

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  
Crystal Sieffert, Secretary  
Anthony Amendolea, Treasurer  
Mark Lauer, Public Works Director  
Richard Round, BCO/Zoning Official

Board of Supervisors  
Regular Meeting  
August 12, 2009  
6:30 p.m.

**CALL TO ORDER:**

Chairman Ron Flatt called the Regular meeting, of the Center Township Board of Supervisors, to order at 6:30 p.m. The meeting was held at the Township Building at 419 Sunset Drive, Butler, PA 16001.

**ROLL CALL:**

Present in addition to Chairman Flatt, were members Andrew Erie, Ed Latuska and Tom Schiebel; Township Solicitor Mike Gallagher; Township Engineer Ron Olsen and Township Secretary Crystal Sieffert. Member Brian Hortert and Public Works Director Mark Lauer were absent.

**PUBLIC TO BE HEARD:**

1. Stacy Noah- came to talk to the Board once again about 218 Jamisonville Rd. She stated that her basement had flooded again due to this problem and she wants to know what the Board can do if anything to try and get this problem resolved. She stated that John Colombo said the sewage was leaking and he sent the owners a letter. The Board stated that they would have Mike Gallagher and Rich Round work with each other to see what the Township can do.

2. Chris Knight- resident of 107 Pheasant Ridge Drive addressed a drainage issue he is having on his property to the Board. He stated that every time it rains he gets a river in his back yard. He stated that another catch basin would probably fix the problem and asked the Board if the Township could take care of it. The Board stated that since it is on private property they have little bearing on resolving the problem and that the responsibility would lay on the developer or the home owners association; however the Board told him that they would have Rich Round look into the problem and put the original site plan to see if the developer did what he was suppose to. If so then it would be a private property issued and the Township could not get involved. The only way the Township could enforce anything is if the developer did not follow the original site plan that was approved by the Township.

#### MINUTES:

1. Agenda Setting Meeting – July 6, 09

***Latuska made a motion to approve the Agenda Setting Meeting Minutes for July 6, 09 with the following corrections; under Public to be heard number 4, last sentence change what to want; and under New Business number 6, third sentence change their to there seconded by Schiebel. Motion carried unanimously.***

2. Regular Meeting- July 8, 09

***Latuska made a motion to approve the Regular Meeting Minutes July 8, 09 with the following corrections; under Subdivisions and Land Developments number 1, in the motion change remmendation to recommendation; number 2, first sentence change dome to some; third sentence change J.G. Gumberg to J.J. Gumberg; number 4, motion should read Flatt made a motion to approve the Adamosky Subdivision based on the recommendation of the Planning Commission, signatures being with held upon DEP approval of the Sewage Planning module. Finally, change Demarch to DeMarsh throughout the minutes; seconded by Flatt. Motion carried unanimously.***

#### TREASURER'S REPORT:

1. July 2009

***Latuska made a motion to approve the July 2009 Treasurers report; seconded by Schiebel. Motion carried unanimously.***

2. Warrant List 09-07-14

***Latuska made a motion to approve Warrant List 09-07-14; seconded by Erie. Motion carried unanimously.***

## 3. Warrant List 09-08-15

***Schiebel made a motion to table Warrant List 09-08-15 until next month for clarification on one of the items; seconded by Erie. Motion carried unanimously.***

## 4. Ratify Building Fund CD

***Erie made a motion to ratify the Building Fund CD investment of \$239,457.59 as Capital Projects Building CD at one percent for 180 days; seconded by Schiebel. Motion carried unanimously.***

## 5. Ratify Capital Projects CD

***Erie made a motion to ratify the Capital Projects CD investment of \$150,000.00 at NexTier Bank for 180 days at 1.44 percent; seconded by Schiebel. Motion carried unanimously.***

**ZONING REPORT: May 2009**

**SUBDIVISION & LAND DEVELOPMENTS: NONE**

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

## 1. Rockenstein variance/ lot line revision refund

***Erie made a motion to authorize the Treasurer to release \$275.00 for the Rockenstein variance application, \$100.00 for the lot line application and \$252.85 for the consultant review fee; seconded by Latuska. Motion carried unanimously.***

## 2. Employee Dental Plan

***Flatt made a motion to table the employee dental plan for further information and recommendation from the union members; seconded by Erie. Motion carried unanimously.***

