

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  
 July 12, 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, and Philip Wulff; Township Solicitor Michael Gallagher; Township Engineer Olsen; and Township Secretary/Treasurer Anthony Amendolea. Kenneth Frenchak, via telephone, at 6:44 p.m. then at 7:15 p.m. in person.

**PUBLIC TO BE HEARD:**

1. Mr. Nathan Wulff, Unionville Fire Chief: Mr. Wulff presented the Unionville Volunteer Fire Company report for June 2017 as follows:

Type of Calls	Number of Calls
Motor vehicle accidents	5
Automatic fire alarms	9
Service calls	3
Structure fires	3
Medicals	0
Brush fires	0
Water rescue	2
Vehicle fires	1
Landing Zone	0
Total	23

There was an accident on West Brewster Road where a vehicle overturned in a creek. Without the assistance of Michael Iscrupe, Ken McGillis and Linda Bates, it may have been a different outcome. Mr. Wulff thanked the Board for permitting Township employees, associated with fire department, to respond to emergency calls.

The fire department assisted Butler City with manpower and equipment during the rain storm on Wednesday, July 5, 2017.

Two (2) individuals will be completing diving class.

2. Mr. DeWayne Hindman, 152 South Benbrook Road: Mr. Hindman requested the Township contact PennDot to conduct a traffic study along South Benbrook Road for a reduction in speed. ***Flatt motioned authorizing Chairman Latuska to send letter to PennDot in August requesting traffic study for possible speed reduction.. Latuska seconded. Motion carried.***
3. Irene Amendolea, 117 Brooksedge Drive: Ms. Amendolea stated Chairman Latuska commented on a complaint he received at the meeting held on Monday, July 10, 2017. She wanted to make a comment on the building codes. Ms. Amendolea stated you do not need a permit for the demolition process as a replacement of a deck. You do not need a building permit if the deck is not more than thirty (30) inches high. However, a zoning permit is required when the rebuilding begins. This information is on the Township web site.
4. Latuska stated the Township receives complaints by telephone calls and letters concerning employees and Latuska was not aware of what is going on in the Township. If you have a complaint, have the strength and conviction to provide your name.
5. Mr. Frank Younkens, 409 Beechwood Boulevard: Mr. Younkens is concerned with the flooding in the Hull Plan. He stated that there are only a few catch basins in the plan. He asked if it would be possible to upgrade the storm sewer system. Also, he asked what the possibility of having a police force or merging with an existing police department.
6. Mr. Michael Iscrupe, 432 Holyoke Road: Mr. Iscrupe invited the Board and employees to the annual steak dinner held by the Unionville Volunteer Fire Company. The dinner will be on Tuesday, July 18, 2017.
7. Latuska stated that Mr. Say, 112 Cornell Drive, was concerned with the blue lights at the Veterans Administration Healthcare Clinic. He contacted Mr. Hargrave, Cambridge Healthcare Solutions PA, who referenced Federal regulations which prohibit the screening of the lights. Latuska asked Township Engineer Olsen if the signalization was completed at the Sheetz/Rite Aid/Clearview Mall intersection. He will contact Mr. Jarrod Crosby at Wooster and Associates to inquire about the status.

**MINUTES:**

1. Public Hearing - Z View Enterprises Liquor License Transfer - June 12, 2017: ***Latuska motioned approving the minutes of the Z View Enterprises Liquor License Transfer hearing held on Monday, June 10, 2017. Wulff seconded. Frenchak abstained. Motion carried 4 to 0.***
2. Public Hearing - Duffy Highlands Planned Residential Development - June 12, 2017: ***Latuska motioned approving the minutes of the Duffy Highlands Planned Residential Development tentative approval hearing held on Monday, June 10, 2017. Smallwood seconded. Motion carried.***
3. Agenda Setting Meeting - June 12, 2017: ***Latuska motioned approving the minutes of the Agenda Setting Meeting held on Monday, June 12, 2017. Smallwood seconded. Motion carried.***
4. Regular Meeting - June 14, 2017: ***Latuska motioned correcting, Subdivision & Land Developments, Item 2, which reads "2F106-14B). The consisting" should read "2F106-14B), which consists", the minutes of the Regular Meeting held on Wednesday, June 14, 2017. Flatt seconded. Motion carried.***

