Engineer Olsen; and Township Secretary/Treasurer Anthony Amendolea.

PUBLIC TO BE HEARD:

1. Mr. Nathan Wulff, 5168 McCandless Road: Mr. Wulff presented the Unionville Volunteer Fire Company report for March 2017 as follows:

Type of Calls	Number of Calls
Motor vehicle accidents	11
Automatic fire alarms	10
Service calls	8
Structure fires	4
Medicals	0
Brush fires	2
Dive calls	2
Vehicle fires	1
Landing Zone	2
Total	30

2. Mr. Dennis Beblo: Mr. Beblo asked what is the status of stormwater repair. He wants to add an addition on to existing garage but he is encroaching onto Margate Court (private lane). He question if he could do a lot line revision.
3. Mr. Joe Penrod, Cambridge Healthcare Solutions PA: Mr. Penrod stated Cambridge Healthcare Solutions must eliminate water runoff along the emergency exit road and place a drain at the end of the road. Water from property is flowing over the retention pond wall causing erosion. He proposes adding a six (6) inch curb to prevent this. He was referred to the Planning Commission.

MINUTES:

1. Public Hearing - Planned Residential Development Ordinance - March 6, 2017: ***Latuska motioned correcting, Call to Order the meeting location should read Unionville Volunteer Fire Company Firehall 102 Mahood Road, the minutes of the Public Hearing - Planned Residential Development Ordinance held on Monday, March 6, 2017. Flatt seconded. Motion carried.***
2. Agenda Setting Meeting - March 6, 2017: ***Latuska motioned approving the minutes of the Agenda Setting Meeting held on Monday, March 6, 2017. Frenchak seconded. Motion carried.***
3. Regular Meeting - March 8, 2017: ***Latuska motioned correcting, Engineer's Report, item 1, noting should read "nothing", the minutes of the Regular Meeting held on Wednesday, March 8, 2017. Wulff seconded. Motion carried.***
4. Joint Meeting - PennDot/Butler County Commissioners/Butler Township Commissioners - March 10, 2017: ***Latuska motioned approving the minutes of the Joint Meeting - PennDot/Butler County Commissioners/Butler Township Commissioners held on Friday, March 10, 2017. Frenchak seconded. Motion carried.***

TREASURER'S REPORT:

1. March 2017: ***Latuska motioned approving the March 2017 Treasurer's Report. Smallwood seconded. Motion carried.***
2. Warrant List 17-03-06: ***Latuska motioned approving Warrant List 17-03-06. Flatt seconded. Motion carried.***
3. Warrant List 17-04-07: ***Latuska motioned approving Warrant List 17-04-07. Wulff seconded. Motion carried.***

ZONING REPORT: March 2017: Construction costs were \$43,425.00 fees collected were \$562.00.

SUBDIVISION & LAND DEVELOPMENTS:

1. Wise/Bessemer Lake Erie Minor Subdivision No. 2017-03-03, Final, Expires 06/19/2017: Mr. Robert Wise presented. Mr. Wise wants to purchase property from the Bessemer and Lake Erie Railroad (Center Township Maps 060-2F61-10B and 060-2F104-8C) consisting of 35.45 acres (m/l). Bessemer and Lake Erie Railroad requests a sixty (60) foot easement be maintained. Butler County Planning Commission had no comments per letter dated March 3, 2017. Township Engineer Olsen had no comments.

Planning Commission recommended granting final approval of the Wise/Bessemer Lake Erie Minor Subdivision No. 2017-03-03.

Latuska motioned granting final approval of the Wise/Bessemer Lake Erie Minor Subdivision No. 2017-03-03. Frenchak seconded. Motion carried.
2. Donaldson/Kelly Minor Subdivision No. 2017-03-05, Final, Expires 06/19/17: Mr. Mark Donaldson presented. Mr. Donaldson proposes conveying .10 acres (m/l) from Center Township Map 060-S12-EC (115 Barton Avenue) to Center Township Map 060-S12-EB (111 Barton Avenue) owned by Mr. and Mrs. Duane Kelly. Butler County Planning

Commission had no comments per review letter dated March 9, 2017. Township Engineer Olsen comments are as follows (*Mr. Steve Graff's comments are italicized*):

- a. The purpose of the submission appears to be a proposed swap of small areas of land between two adjacent property owners. Although the plan is labeled as a Lot Line Revision, it will involve deeding proposed Tract B from Donaldson to Kelly and deeding proposed Tract A from Kelly to Donaldson. For this reason, this plan is a minor subdivision and the Applicant should have his Surveyor add a bearing and distance to both Tract B and Tract A so that complete legal description of both tracts is available to the Attorney who may be writing the Deeds of Conveyance. (*Courses added to plan for Tracts "A" and "B"*)
- b. No utilities are shown on the drawings. If there is a possibility that any utilities serving the parcels are in Tracts A and B, the Applicant should designate these parcels as private utility easements on the drawings and future deeds of conveyance reserve these easements to the original owners as part of the two conveyances. (*Surface utilities do not encroach on tracts to be conveyed*)
- c. Comments from the Butler County Planning should be forwarded to Center Township. (*Butler County had no comments on the plan as referenced on Butler County Planning Review letter dated March 9, 2017*)

The Planning Commission recommended granting final approval of the Donaldson/Kelly Minor Subdivision No. 2017-03-05.

