

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

Center Township Board of Supervisors  
 Regular Meeting Minutes  
 May 10, 2017  
 6:30 p.m.

**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. Latuska encouraged everyone to vote on Tuesday, May 16, 2017. The future of Center Township is at stake.
2. Mr. Ryan Hanchosky: Mr. Hanchosky requested permission to use the Township facility during the annual Fire School for the heavy rescue class. He wants to park trucks for the period of Saturday, June 3, 2017 and Sunday, June 4, 2017. ***Flatt motioned permitting the Butler County Fire School to use the Township facilities, as needed on Saturday, June 3, 2017 and Sunday, June 4, 2017. Latuska seconded. Motion carried.***
3. Mr. Ron Bole, 140 La Ray Drive: Mr. Bole stated that Mr. Bannister will not signing the temporary right-of-way agreement due to the language in Section 6. Mr. Bellis is never at home. Township Secretary/Treasurer Amendolea will send a letter to Mr. Bellis.
4. 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	2
Automatic fire alarms	7
Service calls	6
Structure fires	3
Medicals	0
Brush fires	3
Dive calls	1
Vehicle fires	0
Landing Zone	1
Total	23

The fire department will vote on Tuesday, May 16, 2017 on the purchase of a new engine at a cost of approximately of \$630,000.00. Upon completion of the chassis, the fire department will request funds from the Center Township Fire Fund.

5. Ms. Tammy Blatt, 1514 North Main Street Extension: Ms. Blatt reported the project has not started. On Monday, May 1, 2017, Mr. Jim Paris stated construction would start within seven (7) to ten (10) days. The bond expires on Friday, May 26, 2017. She stated that a water runoff issue has been created due the placement of curbing from Sheetz. Ms. Blatt asked if the rain garden correct the problem. ***Frenchak motioned authorizing Township Solicitor to send letter to JT Butler's attorney if there is no response by Monday, May 15, 2017. Latuska seconded. Motion carried.***

***Latuska motioned authorizing Township Engineer Olsen to investigate the water runoff issue. Frenchak seconded. Motion carried.***

#### MINUTES:

1. Public Hearing - Sheetz Liquor License Transfer - April 10, 2017: ***Latuska motioned approving the minutes of the Public Hearing - Sheetz Liquor License Transfer held on Monday, April 10, 2017. Frenchak seconded. Motion carried.***
2. Agenda Setting Meeting - April 10, 2017: ***Latuska motioned approving the minutes of the Agenda Setting Meeting held on Monday, April 10, 2017. Frenchak seconded. Motion carried.***
3. Regular Meeting - April 12, 2017: ***Latuska motioned correcting, Engineer's Report, Item 4 "Broad" should read "Board", the minutes of the Regular Meeting held on Wednesday, April 12, 2017. Frenchak seconded. Motion carried.***

#### TREASURER'S REPORT:

1. April 2017: ***Latuska motioned approving the April 2017 Treasurer's Report. Flatt seconded. Motion carried.***
2. Warrant List 17-04-08: ***Latuska motioned approving Warrant List 17-04-08. Smallwood seconded. Motion carried.***
3. Warrant List 17-05-09: ***Latuska motioned approving Warrant List 17-05-09. Frenchak seconded. Motion carried.***

**ZONING REPORT:** April 2017: Construction costs were \$119,248.50 fees collected were \$611.20.

#### SUBDIVISION & LAND DEVELOPMENTS:

1. Duffy Highlands Major Subdivision No. 2017-04-07, Preliminary, Expires 07/24/2017: Mr. Robert Brennan presented. Mr. Brennan proposes a Planned Residential Development on Center Township Map 060-S7-B consisting of 39.23 acres (m/l) and Center Township Map 060-S7-BA consisting of 4.12 acres (m/l). There will be one hundred ten (110) units which consist of seventy-six (76) single family dwellings and thirty-four (34) duplexes. Duffy Highlands proposes 2.3 units per acre compared to the R-2, Multi-Family Zoning District permits eight (8) units per acre. Homeowner Association will maintain property, club house, swimming pool, sidewalks and stormwater retention areas. There will be a roundabout in the plan. Construction will be completed in four (4) phases. A request was submitted to

create three (3) new roads: Royal Aberdeen Boulevard, Gleneagles Drive and Muirfield Court. Butler County Planning Commission noted review was only for Phase I per review letter dated April 21, 2017. Due to a conflict of interest (owner of Hampton Technical Associates and Township Engineer Olsen have a business relationship), Township Engineer Olsen could not review the plan. However, he discussed Planned Residential Developments are authorized by the Pennsylvania Municipalities Code. Planned Residential Developments are tentatively approved followed by a public hearing held by the Board of Supervisors within sixty (60) days of the Planning Commission review. The developer has one (1) year to apply for final approval. Planned Residential Developments allow for negotiations or modifications to the zoning requirements. Scott Shoup, Shoup Engineering, comments are as follows:

