

Board of Supervisors:
 Edward Latuska, *Chairman*
 Alan Smallwood, *Vice Chairman*
 Andrew Erie, *Supervisor*
 Kenneth Frenchak Jr, *Supervisor*
 Philip Wulff, *Supervisor*



Anthony Amendolea, Secretary/Treasurer
Michael Gallagher, Solicitor
Olsen & Associates, Engineer

Center Township Board of Supervisors
 Regular Meeting Minutes
 August 12, 2015
 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 Andrew Erie, Kenneth Frenchak and Philip Wulff; Township Solicitor Gallagher; Township Engineer Olsen; and Township Secretary/Treasurer Anthony Amendolea.

PUBLIC TO BE HEARD:

1. Mr. William Foringer, 234 Jamisonville Road: Mr. Foringer stated the individual using Brackney Road (vacated) to construct a new home has encroached onto his property by at least eight (8) feet. He requests the Township notify the individual to stay within the twenty (20) foot right-of-way. ***Latuska motioned authorizing Township Solicitor Gallagher research the legalities of Brackney Road. Erie seconded. Motion carried.***
2. Nathan Wulff, 5168 McCandless Road: Fire Chief Wulff presented the July 2015 report:

Type of Calls	Number of Calls
Motor vehicle accidents	4
Automatic fire alarms	8
Service calls	2
Structure fires	9
Medicals	1
Brush fires	0
Dive calls	0
Vehicle fires	0
Landing Zone	1
Technical Rescue	0
CO Alarm	0
Haz-Mat	0
Stand By	0

He stated that the fire department is reviewing the truck rotation for 2018. There are three

(3) options under consideration. One is replacing either the 1986 or 1996 engines, second, purchase an engine/pumper/tanker combination and third, purchase an aerial truck.

3. Mr. Mark Lauer, 385 Mahood Road: In March, Mr. Lauer notified Step Up Foreman Brewster about a sign missing at the intersection of Red Dog Road (T-519) and Mahood Road (T-860). Also, a preemptive stop sign needs replaced on Red Dog Road (T-519). He questioned what roads were being paved.

MINUTES:

1. Agenda Setting Meeting – July 6, 2015: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on Monday, July 6, 2015. Erie seconded. Motion carried.*
2. Regular Meeting – July 8, 2015: *Latuska motioned approving the minutes of the Regular Meeting held on Wednesday, July 8, 2015. Erie seconded. Motion carried.*

TREASURER'S REPORT:

1. July 2015: *Latuska motioned approving the July 2015 Treasurer's Report. Erie seconded. Motion carried.*
2. Warrant List 15-07-14: *Latuska motioned approving Warrant List 15-07-14. Erie seconded. Motion carried.*
3. Warrant List 15-08-15: *Latuska motioned approving Warrant List 15-08-15. Erie seconded. Motion carried.*

ZONING REPORT: July 2015: Construction costs were \$672,758.00 fees collected were \$4,097.22.

SUBDIVISION & LAND DEVELOPMENTS:

1. Blatt Land Development No. 2015-03-08, Re-Approval: The Blatt Land Development No. 2015-03-08 was approved by the Board of Supervisors at their meeting held on Wednesday, April 8, 2015. However, J. T. Butler failed to record the plan within the ninety (90) days.

Latuska motioned granting re-approval to the Blatt Land Development No. 2015-03-08. Frenchak seconded. Motion carried.
2. Rite Aid Land Development No. 2015-06-14, Final, Expires 10/05/2015: The Board of Supervisors granted preliminary approval at their meeting held on Monday, January 5, 2015. On April 22, 2015, the Planning Commission recommended final approval with contingencies. Township Engineer Olsen had the following comments prior to final approval.
 - a. Record the subdivision if it has not already been done. The approved drawing shows proposed easements, including the traffic signal maintenance easement on the property.
 - b. Send the Township a copy of the approved NPDES Permit received from the Pennsylvania

Dept. of Environmental Protection (PaDEP) I Butler County Conservation District (BCCD).

- c. Sign (with notary) the Operations and Maintenance Stormwater management Agreement (previously provided) and record this at the Butler County Courthouse along with exhibits consisting of 11" x 17" size copies of Post Construction Stormwater Management Drawings.
- d. Prepare a revised Estimate of Construction Costs for Township-required improvements including post construction stormwater management (channels, underground tanks, storm sewers, inlets, restoration of Mennor driveway, earthwork, revegetation, as-built drawings), the retaining wall, clearing and grubbing. The estimate should include the cost of replacing storm sewers under Elise Drive as currently indicated on drawings.

Note: JT Butler should not include estimate costs of Erosion & Sediment Control (E&S) items. These are under the authority of the Butler County Conservation District rather than the Township.