**TREASURER'S REPORT:**

1. June 2017: ***Latuska motioned approving the June 2017 Treasurer's Report. Smallwood seconded. Motion carried.***
2. Warrant List 17-06-12: ***Latuska motioned approving Warrant List 17-06-12. Flatt seconded. Motion carried.***
3. Warrant List 17-07-13: ***Latuska motioned approving Warrant List 17-07-13. Smallwood seconded. Motion carried.***

**ZONING REPORT:** June 2017: Construction costs were \$217,618.00 fees collected were \$648.72.

**SUBDIVISION & LAND DEVELOPMENTS:**

1. Yousko Major Subdivision No 2016-08-06, Final, Expires 10/11/2021: Ms. Cheryl Hughes, Land Surveyors Inc., presented. Mr. & Mrs. William J Yousko proposes subdividing four (4) 1.5 acre (m/l) parcels from Center Township Map 060-2F108-9 consisting of 79.65 acres (m/l) and Center Township Map 060-2F108-11CA consisting of 3.07 acres (m/l). The Board of Supervisors granted preliminary approval of the Yousko Major Subdivision No. 2016-08-06 at their October 12, 2016 meeting. The cul-de-sac has been constructed.
  - a. This plan was originally submitted as a Minor Subdivision for Preliminary and Final Approval on August 10, 2016, but it did not meet the definition of Minor Subdivision due to the fact that four lots were proposed on a private road that did not have a cul-de-sac at its end. Because the Applicant did not want to submit performance security for constructing the cul-de-sac, the Applicant changed the Application to a request for Preliminary Approval which was granted by the Township Board of Supervisors on October 12, 2016 with a condition that the cul-de-sac would be completed prior to a subsequent request by the Applicant for Final Approval.
  - b. The Applicant has provided a drawing sealed by the Project Surveyor which indicates the existing gravel roadway has grades not exceeding 12% and not less than 1% slopes as well as a plan drawing indicating that a gravel cul-de-sac with a radius of 40' has been constructed. I visited the site and verified that a gravel cul-de-sac has been constructed, that the plan generally conforms to the Township Comprehensive Plan, and recommend Final Approval be granted contingent upon a review by the Butler County Planning Commission.
  - c. This plan has existing single family dwelling on each proposed lot and Sewage Planning Modules are not required.
  - d. Although not a condition of approval, we recommend that (a) the Applicant add some 2A limestone to the coarser existing stone base to make it more "tire friendly" for any emergency vehicles that may necessarily serve the site and (b) that the Applicant select a name as may be approved by Butler 911 for its private street and post it at its intersection with Gallagher Road so that emergency vehicles can more easily respond to any emergency calls.

The Planning Commission recommended granting final approval of the Yousko Major Subdivision No. 2016-08-06. ***Latuska motioned granting final approval of the Yousko Major Subdivision No. 2016-08-06. Smallwood seconded. Motion carried.***

2. Duffy Highlands PRD No. 2017-04-07, Final, Expires 09/25/2017: Mr. Robert Brennan requested the plan be tabled. Although the overall plan will not change, he has to redraw the phase lines so the infrastructure will be redesigned. ***Latuska motioned , based on Mr. Robert Brennan's request, tabling the Duffy Highlands PRD No. 2017-04-07. Flatt seconded. Motion carried.***