Latuska motioned granting final approval of the Donaldson/Kelly Minor Subdivision No. 2017-03-05. Wulff seconded. Smallwood abstained. Motion carried 4 to 0.

3. DeFrancis Lot Line Revision No. 2017-03-06, Final, Expires 06/19/2017: Ms. Wendy DeFrancis presented. Ms. DeFrancis proposes combining Center Township Maps 060-S2-A23 consisting of .415 acres (m/l) and 060-S2-A24 consisting of .439 acres (m/l). Butler County Planning Commission had no comments per review letter dated March 9, 2017. Township Engineer Olsen comments are as follows:

- a. The Applicant owns two adjacent lots, each fronting on Milheim Drive. The Applicant wishes to combine these two lots into one lot. Since both lots are owned by the same party, no deeds of conveyance are required for this action. The County Assessment Office has advised us that the Applicant should file a new deed for the combined parcel after the plan is approved and recorded.
- b. The Applicant should have this plan reviewed by the Butler County Planning Department.

Sloan requested existing garage on Center Township Map 060-S2-A23 be noted as "Existing Non-Conforming Structure".

The Planning Commission, contingent on existing garage be noted as "Existing Non-Conforming Structure", recommended granting final approval of the DeFrancis Lot Line Revision No. 2017-03-06. Contingency was met.

Frenchak motioned granting final approval of the DeFrancis Lot Line Revision No. 2017-03-06. Latuska seconded. Smallwood abstained. Motion carried 4 to 0.

OLD BUSINESS:

1. Sheetz Liquor License Resolution No. 2017-04-11: The Board held a public hearing on Monday, April 10, 2017 to obtain comment on a request by Sheetz Inc to engage in the intermunicipal transfer of a liquor license to 1518 North Main Street Extension for the purpose of selling beer for on premises consumption and to go and wine to go.

The notice of the public hearing was published in the Butler Eagle editions of Sunday, March 26, 2017 and Sunday, April 2, 2017. Property was posted on Friday, March 31, 2017.

Flatt stated he was disappointed in the changes to liquor code. It was a foolish decision by

the state. He did not support changing Center Township from "dry" to "wet".

Latuska motioned adopting the Sheetz Liquor License Resolution No. 2017-04-11. Frenchak seconded. Latuska polled the Board.

Flatt	Aye
Frenchak	Aye
Latuska	Aye
Smallwood	Aye
Wulff	Aye

2. Comprehensive Plan Committee: The following individuals submitted their name to serve on the committee; Mr. Kenneth Frenchak, Mr. John Brautigam and Mr. Tony Shakely.

Latuska motioned appointing Mr. Kenneth Frenchak, Mr. John Brautigam and Mr. Tony Shakely to the Comprehensive Plan Review Committee. Flatt seconded. Motion carried.

NEW BUSINESS:

1. County Consultant for Mobility Plan & SW Regional Freight Plan: Mr. Joel MacKay attended the Agenda Setting Meeting on Monday, April 10, 2017. He briefed the Board on the Transportation Impact Program. Mr. MacKay suggested contracting with a consultant firm to develop a plan to present to PennDot for approval. He suggested to do the project in phases and split the cost with Butler Township. Mr. MacKay suggested investigating two (2) possible funding sources which are Multimodal Transportation Fund and Congestion Mitigation Air Quality. He suggested developing a scope of work from start to finish and contact Herbert, Rowland and Grubic Inc, WRA Engineering and Gateway Engineers to present a plan. Frenchak wants to meet with Butler Township and affected property owners to see if there is interest in constructing a road from North Duffy Road to US Route 422 cloverleaf.

Frenchak proposes to create a scope of work by the first week of May. By the second week of May set up a meeting with the affected property owners, Cambridge Healthcare Solutions and Robert Brennan. Frenchak has contacted Gateway Engineers for their interested in assisting us with a plan. **Flatt motioned authorizing Frenchak and Wulff to proceed with the timetable. Latuska seconded. Motion carried.**

2. Sale of Property: The Township advertised for bids to sell 3.23 acres (m/l) Center Township Map 060-2F104-14C. The following bids were received:

Name	Total Bid
Dennis Beblo 131 Margate Court Butler, PA 16001	\$18,000.00
Dan Green 142 Bryson Road Butler, PA 16001	\$3,500.00
Frank Rodgers 180 Moore Road Butler, PA 16001	\$7,700.00

Flatt motioned to accept the bid of \$18,000 from Dennis Beblo. Latuska seconded. Motion carried.

