

APPROVED 10/08/2008

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

Board of Supervisors
Regular Meeting
September 10, 2008
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, Brian Hortert, and Tom Schiebel; Township Engineer Ron Olsen; Township Solicitor Michael Gallagher; Public Works Director Mark Lauer and Township Secretary Crystal Wilson. Board Member Ed Latuska was not present.

PUBLIC TO BE HEARD:

Mike Hnath; BASA Solicitor and John Schon; BASA Manager; discussed in length the testing that will take place in Westwood Manor 3. He stated that the Authority has undertaken in this neighborhood as well as the whole water shed in Butler Twp. to rehabilitate, repair or reline all the public sewers. One of the pump stations is still overflowing in wet weather events. We still have flow data here in Westwood Manor 3 that would tell us that it isn't withstanding the fact that we completely rehabilitated all the public lines. We still have water in wet water events, we need to get that water out, if you recall we all participated in the consent order in agreement with DEP, we have to eliminate all the overflows that are identified in that consent order by July of 2012. The other thing we need to do on an annual basis is (this effect everybody all the communities in our system) we have to demonstrate that we removed flow. He stated the testing will include interior and exterior testing and assured the board all the personnel would treat its community very professionally and respectfully. No motion was needed nor made.

MINUTES:

1. Agenda Setting Meeting – August 11, 2008
Schiebel made a motion to approve the Agenda Setting Minutes for August 11, 08; seconded by Hortert. Motion carried unanimously.
2. Regular Meeting – August 13, 2008
Schiebel made a motion to approve the Regular Minutes for the August 13, 08. Motion carried unanimously.

TREASURER'S REPORT:

1. August Treasurer's Report
Flatt made a motion to approve the August Treasurer's report; seconded by Erie. Motion carried unanimously.
2. Warrant List 08-08-16
Schiebel made a motion to approve Warrant List 08-08-16; seconded by Hortert. Motion carried unanimously.
3. Warrant List 08-09-17
Schiebel made a motion to approve Warrant List 08-09-17; seconded by Hortert. Motion carried unanimously.
4. Authorize ad for Budget Workshops 10/6/08 & 11/10/08
Erie made a motion to authorize the ad for the Budget Workshops 10/06/08 & 11/10/08; seconded by Hortert. Motion carried unanimously.
5. Authorize ad for Appointment of Certified Public Accountant
Hortert made a motion to authorize the ad for the appointment of a Certified Public Accountant; seconded by Erie. Motion carried unanimously.
6. CD Investment
Flatt made a motion to seek quotes to reinvest \$475,000 for 90, 180 and 360 subject to the agreement of two Supervisors to be ratified at the meeting and the balance of \$51,243.40 to be transferred to the Capital Projects Checking account; seconded by Hortert. Motion carried unanimously.

ZONING REPORT: August 2008**SUBDIVISION & LAND DEVELOPMENTS:**

1. Collins Subdivision-Ron Bole was there representing this plan the Planning Commission granted Final approval on Sept. 24, 08.
Flatt made a motion to grant final approval to the Collins Subdivision based on the recommendations of the Planning Commission and Ron Olsen; Seconded by Erie. Motion carried unanimously.

2. Van Smith Lot Line Revision- 904 Sunset Dr. Mr. Smith presented a plan to combine a 4.08 acre lot onto his Golf Course. Olsen Engineering stated in a letter everything met Township regulations so it had no contingencies. ***Flatt made a motion based on the recommendation of the Planning Commission and Ron Olsen to approve the Van Smith Lot Line Revision; Seconded by Erie. Motion carried unanimously.***
3. Jiffy Mini Mart Extension- ***Flatt made a motion to table this plan based on the request from Taylor Engineering for a (60) sixty day extension; seconded Erie. Motion carried unanimously.***

OLD BUSINESS:

1. Community Alliance Sewage Module- Center Township is in receipt of a 12 point letter from DEP of things to correct. Point number 10 is one the township is responsible to fix. This point states:

Documentation must also be provided from Center Township and Butler Township evidencing permission to bore under Mercer Road and to utilize the road right-of-way for sewer line placement.

The Board must vote to grant permission for Community Alliance Church to bore under Mercer Road and the appropriate documentation be written, signed and sent to Community Alliance Church, DEP and HRG. Olsen stated the only portion of the sewage line that would be in the Townships right-of-way is the in order to bore under Mercer Rd. It is under the understanding of the Board that the rest of the line is to be put on private property to which Community Alliance Church received permission from the property owners to do so. Butler Sewer Authority has approved the plan but DEP requires more information to be obtained. The Board is satisfied that Community Alliance Church is not utilizing more of the Township right-of-way then is needed to bore under Mercer Rd.

Point number 5 of the letter stated:

Conversations with the Center Township Engineer has indicated NO known problems exist with the on-lot sewage disposal systems adjacent to the project area. The Township SEO should also be consulted to determine any potential sewage needs. Further justifications must be provided to bypass these homes. Will these existing homes be able to tap into this proposed sewer extension if their on –lot system fail in the future.

This point was made due to an error checked YES instead of NO on the module. Olsen stated to his knowledge there is no known problems and that this was in fact an error.

Schiebel made a motion based on the recommendation of Olsen to grant permission for Community Alliance Church to use the Center Township public right-of-way to bore under Mercer Rd. for their sewage module: Seconded by Erie. Motion carried unanimously with Flatt abstaining due to his relationship with the Church.

2. Worker's Compensation Physicians Panel- Gallagher the Township Engineer stated the law enables the Township to have a Physicians Panel but does not require us to have one. The insurance company may have a requirement but the law does not.
Motion was made by Hortert not to establish a Worker's Compensation Physicians Panel unless we find out we are in some way required: Seconded by Erie. Motion carried unanimously.