- a. A written statement should be submitted describing why the PRD would be in the public interest and would be consistent with the Comprehensive Plan of the Township in accordance with Code Section 20-2604.A.
- b. Per Code Section 20-2604.I, a schedule should be provided for the anticipated filing of applications for final approval of each phase of the development.
- c. The plans should identify that they are for the "tentative application of a PRD".
- d. A written description of the improvement(s) that are intended to be constructed on Parcel C should be provided to the Township.
- e. The underlying zoning district of the PRD property as well as the zoning district(s) of the adjoining properties should be noted on the plans.
- f. Will grading of the development be phased or will it all occur with Phase I? (*bulk will be done during Phase I construction*)
- g. What are the purpose and use of Parcels A, B, C and D? Are they open space? Who will be responsible for the ownership and maintenance of these parcels? (*Homeowners Association*)
- h. The Township's Subdivision and Land Development Ordinance (SALDO) requires that temporary cul-de-sacs be provided when roads are proposed to be extended. Are temporary cul-de-sacs proposed on Gleneagles Drive at the Phase 1/Phase 3 and Phase 3/Phase 4 boundaries? (*will be provided*)
- i. Drawing Sheet PRD.1 shows the Phase 3/Phase 4 boundary crossing through the duplex party wall on Lots 424 and 425. Shouldn't the Phase boundary be at the lot line between Lots 326 and 424? (*error*)
- j. In what phase or phases will parcels C and D be created and recorded? Various phase limit lines cut across these parcels.
- k. A breakdown of the proposed density by phase within Center Township should be provided.
- l. SALDO requires 5 feet wide sidewalks in developments of this magnitude. Although it does not appear to be explicitly stated in the SALDO, it is assumed that sidewalks were intended to be required on each side of streets. The PRD proposes sidewalks on one side of each street.
- m. It is noted that I am unsure of the location of the boundary line between Center Township and Butler Township. The location of the Township's boundary line should be verified.
- n. Are the adjoining properties to this development all on public sewers? Should sewer extensions and/or easements be provided to unsewered adjoiners? Is the easement behind lots 109 through 208 existing or proposed? (*easement will be provided*)
- o. A typical cross section of the proposed roads is provided on drawing sheet SP.1. The applicant's consultant should contact me to discuss the appropriateness of the cross section. In addition the following should be addressed:
  - 1) The 20'0" width shown does not agree with other dimensions. (*corrected*)

- 2) The cross section shows conflicting aggregate base course depths of 8 and 10 inches. *(will contact Scott Shoup)*
  - 3) An interim asphalt wearing course should be provided prior to the final wearing course. *(will contact Scott Shoup)*
- p. A typical cross section of the one way boulevard proposed for Royal Aberdeen Boulevard should be provided.
  - q. Who will be responsible for the maintenance and upkeep of the circular "green space" at the intersection of Royal Aberdeen Boulevard, Gleneagles Drive and Muirfield Court? *(Homeowners Association)*
  - r. A typical detail drawing of the proposed 5 feet wide asphalt trail should be provided.
  - s. It is noted that an existing storm sewer is to be used which will cross Parcel A, Lot 112 and adjoining property owned by Patricia Double. The type and condition of this storm sewer is not identified. It is also unclear if an easement exists on the adjoining property owned by Patricia Double. It is suggested that consideration be given to extending the pipe further through Parcel A and Lot 112 and abandoning the old storm sewer pipe completely.
  - t. Who will be responsible for ownership and maintenance of the off-street storm sewers and stormwater management facilities (ponds)? *(Homeowners Association)*
  - u. The stormwater discharge points from stormwater basins A1 and A2 flow to the nearby stream on adjoining properties. In particular the discharge from stormwater basin A2 appears that it may create erosion on the adjoining property. Has any discussion occurred with the adjoining owners as to creating easements or extending the stormwater pipes to the stream?
  - v. It appears that an off-site sanitary sewer extension will occur on lands of Aubrey. What is the status of the easement for this sewer line? *(sales agreement with Aubrey provides easement)*
  - w. It is suggested that the vertical curve proposed on Royal Aberdeen Boulevard at Station 3+90 be shortened to a K value of approximately 25. It is difficult for paving companies to maintain a grade on flatter sections of road and avoid ponding of water.
  - x. On drawing sheet RP.1, the centerline intersection of "Gleneagles Drive" should be labeled at station 14+65 on the profile for Muirfield Court. Also, the sight distance for vehicles on Gleneagles Drive looking left on Muirfield Court should be calculated and provided. Is adequate sight distance proposed?
  - y. The proposed storm sewer size and type between SDU A and EW AA on the profile on drawing sheet P.4 should be identified.
  - z. The Center Township/Butler Township boundary line should be shown darker on the recording sheet.
  - aa. The dimensions from the centerline of Duffy Road adjacent to Lot 101 on drawing sheet REC. 1 are not legible.
  - bb. On drawing sheet REC.2, Lot 209 is labeled as Lot 120.
  - cc. In the stormwater management report the following words "anti-seep" (page iii), "weight" (page 5) and "rock" (page 6) are misspelled.

