

Board of Supervisors:  
 Ronald Flatt, Chairman  
 Andrew Erie, Vice Chairman  
 Brian Hortert, Supervisor  
 Edward Latuska, Supervisor  
 Thomas Schiebel, Supervisor



Michael Gallagher, Solicitor  
 Olsen & Associates, Engineer  
 Martha Hufhand, Secretary  
 Anthony Amendolea, Treasurer  
 Mark Lauer, Public Works Director

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**BOARD OF SUPERVISORS**  
 Regular Meeting Minutes  
 May 10, 2006  
 6:30 p.m.  
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**CALL TO ORDER:** The Regular Meeting of the Center Township Board of Supervisors was called to order at 6:30 p.m. by Chairman Ronald Flatt at the Center Township Municipal Building, 419 Sunset Drive, Butler, Penna.

**ROLL CALL:** Present were Chairman Flatt, Vice-Chairman Andrew Erie; Supervisors Ed Latuska, Brian Hortert, and Tom Schiebel; Solicitor Michael Gallagher; Engineer Ron Olsen; and Township Secretary Martha Hufhand. Public Works Director Mark Lauer was absent.

**PUBLIC TO BE HEARD:** Beverly Schenck of 106 Iroquois Drive asked if the ordinance that does not permit leaves and yard waste to be burned could be rescinded since DEP has no regulations requiring this. Flatt asked the members to consider this topic for discussion at a future Board meeting.

**MINUTES:**

1. Agenda Setting Meeting, April 10: *Latuska made a motion to approve the minutes of the Agenda Setting Meeting held April 10, 2006. Hortert seconded. Motion carried unanimously.*
2. Regular Meeting April 12: *Latuska made a motion that the contents of the letter he read at the April meeting be added to the minutes. There was no second to the motion. Motion died. Flatt made a motion to approve the minutes of the April 12 Regular Meeting with a correction on page 3, #2 under New Business and add the word hydrants in the following: "pay rental fees for the hydrants on the 2006 water line expansion." Hortert seconded. Latuska opposed. Motion carried.*

**TREASURER'S REPORT:**

1. *Flatt made a motion to approve the April 2006 Treasurer's Report. Latuska seconded. Motion carried unanimously.*

2. *Flatt made a motion to approve Warrant List 06-04-09. Schiebel seconded. Motion carried unanimously.*

3. *Flatt made a motion to approve Warrant List 06-05-10. Latuska seconded. Motion carried unanimously.*

**ZONING REPORT** - April construction costs were \$446,658 and fees collected \$2,468.

#### **SUBDIVISIONS & LAND DEVELOPMENTS::**

1. Kuzora, Albert, Land Development #06-01-01, 1640 N Main St, Final Approval: McGarvey presenting. *As recommended by the Planning Commission, Flatt made a motion to approve the modification so that the existing buffer be approved in place of the Type "A" buffer required, reference Section 20-1306 of the Ordinance. Erie seconded. Motion carried unanimously. Flatt made a motion to grant final approval to the Kuzora Land Development. Erie seconded. Motion carried unanimously.*

2. McCandless/Weitzel/Kaltenbach, LLR #06-04-06, Swamp Run Rd, Final Approval: Cheryl Hughes of Land Suerveyors presenting. *Per the recommendation of the Planning Commission, Flatt made a motion to grant the modification to scale for the 111.28 acre remnant, reference Section 14-403G of the ordinance. Flatt made a motion to grant final approval to LLR #06-04-06. Erie seconded. Motion carried unanimously.*

#### **OLD BUSINESS:**

1. Chilcott Conditional Use: Michele Falconiero of Verizon Wireless and Donald Chilcott presenting. *Hortert made a motion to grant final approval to the request for Conditional Use of a communications antenna on an existing pole at 1615 N. Main St. Ext. Erie seconded. Motion carried unanimously.*

2. Ratify authority for actions necessary during Sewer Tap moratorium: *Schiebel made a motion to ratify the prior granting of authority for Round, Olsen, & Gallagher to act as needed in the ongoing development of a Special Study relative to the moratorium on sewer taps with BASA and to authorize future actions as needed in this process. Erie seconded. Motion carried unanimously.*

#### **NEW BUSINESS:**

1. National Incident Management System. *Flatt made a motion to authorize the payment of \$15 to the individual supervisors to attend NIMS training of their choice. Erie seconded. Motion carried unanimously.*

2. Capital Improvement Plan: *Erie made a motion to approve and adopt the Capital Improvement Plan of the Transportation Impact Fee Program as established by HRG and the Impact Fee Committee. Schiebel seconded. Motion carried unanimously.*
3. Weser Conditional Use: A public hearing was scheduled to be held at 6 p.m. on June 12.
4. Athletic Association: The Board has been told that the payment for the lease has not been received because no one has the authority to sign the check until the May meeting of the Association. *Schiebel made a motion to table action and to have Supervisor Erie contact the Association on this issue. Hortert seconded. Motion carried unanimously.*