3. Aubrey Lot Line Revision No. 2017-06-11, Final, Expires 09/25/2017: Mr. George Aubrey proposes conveying 10.489 acres (m/l) from Center Township Map 060-2F104-13F consisting of 40.14 acres (m/l) to Butler Township Map 056-4-1 consisting of 93.43 acres (m/l). Also, he proposes conveying 14.207 acres (m/l) from Butler Township Map 056-4-2 consisting of 29.05 acres (m/l) to Center Township Map 060-2F104-13F consisting of 40.14 acres (m/l). The Butler County Planning Commission had no comments per review letter dated June 19, 2017. Township Engineer Olsen comments are as follows (*Mr. Stan Graff's comments are italicized*):
- a. This plan appears to meet the definition of a Minor Subdivision in that it does not create any additional number of lots, each revised lot has frontage on a public street and the Applicant states that the change of property lines does not require a new street nor the installation of sanitary sewers, stormwater sewers, water mains, or other public improvements (Codified Ordinance Paragraph 14-202). However, locations of utilities are not shown on the plans for verification that could serve the created parcels. (*As noted, this plan is a lot line revision of existing parcels of previously approved and recorded plans*)
  - b. Application and Review Requirement for a plan meeting standards for a Minor Subdivision are set forth on Codified Ordinance Article IV, Paragraph 14-403.G as highlighted in yellow on an attachment to this letter. The Supervisors have wide latitude in selecting standards for review. (*Engineer's statement, no action required*)
  - c. Under the assumption that the Board of Supervisors will not require a complete submission meeting full preliminary and final plan information, we offer the following specific comments for further consideration ;
    - 1) The plot of lots to be created must be revised to be drawn to a minimum scale of 1" = 100' unless the Applicant requests and is granted a modification to section 14-403.G. 1 .c to allow a scale of 1" = 150'. Unless modifications are requested and granted, the following additional information must be provided. (*We are asking for a modification for drawing scale from a minimum of 1" = 100' to a scale of 1" = 150' due to the size of the subject properties while not impairing the clarity of the parcel information*)
    - 2) Cartway widths of abutting streets must be added to the drawing (14- 403.G.1.c). (*Cart way widths are part of existing previously recorded plans with no anticipated increased use necessitating road capacity review*)
    - 3) All existing rights-of-way and easements must be added to the drawing ( 14-403.G.1.c). (*Public and private access rights-of-way and easements are shown*)
    - 4) Adjacent underground utility lines must be added to the drawing ( 14- 403.G.1.c). (*Utility rights-of-way and easements as may exist and recorded*)
    - 5) Natural drainage ways must be added to the drawing ( 14-403.G. 1.c). (*Natural drainage ways shown on attached contour plat*)
    - 6) All building lines must be added to the drawing (14-403.G.1.c). (*Parcel 060-2F104-13F is a non-building parcel at this time and building setbacks will be addressed with any future site development plans and current ordinances at such time. Likewise, 056-4-1 is an existing golf course and would be required to meet any future land development requirements.*)
    - 7) Location and description of survey monuments must be added to the drawing ( 14-403.G. 1.c). (*As noted on plat, plan is as per previously surveyed and monumented plans and not entirely field verified*)
    - 8) Existing structures, proposed water wells, septic systems, dwellings, and existing natural gas or oil wells must be added to the drawings ( 14-403.G. 1 .c). The golf course club house and support facilities are conspicuously absent from the drawing. (*All existing structures are part of the golf course which was not field surveyed. This plan is adding property to the existing parcel 056-4-1 therefore does not affect any building ties to any adjacent property lines*)
    - 9) Bearings and dimensions of all property and associated right-of-way lines must be added to

the drawings (14-403.G.1.c). *(As noted on plat, plan is as described per deed and assessed areas and not entirely field verified. All properties in Center Township are dimensioned.)*

- 10) Acreage of all parcels must be added to the drawings (14-403.G.1.c). *(Acreages are shown as labeled on individual parcels)*
- 11) Name and address of the Applicant must be added to the drawing ( 14- 403.G .1.d). *(Name and address of applicant have been added)*
- 12) Percolation test data and Sewage Facilities Planning Modules are required from the Applicant for any parcels being proposed that are not to be labeled "Non-building lots" with supporting PaDEP description of non-building uses that may be allowable under current PaDEP guidelines 14-403.G .2.a.
- 13) The Applicant must provide copies of any existing or proposed deed restriction for protective covenants and private agreements or recorded covenants between property owners. It is our understanding from discussions at the Township meetings during approval of the R. T. Sterling Subdivision (located north of proposed revised Tax Parcels 056-4-1) that any extension of public sewer into the Aubrey parcel would require providing a right-of-way for public sewers to be extended to the Sterling parcel. *(Non building waiver added to plan as per the existing waiver approved on Lot 2 of the Aubrey Herold Plan as recorded in Plan Book 269 Page 32. Note #3 added under 'General Notes')*
- 14) Part of this subdivision is within Butler Township. Comments from a Butler Township review of this submission should be provided by the Applicant to Center Township so that there can be good communication and cooperation between the two municipalities.

