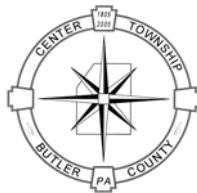


Board of Supervisors:  
 Ronald Flatt, Chairman  
 Andrew Erie, Vice Chairman  
 Kenneth Frenchak Jr, Supervisor  
 Edward Latuska, Supervisor  
 Philip Wulff, Supervisor



Michael Gallagher, Solicitor  
 Olsen & Associates, Engineer  
 Anthony Amendolea, Secretary/Treasurer  
 Mark Lauer, Public Works Director  
 Richard Round, BCO/Zoning Official

CENTER TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Minutes

November 14, 2012

6:30 p.m.

**CALL TO ORDER:**

Chairman Ronald 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 Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

**ROLL CALL:**

In addition to Chairman Flatt, present were Vice Chairman Andrew Erie; Supervisors Kenneth Frenchak, Edward Latuska, and Philip Wulff; Township Solicitor Michael Gallagher; Township Engineer Ron Olsen; Public Works Director Mark Lauer; and Township Secretary/Treasurer Anthony Amendolea.

**PUBLIC TO BE HEARD (3 MINUTE LIMIT):**

1. Ms. Anna Gullickson, 5258 Elliott Road: Ms. Gullickson stated the current Board disregards the citizens of Center Township. The citizens on November 6, 2012 voted to fire the Board. She requests the Board listen to residents to protect the health, safety, and welfare of residents.

**MINUTES:**

1. Budget Workshop Meeting Minutes - October 9, 2012: **Latuska motioned approving the minutes of the Budget Workshop Meeting held on October 9, 2012. Erie seconded. Wulff abstained. Motion carried unanimously.**
2. Agenda Setting Meeting Minutes - October 9, 2012: **Latuska motioned approving the minutes of the Agenda Setting Meeting held on October 9, 2012. Erie seconded. Motion carried unanimously.**
3. Regular Meeting Minutes - October 10, 2012: **Latuska motioned approving the minutes of the Regular Meeting held on October 10, 2012. Erie seconded. Motion carried unanimously.**

**TREASURER'S REPORT:**

1. October 2012: **Latuska motioned approving the October 2012 Treasurer's Report. Frenchak seconded. Motion carried unanimously.**
2. Warrant List 12-10-20: **Flatt motioned approving Warrant List 12-10-20. Latuska seconded. Motion carried unanimously.**
3. Warrant List 12-11-21: **Frenchak motioned approving Warrant List 12-11-**

**21. Latuska seconded. Motion carried unanimously.**

4. Authorize Ad for 2013 Proposed Budget: The Board of Supervisors reviewed the 2013 proposed budget at their workshop meetings held on October 9, 2012 and November 13, 2012. The 2013 budget reflects a balanced budget of \$1,573,600 in revenues and expenditures, with no tax increase. The Board will consider adopting the budget at their regular meeting scheduled for December 12, 2012 at 6:30 p.m. The budget will be available for public review at the Township office or the website. **Latuska motioned authorizing the advertisement of the 2013 Proposed Budget in the Butler Eagle edition on Wednesday, November 21, 2012. Erie seconded. Motion carried unanimously.**
5. Leicht & Associates Engagement Letter: Mr. William D. Leicht, Leicht & Associates, submitted an engagement letter to perform the 2012 Audit in the amount of \$15,700. **Latuska motioned authorizing Chairman Flatt to sign Leicht & Associates engagement letter. Frenchak seconded. Motion carried unanimously.**
6. CPA Appointment Resolution No. 2012-11-17: **Latuska motioned adopting CPA Appointment Resolution No. 2012-11-17 appointing William D. Leicht & Associates to perform the 2012 Audit. Erie seconded. Motion carried unanimously.**

**ZONING REPORT:** October 2012: Construction costs were \$198,500.00 fees collected were \$1,767.78.

**SUBDIVISION & LAND DEVELOPMENTS:**

1. Elliott Lot Line Revision No. 2012-10-10, 337 E Brewster Rd, Final Approval, Expires 01/22/2013: Mr. Ed Elliott presented a plan to convey .23 acres (m/l) from Center Township Map 060-3F43-25 to 3F43-25A. Butler County Planning Commission had no comments per letter dated October 5, 2012.