NEW BUSINESS:

1. 2009 Minimum Municipal Obligation - Pension Plan-
Hortert made a motion to approve the minimum municipal obligation for 2009 in the amount of 34,178.56 based on the recommendation of the Township Treasurer.
2. Open Records Law Seminar - Nov 2008 - No Charge- The board stated they wanted Crystal Wilson Township Secretary/Open Records Officer and Anthony Amendolea Township Treasurer to attend. Ron Flatt may also attend.
3. Set Halloween Date and Time-
Flatt made a motion to set the Date and Time for Halloween in conjunction with that of Butler Township: Seconded by Hortert. Motion carried unanimously.
4. Employee Flu Shots- the VNA has contacted Center Township about the annual Flu Shot Clinic.
Erie made a motion to pay all fees and set the date and time for the Clinic: seconded by Schiebel. Motion carried unanimously.
5. Uniform Construction Code Appeals Board Resolution 2008-09-10-
Flatt made a motion to appoint Steve Paraska for a two year term through December 31, 2009, Dale Blain for a three year term through December 31, 2010, Larry Blain for a four year term through December 31, 2011, Pat McCarren for a five year term through December 31, 2012, and alternates Lloyd Eagal and Paul Shanor for a five year term through December 31, 2012 to the Center Township Uniform Construction Code Appeals Board: Seconded by Erie. Motion carried unanimously.
6. Uniform Construction Code Appeals Board Compensation-
Schiebel made a motion to set the fee for \$50.00; Seconded by Flatt who added based on the recommendation of Rich Round the Building Code Official that (1) all alternates be asked to attend all hearings and get paid to attend. (2) Members and Alternates meet a minimum of once a year at a

reorganizational meeting and be paid for that meeting. (3) In that the codes change every three years that additional meetings may be requested from the Building Code official of the Board of Supervisors at their discretion. (4) The Township Secretary attends and acts as recording Secretary at hearings and meetings.

Point (4) was amended to state: The Township Secretary MAY attend and act as recording Secretary at hearings and meetings at the request of the UCC appeals board. Motion carried unanimously.

7. PennDot/DCED Forms Training - 10/28 - Indiana - \$0-
Flatt made a motion to authorize Township Treasurer Anthony Amendolea to attend the Penn Dot DCED Training in Indiana PA; Seconded by Erie. Motion carried unanimously.
8. Appoint NIMS Contact-
Flatt made a motion to appoint Mark Lauer for the NIMS contract; seconded by Erie. Motion carried unanimously.
9. Dog Found Ad-
Flatt made a motion to table this request for further consideration; seconded by Hortert. Motion carried unanimously.
10. Resolution 2008-09-11-
Flatt made a motion to adopt Resolution 2008-09-11, authorize the signing of the Resolution and the authorization for a Chairman to sign and notarize the agreement; seconded by Erie. Motion carried unanimously.
11. Residential Decks Course-Butler-Oct.1,2008-\$125.00-
Schiebel made a motion to send Building Code Official Rich Round to this Residential Decks Course in Butler on Oct.1, 2008 at a cost of \$125.00: seconded by Schiebel. Motion carried unanimously.
12. PA Municipal Educational Institute-
Schiebel made a motion to authorize for us establish dates and times and to pay the fees; seconded by Flatt. Motion carried unanimously.

PUBLIC WORKS DIRECTOR:

1. Release Pheasant Ridge Road Bond-
Hortert made a motion to release the Pheasant Ridge Road Bond in the amount of 4,152.00 contingent upon Mark Lauer's approval; seconded by Flatt. Motion carried unanimously.

2. Butler County Safety Training - 10/08 - \$15 - Vagabond Center-
Erie made a motion to authorize all Public Works employees to attend this safety class including the Public Works Director Mark Lauer; Seconded by Hortert. Motion carried unanimously.
3. 2008 Paving Program Acceptance-
Flatt made a motion to authorize his signature on this based on the definitive recommendation of the Public Works Director; seconded by Erie. Motion carried unanimously.
4. PA one call course- Sept. 18-Cranberry-\$0-
Schiebel made a motion to authorize the Road Crew to attend this class; seconded by Erie. Motion carried unanimously.

ENGINEER'S REPORT:

1. Rt. 8/ Benbrook Rd Intersection- Olsen stated that more information was sent into Penn Dot in regards to N. Benbrook. Waiting to see how they respond. No motion was needed nor made.
2. Henricks Road Property Design- Olsen discussed in length the plans that are going to be presented to the Planning Commission for approval.
3. Bob Sloan Project- Olsen stated that this is for the removal of the retention pond on Jenny Drive. He stated this is done with the exception of the grass coming up, if the board wanted to release the money they could or they could wait until the grass starts to grow.
Schiebel made a motion to authorize the release of the money based on the recommendation of the Township Engineer; seconded by Hortert. Motion carried unanimously.

SOLICITOR'S REPORT:

1. Center Township v. McCall- to be discussed in executive session. No motion was needed or made at this point.

ADJOURNMENT:

Flatt made a motion to adjourn to executive session at 8:00pm to discuss the McCall case; seconded by Erie. Motion carried unanimously.

Meeting reconvened at 8:17pm

Hortert made a motion to continue with the current action that is being taken; seconded by Schiebel. Motion carried unanimously.

Hortert made a motion to adjourn at 8:19pm; seconded by Schiebel. Motion carried unanimously.

CRYSTAL WILSON
Township Secretary

RONALD E FLATT
Chairman

ANDREW ERIE
Vice Chairman

BRIAN K HORTERT
Supervisor

EDWARD G LATUSKA
Supervisor

THOMAS G SCHIEBEL
Supervisor