June 21, 2017  
C-25632

Butler Township Board of Commissioners  
290 South Duffy Road  
Butler, PA 16001

RE: G. Aubrey Plan  
Lot Line Revision

Members of the Commission:

I have reviewed the above referenced lot line revision and consolidation plan located on US Route 422 in the R-2 Zoning District. The plan proposes the consolidation of adjoining properties Tract A (29.656 acres) and Track C (14.207 acres) resulting in Revised Tax Parcel 060-2F1 04-13F (43.863 acres). The plan also proposes the consolidation of adjoining properties Tract B (10.489 acres), Track D (14.838 acres) and Tax Parcel 056-4-1 (93.43 acres) resulting in Revised Tax Parcel 056-4-1 (118.76 acres). A portion of Tracts A, B and C are in Center Township and will not change with this plan. The following are my comments with respect to the plan dated May 1, 2017 as submitted by Graff Surveying, LLC *(Mr. Stan Graff's comments are italicized)*:

1. Metes and bounds must be labeled along the entire property boundary for Tax Parcel 056- 4-1. *(Original deed distances added)*
2. The easement through Tax Parcel 056-4-1 must have the metes and bounds labeled. *(Dimensions added per deed)*
3. The zoning district requirements must be shown on the plan. *(Note added to view current municipal zoning district requirements as there are a number of variable combinations for which requirements are needed)*
4. Building setback lines must be shown and labeled on the plan. *(Parcel 060-2F104-13F is a non-building parcel at this time and building setbacks will be addressed with any future site development plans and current ordinances at such time. Likewise, 056-4-1 is an existing golf course and*

*would be required to meet any future land development requirements.)*

5. Existing utilities must be shown on the plan. *(Existing public sewer line added)*
6. A note regarding notice of the Highway Occupancy Permit in accordance with Section 252-12 (1)(5)(q) must be added to the plan. *(HOP note added)*
7. The property owner's information must be shown on the plan. *(Name and address of applicant have been added)*
8. The existing structure on Tax Parcel 056-4-1 must be shown and dimensionally tied to the property lines. *(Existing structures shown and ties shown to approximate property line)*
9. The Township may have additional comments *(Engineer's statement, no action required)*

The plan has been reviewed for conformance to the Code of the Township of Butler Ordinance standards only. The review is based on surveys and a plan prepared by others and assumes this information is correct and valid as submitted.

If you should have any questions, please call.

Sincerely,

THE GATEWAY ENGINEERS, INC.

**Daniel S. Deiseroth, P.E.**

Township Engineer

cc: Butler Township Planning

Commission Jesse Hines,

Township Zoning Officer Larry

Lutz, Township Solicitor's

Office Graff Surveying, LLC

George Aubrey, 124 Aubrey Drive, Butler, PA 16001

- 15) Any further subdivision or proposed land development will require a separate submission by the Applicant. It is uncertain how this subdivision will affect tax assessment boundaries. *(No action required)*

The Planning Commission recommended granting modifications from Chapter 14, Article IV, Section 14-403.G.1.c for drawing scale, building lines, survey monuments and bearings and distances.

The Planning Commission, contingent on Item 8 by depicting existing clubhouse and house on the plot plan, recommended granting final approval of the Aubrey Lot Line Revision No. 2017-06-11.

Mr. Aubrey stated when the sewer line is extended the Stirling property will have access to the system.

