

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



Anthony Amendolea, Secretary/Treasurer
Mark Lauer, Public Works Director
Michael Gallagher, Solicitor
Olsen & Associates, Engineer

Center Township Board of Supervisors
Regular Meeting Minutes
September 10, 2014
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 Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

ROLL CALL:

In addition to Chairman Latuska, present were Vice Chairman Alan Smallwood; Supervisors Andrew Erie and Philip Wulff by telephone; Township Solicitor Gallagher; Township Engineer Olsen; Public Works Director Mark Lauer; and Township Secretary/Treasurer Anthony Amendolea. Supervisor Frenchak arrived at 6:58 p.m.

Latuska announced that the 1989 International was involved in an accident this morning due to mechanical failure. Operator was not seriously injured.

PUBLIC TO BE HEARD:

1. Latuska read the following from Jerry and Phyllis Kaltenbaugh, 102 Lakeview Drive:

Center Township Board of Supervisors:

THANK-YOU ...THANK-YOU !!!

We want to thank all of you for the many hours of work you provided on Lakeview Dr this year!

We know there was alot of "behind the scenes" preparation done to organize the restructure of the drains and pipes, ordering supplies and scheduling man hours to complete this job. All of this while dodging the rain storms we experienced the last few months! Again THANK YOU!

The cement work looks wonderful. The paving is completed and the grass is growing....

Thanks for all the time spent and to each of the men involved with this project. We sincerely appreciate your efforts and your attitude. The smiles help turn a negative situation into a pleasant experience.

2. Mr. Dean Lawrence, 119 West Brewster Road: Most property owners in his area have signed leases with Rex Energy. Pennsylvania American planned to extend the water line along West Brewster Road but funding was not secured. He asked if Rex Energy worked with

Pennsylvania American to extend the water line.

3. Ms. Gabrielle Albert, 298 Holyoke Road: Ms. Albert asked if a berm and curb could be placed along the newly formed ditch.

MINUTES:

1. Agenda Setting Meeting - August 11, 2014: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on August 11, 2014. Erie seconded. Motion carried.*
2. Regular Meeting - August 13, 2014: *Latuska motioned approving the minutes of the Regular Meeting held on August 13, 2014. Erie seconded. Motion carried.*
3. Special Meeting - Office Relocation - August 20, 2014: *Latuska motioned approving the minutes of the Special Meeting - Office Relocation held on August 20, 2014. Erie seconded. Motion carried.*

TREASURER'S REPORT:

1. August 2014: *Latuska motioned approving the August 2014 Treasurer's Report. Erie seconded. Motion carried.*
2. Warrant List 14-08-16: *Latuska motioned approving Warrant List 14-08-16. Erie seconded. Motion carried.*
3. Warrant List 14-09-17: *Latuska motioned approving Warrant List 14-09-17. Erie seconded. Motion carried.*
4. Authorize Ad for Budget Workshops: *Latuska motioned authorizing placement of an ad to advertise the budget workshops for Monday, October 6, 2014 and Monday, November 10, 2014 at 6:00 p.m. in the Butler Eagle edition for Sunday, September 28, 2014. Erie seconded. Motion carried.*
5. *Authorize Ad to Appoint CPA for 2014 Audit: Latuska motioned authorizing placing an ad to appoint a CPA for 2014 Audit in the Butler Eagle editions for Sunday, September 28, 2014 and Sunday, October 5, 2014. Erie seconded. Motion carried.*

ZONING REPORT: August 2014: Construction costs were \$246,301.00 fees collected were \$2,010.64.

SUBDIVISION & LAND DEVELOPMENTS:

1. First United Methodist Church Lot Line Revision No. 2014-08-05, Final, Expires 11/24/2014: Mr. Tom Holman, First United Methodist Church, presented a plan to combine Center Township Map 060-2F104-4 consisting of 3.76 acres (m/l) and Center Township Map 060-2F104-4B consisting of 3.59 acres (m/l). Township Engineer Olsen's comments are *(Ms. Cheryl Hughes comments are italicized)*:

- a.* This plan is a "Lot Line Revision" because the church owns the two parcels that are being combined into one panel. *(comment only)*
- b.* The property is within the C-1 Commercial Zone. Churches are conditional uses in this zone and conditional use was granted when the church first leased space in the building. *(comment only)*
- c.* Since this is a true "Lot Line Revision" with all lands being consolidated into one lot, we recommend that the Township grant a modification to provisions of Chapter 14, Article IV paragraph 14-403.G.1c as may be requested by the Applicant. *(request for modification submitted)*
- d.* *The Planning Commission should discuss whether it wants copies of any private agreements or recorded covenants between property owners (paragraph 14-403 G.2.c). We understand that there was an agreement between the adjacent coffee & ice cream shop and the previous owner of the Church property for access through the parking lot. (First United Methodist Church owns the property which Mazzanti's Beans and Cream leases)*

The Planning Commission recommended (1) modification from Chapter 14, Article IV, Section 14-403, Subsection G, Paragraph 1c. and (2) approval of the First United Methodist Church Lot Line Revision No. 2014-08-05.