The Planning Commission, with contingencies of (1) add the on lot detention sump detail to the plan and (2) denote Tax Map numbers on all parcels, recommended final approval to the Elliott Lot Line Revision No. 2012-10-10 at their meeting held on October 24, 2012.

The plan was corrected by (1) adding the on lot detention sump detail and (2) Tax Map numbers denoted on all parcels.

**Erie motioned, contingent on the removal of the non-conforming shed location on Center Township Map 3F43 25A, granting final approval to the Elliott Lot Line Revision No. 2012-10-10. Frenchak seconded. Motion carried unanimously.**

**OLD BUSINESS:**

1. Baxter Mobile Home Park Developer's Agreement: Township Solicitor Gallagher presented the Baxter Mobile Home Park Developer's Agreement. **Latuska motioned authorizing Chairman Flatt to sign the Baxter Mobile Home Park Developer's Agreement. Erie seconded. Motion carried unanimously.**

**NEW BUSINESS:**

1. Additional Loan Payment: On October 15, 2012, Township Secretary/Treasurer contacted the individual Board members about increasing the principal payment from \$100,000.00 to \$120,000.00 due to the funds available after the decrease in the interest rate from 4.17% to 2.6% effective October 1, 2012. All Board members, except Wulff who did not reply, were in favor. **Flatt motioned ratifying the additional principal payment of \$20,000.00 on November 1, 2012. Frenchak seconded. Motion carried unanimously.**
2. Authorize Ad for Weight Limit Ordinance: The EADS Group completed the Weight Limit Study. An amendment to the existing ordinance is required to enforce the new weight limits proposed by the study. **Erie motioned authorizing the advertisement in the Butler Eagle edition on Sunday, December 2, 2012 for the ordinance amendment. Frenchak seconded. Motioned carried unanimously.**
3. Establish Marcellus Shale Fund: The Township will receive \$26,885.12 from drilling impact fees from the Commonwealth. The Pennsylvania State Association of Township Supervisors recommends establishing a separate fund. **Flatt motioned authorizing Township Secretary/Treasurer Amendolea to establish a separate account with NexTier Bank upon receipt of the \$26,885.12 from the Commonwealth. Latuska seconded. Motion carried unanimously.**
4. Center Township Food Pantry Donation: Ms. Kathy Sloan, Center Township Food Pantry, attended the Agenda Setting meeting on October 9, 2012. She asked the Board to consider a donation to the Food Pantry. **Latuska motioned donating \$3,500.00 to the Center Township Food Pantry. Frenchak seconded. Motion carried unanimously.**
5. Public Library Donation: Mr. Gary Sloan, Butler County Public Library, attended the Agenda Setting meeting on October 9, 2012. He asked the Board to consider a donation to the Library. **Flatt motioned donating \$1,000.00 to the Butler County Public Library. No second. Motion defeated.**
6. Release Consultant Fees: Township Secretary/Treasurer Amendolea recommends releasing the following consultant fees:

Development	Type	Approval	Instrument Number	Amount
Dollar General	Land Development	09/14/2011	201112060030212	\$613.26
William L Layton	Lot Line revision	08/12/2012	201208220023903	\$750.00

**Flatt motioned releasing the consultant fees as noted. Erie seconded. Motion carried unanimously.**

**PUBLIC WORKS DIRECTOR:**

1. Authorize Ad for Anti-Skid: The Township will purchase approximately 3,000 tons of Anti-Skid material for 2013. **Erie motioned authorizing advertising for approximately 3,000 tons of anti-skid material in the Butler Eagle editions for Sunday, November 25, 2012 and Thursday, November 29, 2012. Frenchak seconded. Motion carried unanimously.**
2. Release McIntire Coal, Oil, & Gas Road Bond (Unionville Rd/Brown Rd): McIntire Coal, Oil, and Gas submitted a request to release their road

bond for Unionville Road and Brown Road. **Erie motioned, based on Public Works Director Lauer's recommendation, releasing McIntire Coal, Oil, and Gas road bond in the amount of \$17,500.00. Latuska seconded. Motion carried unanimously.**

3. Crown Point Contribution: Crown Point desires to contribute excess pipe and catch basins to the Township. Public Works Director Lauer requests permission to (1) accept the contribution and (2) enter private property to load the material. **Latuska motioned granting Public Works Director Lauer permission to (1) accept the Crown Point contribution and (2) enter private property to load the material. Frenchak seconded. Motion carried unanimously.**
4. Fuel Storage Tanks Removal, 1161 Sunset Drive: The fuel storage tanks located at the old Maintenance Building, 1161 Sunset Drive, were removed today. There was no soil contamination or leaks. The site has been restored.