The Planning Commission, contingent on completion of items a through e, j, k, m, p, r, s, u, and w through cc, recommended granting tentative approval of the Duffy Highlands Major Subdivision No. 2017-04-07. ***Latuska motioned tabling the Duffy Highlands Major Subdivision 2017-04-07 until the tentative approval hearing. Flatt seconded. Motion carried.***

**OLD BUSINESS:**

1. Beblo Sale of Property Agreement: The Board agreed to sell 3.23 acres (m/l) Center Township Map 060-2F104-14C to Mr. Dennis Beblo for \$18,000. ***Latuska motioned to accept the Beblo Sale of Property Agreement. Wulff seconded. Motion carried.***

**NEW BUSINESS:**

1. Sewage Verification Ordinance No. 2017-05-03: The Center Township Sewage Enforcement Officer has conducted verifications of existing sewage systems when an existing parcel with an existing sewage system. However, the ordinance did not require the inspection. ***Latuska motioned, stating "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.", adopting the Sewage Verification Ordinance No. 2017-05-03. Frenchak seconded. Motion carried.***
2. Schedule Duffy Highlands Tentative Approval Hearing: A public hearing is required for tentative approval of a planned residential development within sixty (60) days of the Planning Commission review. ***Latuska motioned (1) scheduling the tentative approval public hearing for Monday, June 12, 2017 at 6:00 p.m. to be held at the Unionville Volunteer Fire Company Firehall and (2) authorize advertising in the Butler Eagle editions for Sunday, May 28, 2017 and Sunday, June 4, 2017. Frenchak seconded. Motion carried.***
3. Schedule Z View Enterprises Liquor License Transfer Hearing: Z View Enterprises requests transfer of liquor license to Giant Eagle located at 1521 North Main Street Extension. The license (R-18245) is being transferred from the City of Butler. ***Latuska motioned (1) scheduling a public hearing for Monday, June 12, 2017 at 5:30 p.m. to be held at the Unionville Volunteer Fire Company Firehall and (2) authorize advertising in the Butler Eagle editions for Sunday, May 28, 2017 and Sunday, June 4, 2017. Wulff seconded. Motion carried.***
4. Butler County Infrastructure Bank Survey: The Butler County Commissioners is requesting an Infrastructure Bank survey be completed and returned no later than Wednesday, May 31, 2017. ***Latuska motioned authorizing Township Secretary/Treasurer Amendolea to forward survey to the Butler County Commissioners. Smallwood seconded. Motion carried.***
5. Gateway Engineering Construction Cost Proposal: Mr. Mike Ogin attended the Agenda Setting Meeting held on Monday, May 8, 2017 to discuss engineering for a road from North Duffy Road to Lions Road and/or US Route 422 cloverleaf. He submitted a proposal of \$3,600.00 to do the study. ***Latuska motioned authorizing Gateway Engineering to prepare the North Duffy Road Extension Concept and Estimate in the amount of \$3,600.00. Flatt seconded. Motion carried.***

**PUBLIC WORKS:**

1. Award 2017 Aggregate Contract: Step Up Foreman Brewster advertised 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. The following bids were received:

Company	Bid Bond	Price Per Ton - Delivered	Total Bid
M&M Limestone 215 Nichola Road Worthington, PA 16262-4303	Yes	#2A Modified Limestone - \$17.83 #2B Gravel - \$32.08 #3 Limestone - \$18.83 #4 Rip Rap - \$22.98 #5 Rip Rap - \$24.17	\$46,694.82
Allegheny Mineral Corporation PO Box 1022 Kittanning, PA 16201-1022	Yes	#2A Modified Limestone - \$17.80 #2B Gravel - \$17.00 #3 Limestone - \$18.25 #4 Rip Rap - \$19.50 #5 Rip Rap - \$33.40	\$36,980.90
IA Construction Corporation PO Box 568 Franklin, PA 16323-0568	Yes	#2A Modified Limestone - \$0.00 #2B Gravel - \$0.00 #3 Limestone - \$0.00 #4 Rip Rap - \$30.75 #5 Rip Rap - \$34.75	\$4,673.50
Sterlingwood Inc PO Box 802 Mars, PA 16046-0802	Yes	#2A Modified Limestone - \$20.60 #2B Gravel - \$24.30 #3 Limestone - \$22.10 #4 Rip Rap - \$24.00 #5 Rip Rap - \$39.00	\$47,994.00
Wolf Creek Holding Comapany Inc 270 Hemlock Rd Grove City, PA 16127-6834	Yes	#2A Modified Limestone - \$19.30 #2B Gravel - \$19.95 #3 Limestone - \$20.74 #4 Rip Rap - \$21.49 #5 Rip Rap - \$36.49	\$43,472.54

*Smallwood motioned awarding the 2017 Aggregate Contract to (1) Allegheny Mineral Corporation for 1,000 tons (m/l) #2A Modified Limestone at \$17.80 per ton, 500 tons (m/l) #2B Gravel at \$17.00 per ton, 500 tons (m/l) #3 Limestone at \$18.25 per ton and 100 tons (m/l) #4 Rip Rap Limestone at \$19.50 per ton. Frenchak seconded. Motion carried.*

*Smallwood motioned awarding the 2017 Aggregate Contract to M and M Limestone for 46 tons (m/l) #5 Rip Rap Limestone at \$24.17 per ton. Frenchak seconded. Motion carried.*

2. Award 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. The following bids were received:

Company	Bid Bond	PRICE PER SQUARE YARD In Place	Total Bid
Wiest Asphalt Products & Paving Inc 310 Mitchell Hill Rd Butler, PA 16001	Yes	Base Repair - \$28.50 Scratch & Leveling (9.5mm) - \$67.98 SRL H - \$67.98 Wearing Course (9.5mm) - \$67.98	\$313,932.24
Shields Asphalt Paving PO Box 672 Valencia, PA 16059	Yes	Base Repair - \$25.04 Scratch & Leveling (9.5mm) - \$60.26 SRL H - \$65.29 Wearing Course (9.5mm) - \$60.26	\$286,833.60
Glenn O Hawbaker Inc 106 Hawbaker Industrial Blvd Grove City, PA 16127	Yes	Base Repair - \$24.72 Scratch & Leveling (9.5mm) - \$80.22 SRL H - \$81.45 Wearing Course (9.5mm) - \$77.30-	\$361,626.56
East Coast Paving & Seal Coating Inc 208 3rd Street New Castle, PA 16102	Yes	Base Repair - \$29.10 Scratch & Leveling (9.5mm) - \$65.98 SRL H - \$66.97 Wearing Course (9.5mm) - \$66.43	\$308,120.07
Michael Facchiano Contracting Inc 801 McNeilly Road Pittsburgh, PA 15226-2547	Yes	Base Repair - \$40.50 Scratch & Leveling (9.5mm) - \$86.00 SRL H - \$91.00 Wearing Course (9.5mm) - \$91.00	\$419,217.50

***Latuska motioned awarding the 2017 Paving Contract to Shields Asphalt paving in the amount of \$286,833.60. Smallwood seconded. Motion carried.***

3. Litter Pickup: Step Up Foreman Brewster will contact the Boy Scouts to see if they will perform litter pickup. Wulff stated Trinity Lutheran Church adopted Henricks Road for litter pickup. A call should be made to ask if they would do litter pickup.
4. Release Allegheny Crane Rental Road Bond (Sunset Drive T-442 and Red Dog Road T-519: Allegheny Crane Rental requests release of their road bond in the amount of \$12,500.00 for Sunset Drive (T-442) and Red Dog Road (T-519). ***Latuska motioned, based on Step Up Foreman Brewster's recommendation, releasing Allegheny Crane Rental road bond in the amount of \$12,500.00 for Sunset Drive (T-442) and Red Dog Road (T-519). Flatt seconded. Motion carried.***
5. Step Up Foreman Fill In: Road crew employee Thomas Smith stated he did not want to fill in for Step Up Foreman Brewster during his absence. Road crew employee Jared Smith volunteered to fill in. ***Latuska motioned appointing Jared Smith as the fill in during Step Up Foreman Brewster absences at one (1) hour overtime. Frenchak seconded. Motion carried.***
6. Summer Employees: Step Up Foreman Brewster provided applications to six (6) individuals but only received two (2) application. Step Up Foreman Brewster will contact individuals to set up interviews.
7. Road Bond Fee: Smallwood stated the Township takes the time to video roads prior to and after posting of road plus administration of paperwork without a fee. ***Smallwood motioned proposing a road bond fee of \$300.00 to cover initial inspection, administration and final inspection. Frenchak seconded. Motion carried.***