Latuska motioned granting the request for modification to Chapter 14, Article IV, Section 14-403, Subsection G, Paragraph 1c. Smallwood seconded. Motion carried.

Latuska motioned granting final approval of the First United Methodist Church Lot Line Revision No. 2014-08-05. Erie seconded. Motion carried.

- 2. Bilowich Lot Line Revision No. 2014-08-06, Final, Expires 11/24/2014: Mr. Ron Bole presented for Ms. Shirley Bilowich. Ms. Bilowich desires to convey .37 acres (m/l) from Center Township Map 060-2F104-6 to Center Township Map 060-S15-D1. Butler County Planning Commission comments per letter dated August 26, 2014 are *(Mr. Ron Bole comments are italicized)*:

- a.* Plan Location Map is wrong and needs to be clearer. CTSALDO 14-403.1 *(will be corrected)*
- b.* Plan does not list Tax Parcel numbers for all affected properties. CTSALDO 14-403.3 *(will be corrected)*
- c.* Plan does not show original area of Parcel 1 and revised area. CTSALDO 14-403.3h *(will be corrected)*
- d.* Plan does not show original area of Parcel 2 and revised area. CTSALDO 14-403.3h *(will be corrected)*
- e.* Plan does not have appropriate signature blocks for JWS Northern Holdings LLC for proper recording. CTSALDO 14-403.4 *(has been added)*

Township Engineer Olsen's comments are *(Mr. Ron Bole comments are italicized)*:

- a.* Parcel 2 is proposed to be subdivided from lands of Bilowich and it is to be conveyed to J.W.S. Northern Holdings LLC, and to be combined with the adjoining lands to the south. Therefore, signature blocks for J.W.S. Northern Holdings LLC should be added to the plan drawing. *(has been added)*
- b.* The Application states that public water is available. The locations of the waterline should be

added to the plan so that it can be determined if the proposed subdivision affects its availability.
(will locate lateral)

- c. An existing shed on Parcel 2 will now be on property of J.W.S. Northern Holdings LLC. The distance from the adjacent side property line must be at least 10' in order to meet setback regulations. This distance should be shown on the plan. *(distance will be added)*
- d. The total property of J.W.S. Holdings LLC should be shown on the plan unless the Applicant applies for a modification to Chapter 14, Article IV paragraph 14-403 G.1.b and this is granted by the Township. *(modification is requested)*
- e. A typographical misspell of the word "deleted" shown on Parcel 2 should be corrected. *(will be corrected)*

The Planning Commission recommended (1) modification from Chapter 14, Article IV, Section 14-403, Subsection G, Paragraph 1b. and (2) final approval, contingent on corrections based on Butler County Planning and Township Engineer Olsen reviews, of the Bilowich Lot Line revision No. 2014-08-06.

All contingencies were met per Township Engineer Olsen.

Latuska motioned granting the request for modification to Chapter 14, Article IV, Section 14-403, Subsection G, Paragraph 1b. Smallwood seconded. Motion carried.

Latuska motioned granting final approval of the Bilowich Lot Line Revision No. 2014-08-06. Erie seconded. Motion carried.

OLD BUSINESS:

1. Rex Energy Oil & Gas Lease: Rex Energy submitted the only bid at \$2,500.00 per acre for five (5) years with a sixteen percent (16%) royalty. Mr. Duane Maust and Mr. Derek Smith presented a map of Butler County leases. Rex Energy has 100 wells in production. They have 190,000 acres leased for five (5) years. Rex Energy drills up to 5,000 feet and horizontally 6,000 feet. They will not tap into EdgeMarc's pipeline. Rex Energy will prepare a three (3) year plan. Mr. Brian Dillemath stated Rex Energy follows Pennsylvania Department of Environmental Protection regulations for water wells. ***Latuska motioned to accept Rex Energy's bid of \$2,500.00 per acre for five (5) years with sixteen percent (16%) royalty, contingent on Township Solicitor Gallagher and Board of Supervisors review. Erie seconded. Motion carried.***
2. Ratify Loop Sensor Repair at Mercer Road/State Route 8 Signal: Public Works Director Lauer is in the process of contacting contractors to mill and paved Mercer Road east of State Route 8 upon replacement of the loop sensor.
3. Ratify UPS Repair at Mercer Road/State Route 8 Signal: ***Latuska motioned ratifying Chairman Latuska's signature authorizing the UPS repair at Mercer Road/State Route 8 signal. Erie seconded. Motion carried.***
4. 171 South Benbrook Road Water Runoff: The Board authorized Township Engineer Olsen to investigate the situation. Township Engineer Olsen sent a letter to Mr. Robert J. Paytas,

property owner, informing him of the requirement to install an on-lot stormwater detention sump.