***Flatt motioned granting modifications from Chapter 14, Article IV, Section 14-403.G.1.c for drawing scale, building lines, survey monuments and bearings and distances. Latuska seconded. Motion carried. Smallwood abstained. Motion carried 4 to 0.***

***Latuska motioned granting final approval of the Aubrey Lot Line Revision No. 2017-06-11. Flatt seconded. Smallwood abstained. Motion carried 4 to 0.***

#### **OLD BUSINESS:**

1. Ratify Cancellation of Life Choice Inc Conditional Use Hearing: At the Board of Supervisors regular meeting held on Wednesday, June 14, 2017, the Board scheduled a conditional use hearing for Life Choices Inc. After review by Township Solicitor Gallagher, he determined a conditional use hearing was not necessary. ***Latuska motioned, based on Township Solicitor Gallagher's recommendation, ratifying the cancellation of the conditional use hearing for Life Choices, Inc. Frenchak seconded. Motion carried.***

2. Vicario's Flood Mitigation Assistance Grant: The Township received approval from the Pennsylvania Emergency Management Agency to proceed with the purchase and demolition of the Vicario's dwelling. Both parties are required to sign the Federal Emergency Management Agency's deed restrictions. ***Flatt motioned authorizing (1) Chairman Latuska to sign the Federal Emergency Management Agency deed restrictions and (2) Randy Brown, Emergency Management Coordinator to sign any and all future necessary paperwork. Wulff seconded. Motion carried.***

#### NEW BUSINESS:

1. Lions Road (T-694)/Crooked Run Culvert Replacement: Flatt and Wulff suggested the possibility of replacing the culvert on Lions Road (T-694) at Crooked Run. The downstream property owner has obstructed the flow of water in the stream. ***Flatt motioned authorizing Township Engineer Olsen to contact the Pennsylvania Department of Environmental Protection to investigate. Latuska seconded. Motion carried.***
2. Planning Commission Resolution No. 2017-07-15: Due to the resignation of Thomas Schiebel from the Planning Commission, the Board is required to fill the vacancy. An ad was placed in the Butler Eagle. One letter of interest was received. ***Latuska motioned adopting Planning Commission Resolution No. 2017-07-15 appointing Robert P Wise to complete the term vacated by Mr. Thomas Schiebel. Frenchak seconded. Motion carried.***
3. Butler Transit Authority/Clearview Mall Addendum: The Butler Transit Authority submitted an addendum to reduce the matching fund fee from \$3,000.00 to \$1,500.00. ***Latuska motioned tabling the Butler Transit Authority/Clearview Mall Addendum. Flatt seconded. Motion carried.***
4. Urish Stormwater Complaint: Mr. Joseph Urish attended the Board of Supervisors Agenda Setting Meeting held on Monday, July 10, 2017 to voice his concerns of stormwater running onto his property from a new home being constructed. Township Engineer Olsen suggested to Mr. Urish was:
  - a. Since that time when the ditch and hay bales and silt fence were installed along the line between his property and that of Erdley there has been no evidence of sediment being discharged from the Erdley parcel to the Urish parcel. If this should happen, Mr. Urish should contact the Butler County Conservation District at 724-284-5270 and file a complaint.
  - b. Mr. Urish should ask Mr. Erdley if he would consider leaving the ditch installed as a permanent E&S control structure.
  - c. Since Mr. Erdley did install an on-lot sump to receive roof water discharge as part of his building permit, he has conformed to this Township-required measure to promote infiltration and reduce runoff.
  - d. I advised Mr. Urish that it is the Township's position that any damages attributable to an increase in concentration stormwater discharge is a civil matter between the two property owners.