## 3. Maintenance Building Sewage Facilities Planning Module- Resolution 2009-08-18

***Schiebel made a motion to authorize the appropriate office staff and Chairman Flatt to sign the Maintenance Building Sewage planning module resolution 2009-08-18; seconded by Erie. Motion carried unanimously.***

4. Transfer funds from the Capital Projects to the General Fund  
**Flatt made a motion to direct the Treasurer to transfer funds from the Capital Projects to the General Fund to pay the review fees associated with the Maintenance Building and Land Development and from now on any and all costs associated with the Maintenance Building to be taken out of the Capital Projects Account; seconded by Schiebel. Motion carried unanimously.**
5. Local Services Tax Ordinance- The Board talked in length about taxes to which Supervisor Andy Erie was against raising taxes of any form.  
**Flatt made a motion to authorize Mike Gallagher to review the local service tax ordinance and get back to Anthony with his recommendation for the September Board of Supervisors meeting; seconded by Schiebel. Motion carried 4 to 1 with Andy Erie opposing.**
6. Set Halloween Date  
**Flatt made a motion to set the Halloween Date for the same night as Butler Township; seconded by Schiebel. Motion carried unanimously.**
7. Revenue Sharing Resolution 2009-08-12  
**Erie made a motion to adopt the revenue sharing resolution 2009-08-12; seconded by Schiebel. Motion carried unanimously**
8. Public Works pager- resolved at Monday night's meeting. No motion was needed nor made.
9. Authorize Signatures-  
**Flatt made a motion to authorize Chairman Ron Flatt, members Andrew Erie, Thomas Schiebel, Brian Hortert, Ed Latuska and Township Treasurer Anthony Amendolea to sign checks; seconded by Schiebel. Motion carried unanimously.**
10. Loan Anticipation Meetings- The Board stated that Township Treasurer Anthony Amendolea and some of the supervisors met with three banks to discuss terms of loans if they decide to take out a loan for the Maintenance Building. NexTier, PNC, and Dollar banks all had pro's and con's but they can't give us an exact figure until we know exactly how much we need to borrow. The Board stated that we wouldn't know the exact amount until the bids come back.

**PUBLIC WORKS DIRECTOR: NONE**

**ENGINEER'S REPORT:**

1. Maintenance Building- Olsen stated that he is waiting for John Nath to review the plans and get back to him on what needs corrected if anything. He also stated that his approval is needed before the plan goes out for bid.

***Latuska made a motion to authorize the staff, Solicitor and Engineer to prepare any and all documents necessary in accordance to the loan process for the Maintenance Building and to authorize Ron Flatt to authorize Ron Olsen to advertise for bids upon approval from John Nath; seconded by Erie. Motion carried unanimously.***

**SOLICITOR'S REPORT:**

1. Rt. 8/Benbrook Rd DeMarsh Agreement- Mike Gallagher stated that we have an agreement signed now by both DeMarsh and Bercury to proceed with the plans for the intersection. Stated that in order to get DeMarsh's signature the plans have been modified to include a turning lane with the cost of pavement being DeMarsh's responsibility to pay.

***Schiebel made a motion to approve the DeMarsh agreement in accordance to the Rt. 8/ Benbrook Rd. intersection; seconded by Erie. Motion carried unanimously.***

2. Schenck VS Center Township- Gallagher stated that after many years of litigation the court has ruled in the Township's favor. He stated that Schenck may decide to appeal the decision.

***Flatt made a motion to adopt the report as represented by Township Solicitor Mike Gallagher; seconded by Schiebel. Motion carried unanimously.***

***Flatt made a motion to authorize the continued response in the case by the Township Solicitor and special council; seconded by Erie. Motion carried unanimously.***

***Flatt made a motion to authorize Township Solicitor Mike Gallagher to send a letter of thanks to Jim O'Connor, the Municipal Accordance Association and PSATS; seconded by Erie. Motion carried unanimously.***

**ADJOURNMENT:**

***Erie made a motion to adjourn the meeting at 8:25pm; seconded by Schiebel.  
Motion carried unanimously.***

CRYSTAL SIEFFERT  
Township Secretary

RONALD E FLATT  
Chairman

ANDREW ERIE  
Vice Chairman

BRIAN K HORTERT  
Supervisor

EDWARD G LATUSKA  
Supervisor

THOMAS G SCHIEBEL  
Supervisor