5. Fireworks Display Ordinance No. 2014-09-03: ***Latuska motioned adopting the Fireworks Display Ordinance No. 2014-09-03. Frenchak seconded. Motion carried.***

NEW BUSINESS:

1. 2015 Pension Plan Minimum Municipal Obligation: ***Latuska motioned (1) approving the 2015 Pension Plan Minimum Municipal Obligation in the amount \$26,769.08 and (2) authorizing Township Secretary/Treasurer Amendolea to sign as the Chief Administrative Officer. Erie seconded. Motion carried.***
2. Release Consultant Fee: Township Secretary//Treasurer Amendolea requests authorization to release the following consultant fee:

Development	Type	Approval	Instrument Number	Amount
George E Dunkel	Lot Line Revision	05/14/2014	201406270014419	\$542.25

Latuska motioned releasing the consultant fee as requested by Township Secretary/Treasurer Amendolea. Frenchak seconded. Motion carried.

3. Health Insurance Trust Agreement Resolution No. 2014-09-14: Due to the significant changes in the health care industry and the passage of the Affordable Care Act, fifty percent (50%) of the Trustees Insurance Fund members must adopt the resolution reinstating the Trust Agreement. Once that is accomplished, the Board will need to adopt an ordinance to adopt the Restated Trust Agreement. ***Latuska motioned adopting the Heath Insurance Trust Agreement Resolution No. 2014-09-14. Erie seconded. Motion carried.***
4. Mineral Extraction Ordinance Review: The Planning Commission asks for direction the Township should take in regulating the gas drilling within Center Township. The Planning Commission wants clarification of placement of well pads and non-surface lease. ***Frenchak motioned authorizing the Planning Commission and Frenchak to meet with Mr. Jeff Pearce, Olsen and Associates to discuss concerns of the Mineral Extraction Overlay and make a recommendation to the Board of Supervisors. Latuska seconded. Motion carried.***
5. Butler Area Public Library Donation Request: The Butler Area Public Library submitted a request for donation. Item died due to lack of a motion.
6. Center Township Food Bank Donation: ***Latuska motioned donating \$3,500.00 to Family Life Ministries for the Center Township Food Bank. Frenchak seconded. Motion carried.***
7. Fall Leaf Collection: The following announcement will be published in the Butler Eagle:

CENTER TOWNSHIP RESIDENTS

The Township will begin curbside collection of leaves on Monday, October 20, 2014. The leave pick up will continue through Friday, November 21, 2014. Only leaves in biodegradable paper bags will be collected.

Biodegradable paper bags are available at the Township office, Monday through Friday (closed Holidays), from 8:00am to 4:00pm. The bags must be purchased in bundles of 10 at a cost of \$4.00 per bundle. Bags must **NOT** weigh more than 75 pounds.

You may drop off leaves at the Maintenance Facility located at 150 Henricks Road.

Contact the office at (724) 282-7805, if you have any questions.

PUBLIC WORKS DIRECTOR:

1. Glenwood Way (T-831)/Beechwood Boulevard (T-707) Signage: Township Engineer Olsen performed a traffic study for this intersection. A stop sign is warranted. Township Engineer Olsen will submit report to Township Solicitor Gallagher to prepare an ordinance amendment.
2. Award Contract for 2014 Line Painting: The Township received the following bids for the 2014 Line Painting Contract:

Company	Price per Linear Foot
Midlantic Marking Inc 12041 Old National Pike New Market, MD 21774	.075
Parking Lot Painting Company 2991 Industrial Blvd Bethel Park, PA 15102	.065
Willman & Williams 1605 E Route 422 Fenelton, PA 16034-9746	.07

Latuska motioned awarding the 2014 Line Painting Contract to Parking Lot Painting Company at \$.065 per linear foot. Erie seconded. Motion carried.