- e. We had previously requested that JT Butler LLC provide a cost estimate for the traffic signal replacement. This cost estimate should include the new UPS system that Jarrod Crosby of David E. Wooster & Associates (Wooster) acknowledged by email.
- f. Once cost estimates are approved by our office, JT Butler, LLC must provide Performance Security (such as bond, letter of credit, sequestered account, pass book) in an amount equal to 110% of estimated costs in a form approved by the Township Solicitor for all Township-required improvements, but exclusive of E&S controls and the traffic signal construction.
- g. JT Butler, LLC must provide documentation to the Township that it has posted a financial guarantee to PennDot for the Route 8 traffic signal replacement. We confirmed with PennDot and with Wooster that a letter of credit will be posted directly to PennDot in the amount of 120% of estimated construction cost. The letter of credit, reduced to 20%, will also guarantee maintenance of materials and workmanship for at least two years
- h. JT Butler LLC should provide one copy of the Temporary Highway Occupancy Permit to the Township once it is approved by PennDot. Last night, the Board authorized its Chairman to sign this HOP drawing as required by PennDot. JT Butler LLC should deliver this original drawing to the Township for signatures.
- i. At this point in time, project drawings indicate that JT Butler LLC will be replacing the off-site storm sewers system along and across Elise Drive. If the Board wishes to negotiate this, perhaps providing materials, installation or both, please let me know. Otherwise, it will be assumed that the Developer will supply and install all materials.
- j. Unless other arrangements have been made, it is our understanding that the pending NPDES Permit will authorize all JT Butler LLC land disturbance activities on the site and that Rite Aid and Sheetz will file for a revision or modification to the permit. The PCSM plan that has been submitted by JT Butler as part of the NPDES application 1) controls water runoff volume, 2) peak rate of discharge, and 3) water quality from the finished Rite Aid and Sheetz sites. It appears to us that since Rite Aid is using the same contractor as JT Butler LLC, and work will be done concurrently, it would be very easy for Rite Aid to finalize E&S drawings for its proposed earth disturbance activities (perhaps installing silt sacks in new inlets) and filing these drawings concurrently or as part of the JT Butler LLC NPDES application. Rite Aid could become a co-permittee and the contractor would also sign as a co-permittee. JT Butler LLC and Rite Aid may wish to discuss these concepts with the BCCD.
- k. It is our understanding that the HOP for the new traffic signal is being submitted in the name of JT Butler LLC. As the signal maintenance period is coming to an end, JT Butler should provide Permit Transfer forms to the Township so that the Township becomes the Owner and is responsible for maintenance. The Township will also at this time adopt the traffic signal O&M

easement within the Sheetz and Rite Aid site that has been dedicated to the Township as part of the JT Butler LLC subdivision plan. The Township will continue to pay for electric service to the intersection as it is currently. We suggest that until the traffic signal is maintained exclusively by the Township, JT Butler authorize the Township to retain its normal traffic signal maintenance company for any emergency services necessary on the new traffic signal with the provision that JT Butler will reimburse the Township for these services.

1. We suggest that the Township request the Solicitor to prepare a Developer's Agreement to formalize any of these issues that he deems important so that there is no misunderstanding of responsibilities between the two parties.

Township Engineer Olsen recommended Rite Aid submit an application for final approval since J T Butler, property owner, has not completed the required contingencies.

The Board tabled the Rite Aid Land Development No. 2015-06-14 at their meeting held on Wednesday, July 8, 2015.

Latuska motioned to table the Rite Aid Land Development No. 2015-06-14 due to lack of representation. Frenchak seconded. Motion carried.

3. Masters/Codispot Lot Line Revision No. 2015-07-15, Final, Expires 10/19/2015: Mr. Bryan Stevenson presented. Mr. Leonard Codispot proposes subdividing .08 acres (m/l) from Center Township Map 060-S7-A10 to be conveyed to Center Township Map 060-S7-A10A. Butler County Planning Commission had no comments per letter dated July 1, 2015. Township Engineer Olsen had the following comments:
 - a. This Application is for the subdivision of property of Codispot to create Parcel A, which is intended to be conveyed to and be combined with adjacent lands of Masters. The existing garage of Masters currently extends approximately 12' onto property of Codispot and the conveyance of Parcel A to Masters will result in the garage no longer being an encroachment.
 - b. Neither existing lots of Codispot and Masters meet the R-IA Zoning minimum lot area, minimum lot frontage, and minimum side yard setback of 1 acre, 125 feet and 30 feet, respectively. Also, the lot of Masters will not meet minimum lot rear setback even after conveyance of Parcel A from Codispot to Masters. These are not deficiencies that can be easily remedied by the two property owners.
 - c. Assuming that this plan meets the definition of a minor subdivision, it must include Plat Requirements meeting Subdivision and Land Development Ordinance Chapter 14, Article IV section 14-403.G.l.c. including indicating adjacent underground utility lines.

