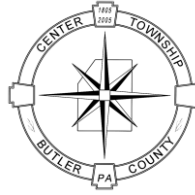


Board of Supervisors:
 Thomas Schiebel, Chairman
 Andrew Erie, Vice Chairman
 Ronald Flatt, Supervisor
 Kenneth Frenchak Jr, Supervisor
 Edward Latuska, Supervisor



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
 April 13, 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 6:31 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; Public Works Director Mark Lauer; and Township Secretary/Treasurer Anthony Amendolea.

PUBLIC TO BE HEARD (3 MINUTE LIMIT):

1. Mr. Bill DiCuccio: Mr. DiCuccio introduced himself as a candidate for Butler County Commissioner.
2. Mr. Robert Morris, 5258 Elliott Rd: Mr. Morris asked the Board if lease information for gas well drilling was available. He was directed to the Department of Environmental Protection and Butler County web sites.

MINUTES:

1. Agenda Setting Minutes – March 7, 2011: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on March 7, 2011. Erie seconded. Motion carried unanimously.*
2. Regular Minutes – March 9, 2011: *Frenchak motioned approving the minutes of the Regular Meeting held on March 9, 2011. Latuska seconded. Motion carried unanimously.*

TREASURER'S REPORT:

1. March 2011: *Schiebel motioned approving the March 2011 Treasurer's Report. Flatt seconded. Motion carried unanimously.*
2. Warrant List 11-03-12: *Schiebel motioned approving Warrant 11-03-12. Erie seconded. Motion carried unanimously.*

3. Warrant List 11-03-13: *Schiebel motioned approving Warrant List 11-03-13. Frenchak seconded. Motion carried unanimously.*
4. Warrant List 11-04-14: *Schiebel motioned approving Warrant List 11-04-14. Flatt seconded. Motion carried unanimously.*
5. Warrant List 11-04-15: *Schiebel motioned approving Warrant List 11-04-15. Latuska seconded. Motion carried unanimously.*

ZONING REPORT: March 2011: Construction costs were \$534,037.00 fees collected were \$2,225.47.

SUBDIVISION & LAND DEVELOPMENTS: None

OLD BUSINESS:

1. Mr. Ronald Cypher, 100 Cherokee Dr, Water Runoff Complaint: Mr. Cypher has a continuing stormwater runoff problem. Public Works Director Lauer stated rip rap was placed along Sunset Drive last fall. The rip rap is eroding from Butler Veterinary Associates' retention pond discharge. Mr. Cypher requests the Township investigate the retention area constructed by Butler Veterinary Associates. *Flatt motioned authorizing Township Engineer Olsen to investigate the excess flow from Butler Veterinary Associates' retention pond. Erie seconded. Motion carried unanimously.*

NEW BUSINESS:

1. Authorize Ad for Stormwater Management Ordinance: The Pennsylvania Department of Environmental Protection approved the Butler County Stormwater Management Ordinance December 2010. The Township must adopt a Stormwater Management Ordinance no later than June 1, 2011. The ordinance is required to be advertised one (1) time not less than seven (7) days before adoption. *Flatt motioned authorizing Township Secretary/Treasurer Amendolea and himself to (1) review the Stormwater Management Ordinance, (2) submit final draft for Township Solicitor Gallagher's review, and (3) advertise the Stormwater Management Ordinance ad to appear in the Butler Eagle edition dated May 1, 2011. Latuska seconded. Motion carried unanimously.*
2. Release Lowe's Sewage Maintenance Escrow: Mr. Theodore J. Lowe installed a Small Flow Sewage Treatment system in April 2009. As part of the agreement, Mr. Lowe was required to post a maintenance escrow in the amount of \$6,467.00 for two (2) years. The Township is required to release \$5,239.95. *Schiebel motioned to release \$5,239.95 from Mr. Lowe's Sewage Maintenance Escrow. Flatt seconded. Motion carried unanimously.*
3. Benbrook Road Signal Battery Backup: The signal at State Route 8 and South Benbrook Road was operational on March 23, 2011. PennDOT completed the construction project. The signal does not have a battery backup installed to ensure operation during power outages. *Schiebel motioned authorizing Public Works Director Lauer to receive quotes to install a battery backup system for the signal at State Route 8 and South Benbrook*

Road. Flatt seconded. Motion carried unanimously.