#### **ENGINEER'S REPORT:**

1. Glenwood Way/Agreement #102448-B: *Hortert made a motion to approve and authorize the Chairman to sign the supplement to the Engineering Agreement with PennDot for the Glenwood Way Bridge. Erie seconded. Motion carried unanimously. Hortert made a motion for a letter to be sent to PennDot concurring with the actions of PennDot to accept the bid of Mong Creek Construction at a cost of 1,062,800, for the Glenwood Way Bridge and for the Chairman to sign the letter. Erie seconded. Motion carried unanimously.*
2. Shady Lane Farms Phase III Perf/Maint Bond: *Flatt made a motion to lower the amount of the Performance Bond (Letter of Credit) from \$129,985 to \$31,720 for a Maintenance Bond. Erie seconded. Motion carried unanimously.*
3. Report on Sewage Meeting held May 8: Olsen reported on the technical meeting regarding the moratorium on sewer taps which Olsen and Round attended. Bruno Muscatello will act for legal matters in this process for the group but each township will probably use their own solicitor.
4. 308/Sunset/Henricks Intersection: The engineer reported on the final inspection of the intersection of 308/Sunset/and Henricks which cited only minor corrections.
5. Aerial Map: *Latuska made a motion to authorize the Chairman to sign a letter to BASA requesting a copy of the aerial map they have of Center Township. Schiebel seconded. Motion carried unanimously.*

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

1. Pheasant Ridge Drive adoption #2006-05-01: *Erie made a motion to adopt Ordinance 2006-05-01 which adopts Pheasant Ridge Drive in the Shady Lane Development. Hortert seconded. Motion carried unanimously.*

2. Holding Tank Ordinance #2006-05-02: *Erie made a motion to adopt Ordinance 2006-05-02 which addresses holding tanks. Hortert seconded. Motion carried unanimously.*
3. Impact Fee Ordinance: *Flatt made a motion to authorize the solicitor to edit and advertise the Transportation Impact Fee Ordinance and to contact Dan Santoro if necessary. Erie seconded. Motion carried unanimously.*
4. Railroad Agreement: *Hortert made a motion to authorize the Chairman to sign the maintenance agreement with the Canadian railroad for work at Glenwood Way Bridge project. Erie seconded. Motion carried unanimously.*

**PUBLIC WORKS DIRECTOR:**

1. PA Clean-Up Day - April 22: 10.86 tons of material was taken to the land fill and 2.06 tons of metal generated \$164.80 for the township.
2. 2006 Paving Program Contract: *Erie made a motion to award the 2006 Paving Contract to Wiest Asphalt Products & Paving for a bid of \$269,155.10. Hortert seconded. Motion carried unanimously.* There were two other bids: Shields for \$283,970.35 and Youngblood for \$326,103.75.
3. Line painting: *Hortert made a motion to award the 2006 Line Painting Contract to Traffic Lines, Inc. of Farmingdale, NJ for a bid of .069 cents/ft. Schiebel seconded. Motion carried unanimously.*
4. Rental equipment: *Schiebel made a motion to award the rental equipment contract to Voelker Paving, Inc. Erie seconded. Motion carried unanimously.*
5. Aggregate: *Hortert made a motion to authorize advertising for aggregate. Erie seconded. Motion carried unanimously.*
6. Emulsion: *Hortert made a motion to authorize advertising for emulsion. Erie seconded. Motion carried unanimously.*

**MISCELLANEOUS:** *Latuska made a motion to provide Mr. Kasprzyk of the Butler Eagle a copy of the minutes and the letter to PennDot regarding township action on improving Benbrook Road. Hortert seconded. Motion carried unanimously.*

**DEP CONSENT AGREEMENT:** *Flatt made a motion for the solicitor to review the draft of the Consent Agreement and to reply back to the Board in a timely manner. Erie seconded. Motion carried unanimously.*

**ADJOURNMENT:** *Latuska made a motion to adjourn to an Executive Session for personnel matters at 7:40 p.m. with no actions to be taken until return to the Regular Meeting. Schiebel seconded. Motion carried unanimously.*

The Regular Meeting reconvened at 8:05 p.m., and *Hortert made a motion to adjourn. Schiebel seconded. Motion carried unanimously.*

MARTHA A. HUFHAND  
Township Secretary

RONALD FLATT  
Chairman

ANDREW ERIE  
Vice-Chairman

EDWARD LATUSKA  
Supervisor

BRIAN HORTERT  
Supervisor

THOMAS SCHIEBEL  
Supervisor