3. Award Contract for Excavator/Operator (Shanor Heights & Holyoke Road): The Township received the following bids for an Excavator and Operator for the Shanor Heights and Holyoke Road Projects:

Company	Excavator/Operator
Bauer Excavating Inc 705 Herman Rd Butler, PA 16002-0341	\$120.00 per hour
DHT Construction Inc 1227 Sunset Dr Butler, PA 16001-0781	\$120.00 per hour
Smallwood Excavating 128 Hollow Ln Butler, PA 16001-8460	\$90.00 per hour

Latuska motioned awarding the Excavator/Operator Contract to Smallwood Excavating at \$90.00 per hour with a seven (7) day notice and use of bulldozer or excavator for Shanor Heights and Holyoke Road projects. Erie seconded. Smallwood abstained. Motion carried

4 to 0.

4. Release XTO Energy Road Bond (Mahood Road T-860): XTO Energy requests release of their road bond in the amount of \$16,250.00 for Mahood Road (T-860). ***Latuska motioned, based on Public Works Director Lauer's recommendation, releasing XTO Energy road bond in the amount of \$16,250.00 for Mahood Road (T-860). Erie seconded. Motion carried.***
5. 2014 Seal Coat Project Completion Certificate: Suit-Kote Corporation completed the 2014 Seal Coat Project. ***Latuska motioned, based on Public Works Director Lauer's recommendation, authorizing himself to sign the 2014 Seal Coat Project Completion Certificate. Erie seconded. Motion carried.***
6. Sale of Millings: The Township is selling excess millings. The cost is \$20.00 per bucket (2.5 tons)
7. Butler County Safety Training - 10/08/2014 - \$18 - Tanglewood: The Butler County Association of Township Officials scheduled the annual safety training for Wednesday, October 8, 2014 at a cost of \$18.00 per attendee. ***Latuska motioned authorizing the road crew employees Brewster, Moorhead, Smith J., Smith T., and Winchester to attend the Butler County Association of Township Officials Annual Safety Training on Wednesday, October 8, 2014 at a cost of \$18.00 per attendee. Frenchak seconded. Motion carried.***
8. Road Crew Vacancy: The Board is considering hiring an individual to replace Lenny Young. Public Works Director Lauer is meeting with Ms. Leslie Hlad, UPMC/Happi, to discuss a pre-employment physical requirement. The Township is accepting applications for a part-time road crew employee with a Class B license. ***Latuska motioned authorizing placement of ad accepting applications for a part time road crew employee with a Class B license. Erie seconded. Motion carried.***
9. Trailwood Lane: Public Works Director Lauer received three (3) complaints concerning the work completed at Holyoke Road and Trailwood Lane. The swale is too high for vehicles. Smallwood suggests filling in part of the swale.
10. Stirling Landscaping: Public Works Director Lauer states work at Stirling Landscaping along Mercer Road will be completed this month.

ENGINEER'S REPORT:

1. Clearview Mall Traffic Signal: Township Engineer Olsen received the traffic signal easement from Wooster and Associates. He is working on drawings for the north and south entrances to Clearview Mall. Plans will be submitted to the Planning Commission for review.
2. Croll Temporary Slope Easement: Township Engineer Olsen provided a copy of the temporary thirty foot (30') slope easement along Holyoke Road (T-496) to Mr. Dewayne Croll, 111 Roads End Lane. He will convey a temporary slope easement conditioned on (1) all soils excavated from his site be dumped at a location approved by Mr. Croll, (2) the re-

grading of the slop be done with equipment situated on Holyoke Road (T-496) as much as possible, (3) The Township not destroy the green beans planted, but not yet harvested, on top of the hill, (4) the newly graded slope be re-vegetated and (5) the agreement clearly state that the temporary slope easement will be voided after the slope re-grading is completed by the Township. Township Solicitor Gallagher will prepare a temporary thirty foot (30') slope easement to include Mr. Croll's conditions.

- 3. Shanor Heights Project: Township Engineer Olsen submitted application to the US Army Corp of Engineers. Corp of Engineers require additional drawings which were submitted. Township Engineer Olsen is awaiting a determination for permit requirement.

SOLICITOR'S REPORT:

- 1. Dedicated Road Rights-of-Way: Township Solicitor Gallagher needs to research whether the rights-of ways were already adopted. He will prepare a resolution to adopt dedicated road rights-of-way from 1994 through 1995.

MISCELLANEOUS:

- 1. Rogers Dairy Queen: Frenchak had Public Works Director Lauer investigate work that was recently completed.

ADJOURNMENT:

The meeting adjourned to an executive session to discuss personnel matters at 8:48 p.m. The meeting reconvened at 9:44 p.m. with no action taken.

Frenchak motioned to adjourn at 9:45 p.m. Smallwood seconded. Motion carried.

Anthony A. Amendolea
Township Secretary/Treasurer

Edward G. Latuska
Chairman

Alan Smallwood
Vice Chairman

Andrew Erie
Supervisor

Kenneth J. Frenchak Jr
Supervisor

Phillip B. Wulff
Supervisor