#### PUBLIC WORKS:

1. Ratify Summer Student Hire: The Board of Supervisors hired Jeremy Hanford as a student summer employee. However, Mr. Hanford took another position. Therefore, Mr. Paul Brown was hired to replace Mr. Hanford. ***Latuska motioned hiring Paul Brown as a student summer employee at \$9.00 an hour with no benefits. Smallwood seconded. Motion carried.***

2. Sale of 2005 International Truck: The Township purchased a 2018 Peterbilt Model 348. The Board is selling the 2005 International Model 7300. An email was placed on the Pennsylvania State Association of Township Supervisors advertising the sale of the truck. Since this is considered as inter-municipal sale, no other bidding will be necessary. Step Up Foreman Brewster stated the power steering pump needs replaced and vehicle requires an inspection. ***Flatt motioned authorizing the necessary repair and inspection of the 2005 International Model 7300 truck. Frenchak seconded. Motion carried.***
3. Crack Sealing Tar: Franklin Township is requesting bids for crack sealing tar. They are able to receive a better pricing if we join in. The cost is \$1,344.00 per pallet.
4. Purchase of Utility Truck: Step Up Foreman Brewster is researching different types of utility trucks. Flatt stated the road crew was working in the dark during the rain storm on Wednesday, July 5, 2017. Brewster and Jared Smith will travel to Somerset on Friday to view utility trucks.

**ENGINEER'S REPORT:**

1. Lakewood Drive/Hull Lake Repair: The agreement between the Township and the Hull Lake Association has been signed. ***Flatt motioned authorizing entering into the agreement with the Hull Plan Residents Association for the repairs of Lakewood Drive/Hull Lake repairs. Frenchak seconded. Motion carried.***
2. Cambridge Healthcare Solutions PA Request to Release Bonds: Mr. Dave Hargrave, Cambridge Healthcare Solutions PA, requests release of the following bonds:
  - a. North Duffy Road Improvement Bond:
  - b. Landscape Buffer Bond:
  - c. Storm Sewer Bond:

***Latuska motioned authorizing Township Solicitor Gallagher to contact Mr. Dave Hargrave, Cambridge Healthcare Solutions PA, to discuss the bond release request.***

***Latuska motioned tabling Cambridge Healthcare Solutions PA request for bond release. Smallwood seconded. Motion carried.***
3. JS Clearview Request to Release Bond: JS Clearview requests the release of their bond in the amount of \$70,844.40 for the Rite Aid project. ***Latuska motioned, based on Township Engineer Olsen's recommendation, releasing JS Clearview bond in the amount of \$70,844.40. Flatt seconded. Motion carried.***

**SOLICITOR'S REPORT:**

1. Pinehurst Road (T-603) Bridge: Township Solicitor still has not received a reply from the Pennsylvania Utilities Commission.
2. Croll Waterline/Meter: Mr. Croll has not replace the survey stakes.
3. Margate Court Right-of-Way Release: Township Solicitor Gallagher stated Mr. Dennis Beblo agreed to reimburse the Township for the cost of the Township Engineer preparing a drawing showing the area of the "paper" right-of-way and for the Solicitor to prepare a Release of Right-of-Way. ***Latuska motioned Township Engineer Olsen to survey or work appropriate at Mr. Dennis Beblo's expense. Frenchak seconded. Motion carried.***



- 4. Cypher Insurance Claim: Township Solicitor Gallagher was contacted by the insurance company on the Cypher claim. He will notified the insurance company to proceed in closing the claim.

**MISCELLANEOUS:**

- 1. Veterans Administration Healthcare Clinic: Frenchak stated Oxford Development is responsible for the maintenance and landscaping.
- 2. Butler Township/Center Township: Regardless of what is reported in the Butler Eagle, Center Township and Butler Township is continuing discussing the extension of North Duffy Road.
- 3. North Duffy Road Extension: The affected property owners will meet to discuss the North Duffy Road Extension (Herold Drive/Herold Highway).
- 4. Comprehensive Plan Committee Consultant: Frenchak requests the Planning Commission make a recommendation on Mr. Richard Grossman.
- 5. Ribbon Cutting Ceremony: Flatt suggested sending an invitation to President Trump and/or a representative to attend the ribbon cutting ceremony at the Veterans Administration Healthcare Clinic. ***Flatt motioned to extend an invitation to President Trump and/or representative to attend the ribbon cutting ceremony. Frenchak seconded. Motion carried.***

**ADJOURNMENT:**

*The meeting adjourned to executive session at 8:47 p.m. to discuss litigation. The meeting reconvened at 9:14 p.m. with no action taken.*

***Latuska made a motion to adjourn at 9:15 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