Latuska motioned authorizing Township Solicitor Gallagher to prepare an "Agreement of Sale". Flatt seconded. Motion carried.

3. Butler Transit Authority Resolution No. 2017-04-12: Butler Area Transit Authority requests the annual resolution for local matching funds be adopted for the new Veterans' Administration Clinic. No Center Township funds will be used. ***Latuska motioned adopting the Butler Transit Authority Resolution No. 2017-04-12. Frenchak seconded. Motion carried.***
4. Butler County Spring Convention, 5/18/2017, Butler Country Club, \$28: Frenchak and Smallwood want to attend the Butler County Spring Convention on Thursday, May 18, 2017. ***Latuska motioned authorizing Frenchak and Smallwood to attend the Butler County Spring Convention on Thursday, May 18, 2017 at the Butler Country Club at \$28.00 per attendee. Flatt seconded. Motion carried.***
5. Fire Protection Survey: Fire Chief Wulff requests the Township sign a Letter of Intent for the Pennsylvania Department of Community and Economic Development conduct a Fire Protection Survey. ***Frenchak motioned authorizing Latuska to sign the Letter of Intent for the Pennsylvania Department of Community and Economic Development to conduct a Fire protection Survey. Wulff seconded. Motion carried.***
6. VA Mutual Agreement: The Department of Veterans Affairs request a Mutual Aid Agreement be signed so the Veterans Administration firefighters continue providing fire service to the new Veterans Administration Health Clinic. Since the Board agreed not to be signatories, the agreement will not need to be advertised based on Township Solicitor Gallagher's recommendation.
7. Authorize Ad for Sewage Facilities Verification Ordinance: The first alternative addresses the issue by a change to both the Subdivision and Land Development Ordinance and the Sewage Ordinance, which would need Planning approval, Butler County Planning review and advertising and a public hearing. The second alternative, which given the circumstances, is probably more appropriate, adopts the same provision through the Sewage Ordinance only and therefore no Planning Commission review (either local or county) and no public hearing is required. Instead all that is required is advertising and enactment by the Supervisors. Township Solicitor Gallagher recommends the Board authorize advertisement of the second alternative Ordinance at your next meeting with a statement along the lines:

"There has been some confusion as to our policy to require verification that subdivided plans with on lot systems maintain the systems completely on one lot."

Latuska motioned authorizing the advertisement of Sewage Facilities Verification Ordinance in the Butler Eagle edition for Sunday, April 30, 2017. Flatt seconded. Motion carried.
8. Seasonal Kiosks: Zoning Officer, Patrick Gauselmann stated seasonal kiosks are covered in the International Building Code and must be inspected by Uniform Construction Code standards. When applications are sent to John Nath, Professional Code Services, he returns them for Patrick to perform inspections. The office staff will continue forwarding seasonal kiosks applications to John Nath.
9. Traffic Signal Maintenance: Bronder Technical Services submitted the 2017 Agreement for Traffic Signal Maintenance. ***Latuska motioned to enter into the 2017 Traffic Signal***

Maintenance Agreement with Bronder Technical Services. Frenchak second. Motion carried.

PUBLIC WORKS:

1. Purchase of Insta-Chains: Step Up Foreman Brewster requests authorization to purchase Insta-Chains for the new 2018 Peterbilt truck. Mike Miller, Walsh Equipment, showed Step Up Foreman Brewster that the Insta-Chains were installed at no cost to the Township
2. Purchase of Safety Chaps: Step Up Foreman Brewster requests authorization to purchase two (2) sets of safety chaps . **Latuska motioned authorizing the purchase of two (2) sets of safety chaps from Forester Company and in the future Safety Committee will make recommendations via letter. Smallwood seconded. Motion carried.**
3. Authorize Ad for 2017 Aggregate Contract: Step Up Foreman Brewster requests authorization to advertise for 500 tons of #3 Limestone, 1,000 tons of #2A modified, 100 tons of #4 Rip Rap, 500 tons of #2B gravel and 46 tons of #5 Rip Rap. **Latuska motioned authorizing the advertisement for 500 tons #3 Limestone, 1,000 tons of #2A Modified, 100 tons of #4 Rip Rap, 500 tons of #2B gravel and 46 tons of #5 Rip Rap in the butler Eagle editions of Tuesday, April 25, 2017 and Friday, April 28, 2017. Smallwood seconded. Motion carried.**
4. Authorize Ad for 2017 Paving Contract: Step Up Foreman Brewster stated Henricks Road (T-830), Shanahan Road (T-692), Freedom Road (T-691), Covewood Drive (T-717), Red Dog Road (T-519), Muddy Creek Drive (T-601) and Sunset Drive (T-442) will be repaired under the 2017 Paving Contract. **Latuska motioned authorizing the advertisement of the 2017 Paving Contract in the Butler Eagle editions of Tuesday, April 25, 2017 and Friday, April 28, 2017. Smallwood seconded. Motion carried.**
5. 2001 Ford F250 Truck: The 2001 Ford F250 truck lost the transmission. Pro Built can repair for \$1,000.00 to \$1,500.00. Total bill could be \$3,000.00.
6. Litter Pickup: Step Up Foreman Brewster will contact the Boy Scouts to see if they will perform litter pickup.
7. Vogel Disposal Service: Latuska received complaints of Vogel losing trash from the trucks. Wulff stated it may be their recycle trucks causing the problem. **Latuska motioned authorizing Township Solicitor Gallagher to send letter notifying Vogel Disposal Service of the situation. Flatt seconded. Motion carried.**
8. DOT Chains: Trooper Randy Michaels, Weight Limits Enforcement, notified Step Up Foreman Brewster that the Township is in violation for using regular towing chains. Chains must be stamped "DOT Approved". Binders cost \$33.00 each and Chains cost \$40.00 each. **Flatt motioned authorizing the purchase of eight (8) binders and four (4) sets of chains. Smallwood seconded. Motion carried.**
9. 2007 Bobcat Excavator Compressor: Step Up Foreman Brewster was required to purchase a compressor for the 2007 Bobcat excavator. **Flatt motioned ratifying the purchase of a compressor for the 2007 Bobcat excavator in the amount \$800.00 Frenchak seconded. Motion carried.**
10. Jamisonville Road Culvert: There are two (2) culverts on Jamisonville Road (T-832) that are fifteen (15) feet deep. Our equipment only has a reach of eight (8) feet. Step Up Foreman

Brewster would like to use Smallwood Excavating and DHT Construction so the road would only be closed for a day.

11. La Ray Drive Stormwater: Mr. Ron Bole has not received signatures of the neighbors on the Temporary Easement Agreement.

ENGINEER'S REPORT:

1. Lakewood Drive/Hull Lake Repair: Fire department will try again to locate the release valve. Hull Lake Association needs to agree to split costs. ***Frenchak motioned authorizing Smallwood to sign off on the agreement. Flatt seconded. Motion carried.***
2. Clearview Mall (Northern Entrance) Signal: Township Engineer Olsen sent a letter to PennDot requesting a change to the traffic signal sequence at the Clearview Mall (Northern Entrance). Jerrod Crosby, David E Wooster and Associates Inc, stated he would send a more appropriate letter.
3. Osman Property: The fence is being installed between Osman and Rite Aid properties. She is not satisfied where the fence is being installed. JT Butler may make a cash settlement with Osman and Mennor for damage.
4. Duffy Highlands: Township Engineer Olsen asks the ~~Board~~ Board (*corrected 05/10/2017*) to consider another firm to do the review of the major subdivision submitted due to a conflict of interest. ***Frenchak motioned authorizing Shoup Engineering to do the review of the Duffy Highlands Major Subdivision. Latuska seconded. Motion carried.***

SOLICITOR'S REPORT:

1. Pinehurst Road (T-603) Bridge: Latuska, Sean Gallagher, Township Engineer Olsen and George Wochley met at the bridge to discuss the possibility of repairs. There will be a meeting held at the Municipal Office on Thursday, May 4, 2017 at 10:30 a.m.. Wochley will provide a cost of the project with prevailing wage.

MISCELLANEOUS:

1. North Duffy Property: The closing has been scheduled for Thursday, April 27, 2017.
2. Office Staff: Ms. Danielle Freedline stated that she is starting a full time position and will not be able to provide coverage when needed.
3. Thank You: Latuska thanked Step Up Foreman Brewster.
4. Steve Paraska: Frenchak saw Steve Paraska cleaning out a PennDot catchbasin.
5. Candidate: Latuska recognize Robert Sloan a candidate for the two (2) year term for Supervisor

ADJOURNMENT:

The meeting adjourned to executive session at 8:11 p.m. to discuss litigation. The meeting reconvened at 8:29 p.m. with no action taken.

Latuska made a motion to adjourn at 8:30 p.m. Frenchak seconded. Motion carried.

Anthony A. Amendolea
Township Secretary/Treasurer

Edward G. Latuska
Chairman

Alan H. Smallwood
Vice Chairman

Ronald E. Flatt
Supervisor

Kenneth J. Frenchak Jr
Supervisor

Phillip B. Wulff
Supervisor