#### **ENGINEER'S REPORT:**

1. 164 South Benbrook Road Stormwater Management Waiver Request: Mr. William McGarvey submitted a request for waiver of stormwater management at 164 South Benbrook Road (Center Township Map 060-3F43-7DB). He states, "coverage on parcel 7DB will be changed from row crops to a grass cover area around the new house which is being constructed more than 100 feet from any down gradient property. With this change in planting the runoff from all storms will be decreased and will increase the possible infiltration into the ground water. This planting change will result in an equal or better means of complying with the intent of the stormwater ordinance."

The Planning Commission recommended, based on Township Engineer Olsen's recommendation, approval of the stormwater management waiver request for 164 South Benbrook Road (Center Township Map 060-3F43-7DB).

Township Engineer Olsen recommended the Board grant a waiver if Mr. Steven Paraska installs an on lot detention sump for the dwelling and three foot (3') trenches on either side of the drive. After some discussion, Paraska stated that property would have grass/cornfield surface. Olsen withdrew his recommendation. **Flatt motioned tabling the request for a waiver until Erie, Frenchak, and possibly Mr. George White (Olsen & Associates), and Mr. Steven Paraska meet to walk the property and make a recommendation to the Board. Frenchak seconded. Motion carried unanimously.**

2. Gregori Construction & Engineering Inc Change Order No. 2: Gregori Construction & Engineering Inc submitted Change Order No. 2 to eliminate driveway pipe removals and addition of drain pipes. This increases the bid by \$4,169.00. Public Works Director Lauer scheduled repairs to two (2) driveways with high curbs. Also, Township Engineer Olsen will review an area near the end of the cul-de-sac which has a rough surface. **Latuska motioned (1) approving Gregori Construction & Engineering Inc Change Order No. 2, (2) authorizing Chairman Flatt to sign the change order, (3) authorizing Lauer to make repairs to the driveways, and (4) authorizing Olsen to review rough surface. Flatt seconded. Motion carried unanimously.**

3. Gregori Construction & Engineering Inc Payment Application No. 2: Gregori Construction and Engineering presented Payment Application No. 2 for payment in the amount of \$60,705.00. **Flatt motioned authorizing (1) payment for work completed in the amount of \$60,705.00 and (2) sign the payment application. Erie seconded. Motion carried unanimously.**

**SOLICITOR'S REPORT:**

1. Cypher's Stormwater Damage: Dr. Ronald Cypher submitted another claim for settlement of previous stormwater damage. Remedial work at the Butler Veterinary Clinic's retention pond was not done because Dr. Cypher failed to sign the hold harmless agreement. Consensus of the Board was to let the insurance company represent the Township.
2. Center Township vs. Office of Open Records Appeal: Township Solicitor Gallagher stated no appeal was filed by the November 13, 2012 deadline. This matter is closed.
3. Township Abandoned Road: Mr. Nathan Brown presented a proposed plan to subdivide property on Jamisonville Road (Center Township Map 2F108 6A) for the purpose of constructing a single family home. He desires to use a Township abandoned road (Brackney Road). The Planning Commission requested the Board of Supervisors, with Township Solicitor Gallagher's assistance, review Mr. Brown's letter from Attorney Robert Stock on the use of Brackney Road right-of-way. **Flatt motioned authorizing Township Solicitor Gallagher to review Mr. Nathan Brown's letter from Attorney Robert Stock on the use of Brackney Road right-of-way. Erie seconded. Motion carried unanimously.**

**MISCELLANEOUS:** None**ADJOURNMENT:**

**Flatt motioned to adjourn at 7:40 p.m. Latuska seconded. Motion carried unanimously.**

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Anthony A. Amendolea  
Township Secretary/Treasurer

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Ronald E. Flatt  
Chairman

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Andrew Erie  
Vice Chairman

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Kenneth J. Frenchak, Jr  
Supervisor

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Edward G. Latuska  
Supervisor

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Philip B. Wulff  
Supervisor