Therefore, the Applicant should show public or private waterlines, gas lines, and electric lines serving the Codispot lot. If these extend within the 10' ingress, egress, regress easement shown in the drawing, we suggest that the easement be also denoted as a "utility" easement so that there may be an opportunity for extending public sewers in the future
 - d. Although not a condition of approval, the two property owners may wish to investigate the availability of public sewers. Both lots are relatively small for the use of on-lot systems and we do not believe there are any provisions for alternate systems if these existing systems should prove inadequate in the future. The Butler Area Sewer Authority could provide information.
 - e. Although not a condition of approval, the two property owners may wish to increase the width of the 10' access easement serving the Codispot property. A 10' easement is narrow for vehicular access.

The Planning Commission recommended, based on Township Engineer Olsen's recommendation, contingent on denoting the ten (10) foot ingress, egress and regress easement as a "private utility easement", approval of the Masters/Codispot Lot Line Revision No. 2015-07-15.

Frenchak motioned, based on Township Engineer Olsen recommendation, granting final approval of the Masters/Codispot Lot Line Revision No. 2015-07-15. Latuska seconded. Motion carried.

OLD BUSINESS:

1. Office Relocation: Wulff noted the office was relocated to 150 Henricks Road on July 24, 2015. He thanked the road crew in moving the furniture and files. Wulff noted that Township Secretary Amendolea donated approximately twenty (20) hours to reestablish the office.
2. Sale of Old Office Building: ***Latuska motioned authorizing the advertisement of the sale of the old office building with bids to be receive on Monday, November 9, 2015 to include, as is, where is, no mortgage contingency, and successful bidder be required to enter into a sale agreement. Smallwood seconded. Motion carried.***

NEW BUSINESS: None

PUBLIC WORKS:

1. Authorize Ad for 2015 Line Painting Contract: Step Up Foreman Brewster requests authorization to advertise for 500,000, with option of 600,000 linear feet of line painting. ***Smallwood motioned authorizing advertisement of 500,000 linear feet, with option of 600,000 linear feet, of line painting. Latuska seconded. Motion carried.***
2. Elise Drive Project: The Elise Drive (T-518) project should be completed this week.
3. 2015 Paving Project: McCandless Road (T-410) is complete. West Brewster Road (T-450) and Mercer Road (T-494) (between Sunset Drive [T-442] and State Route 8 [SR-0008]) should be completed later this week.
4. Sunset Drive Curb: Step Up Foreman Brewster noted that to place a curb along Sunset Drive (T-442) to complete the Cypher project it would cost approximately \$3,500. ***Latuska motioned authorizing the road crew to place the required curbing. Smallwood seconded. Motion carried.***

ENGINEER'S REPORT:

1. Cambridge Healthcare Secondary Access: Township Engineer Olsen noted that Cambridge Healthcare proposes to provide a secondary access which would be paved and gated for emergency access only. the Veterans Administration Police would have the key. ***Latuska motioned, based Township Engineer Olsen's recommendation, tabling Cambridge***

Healthcare Secondary Access until after the September 9, 2015 meeting with Cambridge Healthcare. Frenchak seconded. Motion carried.

2. Proposed Floodplain Ordinance: Township Engineer Olsen reported that the Commonwealth has updated the Floodplain maps and the Township is required to pass a new Floodplain ordinance to participate. **Latuska motioned authorizing Township Engineer Olsen to investigate the proposed Floodplain ordinance to be adopted no later than March 2016. Smallwood seconded. Motion carried.**
3. Margate Manor Catch Basins: Smallwood and Step up Foreman Brewster will investigate the possibility of tying into existing thirty (30) inch storm system owned by Mr. Dennis Beblo.

SOLICITOR’S REPORT:

1. PEMA Pass Through Grant: Mr. Lawrence Vicario, 707 Oneida Valley Road, purchased the property in a floodplain. He has filed a claim with PEMA. PEMA stated that he does not qualify for the pass through grant. FEMA will provide funds upfront to purchase the property. The Township submitted the application on Friday, August 7, 2015. Randy Brown, EMA Coordinator, received a call from Mr. Tom Hughes stating that our application is on administrative hold. Hold is in place until the property owner terminates the gas lease.
2. Cambridge Healthcare Developer's Agreement: Cambridge Healthcare will sign the agreement.

MISCELLANEOUS:

1. MAC Properties Retention Pond: Township Engineer Olsen approved using the concrete rubble from the Crossfire project to fill in the MAC properties retention pond. Smallwood stated he would have to reload the rubble and charge the Township. **Latuska motioned authorizing Step Up Foreman Brewster to receive phone quotes to load concrete rubble from Crossfire onto Township truck. Erie seconded. Smallwood abstained. Motion carried 4 to 0.**

ADJOURNMENT:

Latuska made a motion to adjourn at 8:52 p.m. Erie seconded. Motion carried.

Anthony A. Amendolea
 Township Secretary/Treasurer

Edward G. Latuska
 Chairman

Alan H. Smallwood
 Vice Chairman

Andrew Erie
 Supervisor

Kenneth J. Frenchak Jr
 Supervisor

Phillip B. Wulff
 Supervisor