4. Workers' Compensation Recommendations: Mr. Scott Miles, Loss Control Specialist, H. A. Thomson, performed a loss control survey for EMC Insurance Company (Workers' Compensation Carrier) on March 14, 2011. His recommendations are (1) Develop a Physician's Panel and (2) Develop a Safety Committee. **Flatt motioned authorizing Township Secretary/Treasurer Amendolea to respond to the recommendations by H. A. Thomson, as (1) the Township elects not to establish a Physician's Panel and (2) the Township will establish a Safety Committee consisting of Public Works Director, Zoning Officer, one (1) Board member, and one (1) Collective Bargaining Unit member. Also, direct Township Secretary/Treasurer Amendolea to notify all personnel and the Safety Committee that any safety issue will be directed to the office. Schiebel seconded. Motion carried unanimously.**
5. Workers' Compensation Physician Panel: Information received from EMC Insurance Company and H. A. Thomson suggests the Township develop a physician's panel for work related injuries. Employees would have to utilize the physicians listed for ninety (90) days after an injury occurs. **Flatt motioned authorizing Township Secretary/Treasurer to contact EMC Insurance Company informing them that the Township will not establish a Physician's Panel. Schiebel seconded. Motion carried unanimously.**
6. Butler County Spring Convention – Butler Country Club – 5/19 - \$25: The Butler County Association of Township Officials will hold their annual Spring Convention at the Butler Country Club on April 19, 2011 with a fee of \$25.00 per attendee. There was no interest in attending the Butler County Spring Convention.
7. West Brewster Road Sewage Complaint: On March 14, 2011, a complaint was received concerning sewage was present on property located at 170 South Benbrook Road. Sewage Enforcement Officer Colombo performed water sample tests, which show e-coli. He requests authorization to perform additional sample testing to evaluate where the sewage is coming from. **Flatt motioned authorizing Township Sewage Enforcement Officer Colombo to pursue all necessary activities and coordinate with Chairman Schiebel. Schiebel seconded. Motion carried unanimously.**
8. Mr. Fred Vero, 106 Cheyenne Dr, Damage Complaint: Mr. Vero had a basketball hoop that was struck by a Center Township truck during snow removal. He requests reimbursement from the Township to replace the damaged unit. **Flatt motioned authorizing the reimbursement of one-half the cost of a new basketball hoop. Frenchak seconded. Flatt and Frenchak voted yea. Erie, Latuska, and Schiebel voted nay. Motion failed 2 to 3.**
9. Stoughton Acres Conditional Use Extension: Mr. Van Smith submitted a request for an extension for a Condition Use approved June 10, 2009. **Schiebel motioned approving the Conditional Use extension of twelve (12) months, expiring June 3, 2012, request received from Stoughton Acres in accordance with Center Township Codified Ordinances, Chapter 20, Article XIV, Section 20-1405. Frenchak seconded. Motion carried unanimously.**

PUBLIC WORKS DIRECTOR:

1. Authorize Ad for 2011 Paving Program: The Public Works Director Lauer proposes to pave Mack Road (T-502), Renick Road (T-501), Rider Church Road (T-569), Gallagher Road (T-642), and Hermitage Road (T-406). In addition to paving, he desires to upgrade the drainage system along Gallagher Road (T-642). ***Flatt motioned authorizing advertising the 2011 Paving Program to appear in the Butler Eagle editions dated April 25 and April 28, 2011. Erie seconded. Motion carried unanimously.***
2. Authorize Ad for 2011 Seal Coat Program: The Public Works Director proposes to seal coat Mack Road (T-502), Renick Road (T-501), Rider Church Road (T-569), Gallagher Road (T-642), Hermitage Road (T-406), and Elliott Road (T-675). ***Flatt motioned authorizing advertising the 2011 Seal Coat Program to appear in the Butler Eagle editions dated April 25 and April 28, 2011. Frenchak seconded. Motion carried unanimously.***
3. Request for “No Littering” Sign on Lions Road (T-694): Mr. Mark Kelsch, 130 Lions Rd, requests a “No Littering” sign be placed along Lions Road (T-694). ***Flatt motioned authorizing Public Works Director Lauer to place the appropriate “No Littering” signage on Lions Road (T-694). Erie seconded. Motion carried unanimously.***
4. 2011 International Truck: Public Works Director Lauer had the 2011 International Truck on display.

ENGINEER’S REPORT:

1. Maintenance Facility Plague: Township Engineer Olsen presented a draft of a plague Uhl Construction would place on the new Maintenance Facility Building at no cost to the Township.
2. SR 8/Benbrook Rd Signal: Township Engineer Olsen reported the ribbon cutting ceremony took place on March 23, 2011.

SOLICITOR’S REPORT:

1. Mineral Extraction Overlay: Township Solicitor Gallagher gave a brief overview of the Mineral Extraction Overlay. Marcellus Shale companies are challenging local ordinances. The Commonwealth authorizes municipalities to regulate traditional zoning. Flatt questioned if our ordinance would prevail in a challenge. Gallagher stated it would be a long expensive battle.

MISCELLANEOUS:

1. Transportation Impact Fees: After a brief discussion, Flatt asked the Board to consider abolishing the Transportation Impact Fees ordinance. ***Flatt motioned authorizing Mr. Jeff Pierce, Olsen & Associates to review the Transportation Impact Fee regulations for specific actions required to abolish the current ordinance.***

ADJOURNMENT:

The meeting was adjourned to an executive session to discuss possible litigation at 7:40 p.m. The meeting reconvened at 8:25 p.m. with the following action taken:

Frenchak motioned to review expanding the Mineral Extraction Overlay District in the R-1A, Low Density Residential District, and look at developing provisions in more densely populated areas by using the Planning Commission, Township Engineer, and Township Solicitor to protect the public interest. Latuska seconded. Motion carried unanimously.

Schiebel motioned adjourning the Regular Meeting at 8:35 p.m. Flatt seconded. Motion carried unanimously.

Anthony A. Amendolea
Township Secretary/Treasurer

Thomas G. Schiebel
Chairman

Andrew Erie
Vice Chairman

Ronald E. Flatt
Supervisor

Kenneth J. Frenchak Jr
Supervisor

Edward G. Latuska
Supervisor