**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. An agreement was sent to the Hull Plan Residents Association Inc to share in the cost to repair the Hull Lake spillway. The agreement should be signed shortly by the Hull Plan Residents Association Inc.
2. Butler Veterinary Associates Stormwater Management: Township Engineer Olsen prepare a letter dated April 24, 2017 suggesting correction of the Butler Veterinary Associates stormwater retention pond. However, repairs were made prior to that date. Township Engineer Olsen stated he would not charge for letter.
3. Veteran's Administration Clinic: Township Engineer Olsen met with Mr. John Nath and Cambridge Healthcare representatives to discuss the final inspection. An emergency blue light which a neighbor complained about will be partially screened to correct the problem. Mr. and Mrs. Say stated a pine tree died. They requested a new tree be planted closer to the fence but Federal regulations prevented planting closer to the fence.

**SOLICITOR'S REPORT:**

1. Croll Waterline/Meter: Mr. Dewayne Croll is concerned that any work Center Township does his water line and meter may be required to be relocated. He is suggesting to amend the release agreement to include the following statement:  
  
*"The parties agree that should Center Township require the relocation of Croll's water line, or water line meter, that the Township shall bear the cost of such relocation. The parties shall agree on the area that said water line and/or water meter shall be placed in the event that relocation is required, which agreement shall not be unreasonably withheld."*
2. Vogel Disposal: Township Solicitor Gallagher received a request from Mr. Ed Vogel for information on whether a driver or foreman, what street it occurred on, about what time and the date. He will investigate the matter upon receipt of the information.

**MISCELLANEOUS:**

1. Non-Political Signs: Frenchak stated there were several non-political signs near Sheetz. He asks that the Zoning Officer, Patrick Gauselmann, remove the signs and notify Sheetz not to grant permission for placement of signs.
2. Speeding on State Route 8: Frenchak reported vehicles are leaving the mall going south at a high rate of speed. He requests a letter be sent to the Pennsylvania State Police to enforce the speed limit. He will notify Edward Kirkwood, Butler Township Manager, to have the Butler Township Police patrol the Bon Aire area.
3. Clearview Mall/Sheetz Signal: PennDot will convert the signal so traffic from the mall and Sheetz will have a separate cycle.
4. Rite Aid Light Shields: Rite Aid has installed the shields and rotated the poles.
5. Osman Property: The fence between the Osman property and the Rite Aid retention pond has been installed.
6. Paraska Property: Frenchak stated that the Zoning Officer, Patrick Gauselmann, visit the Paraska site to investigate and notify Mr. Steven Paraska of the erosion and sediment requirement.



- 7. North Duffy Property: The closing has been scheduled for Thursday, April 27, 2017.
- 8. Heavy Rescue Class: Smallwood asked if the Fire School would need the use of the Township highlift.
- 9. Candidates: Flatt wished good fortune for all the candidates in the upcoming election.
- 10. Surface Engineering Study: Mr. Don Pringle stated the Board should considered having a surface engineering study done on roads to be bonded. The study would provide a better defense than a video. He offered to provide a study for the Board to review.
- 11. 401 North Duffy Road Swimming Pool: Latuska authorized the fire department to drain the swimming pool for safety reasons.

**ADJOURNMENT:**

*The meeting adjourned to executive session at 8:16 p.m. to discuss litigation. The meeting reconvened at 8:44 p.m. with no action taken.*

***Latuska made a motion to adjourn at 8:45 p.m. Frenchak seconded. Motion carried.***

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Anthony A. Amendolea  
Township Secretary/Treasurer

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Edward G. Latuska  
Chairman

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Alan H. Smallwood  
Vice Chairman

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Ronald E. Flatt  
Supervisor

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Kenneth J. Frenchak Jr  
Supervisor

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Phillip B. Wulff  
Supervisor