

Board of Supervisors:  
 Edward Latuska, *Chairman*  
 Alan Smallwood, *Vice Chairman*  
 , *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  
 December 9, 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 Smallwood; Supervisors Kenneth Frenchak and Philip Wulff; Township Solicitor Michael Gallagher; Township Engineer Ronald Olsen and Township Secretary/Treasurer Anthony Amendolea.

**PUBLIC TO BE HEARD:**

1. Ms. Carol Osman, 108C Elise Drive: Ms. Osman is concern with her shared sewer line and driveway since J. T. Butler purchased the Natili property (Center Township Map 60-S2-CAB).
2. Mr. Ronald Flatt, 315 North Duffy Road: Mr. Flatt will volunteer to be part of the committee to review the Giles development next to the Starlight Theater.
3. Mr. Nathan Wulff, 5168 McCandless Road: Fire Chief Wulff presented the November 2015 report:

Type of Calls	Number of Calls
Motor vehicle accidents	7
Automatic fire alarms	8
Service calls	3
Structure fires	2
Medicals	2
Brush fires	2
Dive calls	0
Vehicle fires	0
Landing Zone	2
Technical Rescue	0
CO Alarm	0
Haz-Mat	0
Stand By	0
Chimney fires	1
Pole fires	1
Total Calls	28

In addition, a Fire Behavior class was held on Tuesday, December 8, 2015. He requests permission to store the fire department boat in the old maintenance building for the winter. He asked if the fire department parking lot would be plowed during the winter.

**MINUTES:**

1. Budget Workshop - November 9, 2015: *Latuska motioned approving the minutes of the Budget Workshop held on Monday, November 9, 2015. Smallwood seconded. Motion carried.*
2. Agenda Setting Meeting – November 9, 2015: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on Monday, November 9, 2015. Wulff seconded. Motion carried.*
3. Regular Meeting – November 10, 2015: *Latuska motioned approving the minutes of the Regular Meeting held on Tuesday, November 10, 2015. Frenchak seconded. Motion carried.*
4. Tax Increment Financing/Rezone Workshop Minutes - November 24, 2015: *Latuska motioned approving the minutes of the Tax Increment Financing/Rezone Workshop held on Tuesday, November 24, 2015. Frenchak seconded. Motion carried.*

**TREASURER'S REPORT:**

1. November 2015: *Latuska motioned approving the November 2015 Treasurer's Report. Frenchak seconded. Motion carried.*
2. Warrant List 15-11-22: *Latuska motioned approving Warrant List 15-11-22. Smallwood seconded. Motion carried.*
3. Warrant List 15-12-23: *Latuska motioned approving Warrant List 15-12-23. Frenchak seconded. Motion carried.*
4. Leicht & Associates Engagement Letter: Leicht and Associates submitted an engagement letter to perform the 2015 Audit in the amount of \$17,000. *Frenchak motioned authorizing Latuska to sign the Leicht and Associates engagement letter. Smallwood seconded. Motion carried.*
5. Adopt CPA Appointment Resolution No. 2015-12-16: William D. Leicht and Associates submitted an engagement letter to conduct the 2015 Audit in the amount of \$17,000, which the Board agreed with. *Latuska motioned adopting the CPA Appointment Resolution No. 2015-12-16. Frenchak seconded. Motion carried.*
6. Adopt 2016 Tax Levy Resolution No. 2015-12-17: The real estate tax millage rate for 2016 remains at 2.75 mills General Fund, 2.5 mills Debt Service, and 1.8 mills Fire Protection Fund. *Latuska motioned adopting the 2016 Tax Levy Resolution No. 2015-12-17. Wulff seconded. Motion carried.*

7. Adopt 2016 Budget: The Board of Supervisors reviewed the 2016 proposed budget at their workshop meetings held on Tuesday, October 13, 2015 and Monday, November 9, 2015. The 2016 budget reflects a balanced budget of \$1,913,300 in revenues and expenditures, with no tax increase. The budget was available for public review at the Township office or the website as advertised in the Thursday, November 19, 2015 Butler Eagle edition. ***Latuska motioned adopting the 2016 Budget with no tax increase. Frenchak seconded. Motion carried.***
  
8. Adopt Line Item Adjustment Resolution No. 2015-12-18: The Second Class Township Code Section 3202(e) states "*The board of supervisors may by resolution make supplemental appropriations for any purpose from any funds on hand or estimated to be received within the fiscal year and not otherwise appropriated, including the proceeds of any borrowing authorized by law. Supplemental appropriations may be made whether or not an appropriation for that purpose was included in the original budget as adopted.*" ***Latuska motioned adopting the Line Item Adjustment Resolution No. 2015-12-18. Frenchak seconded. Motion carried.***

**ZONING REPORT:** November 2015: Construction costs were \$66,615,119.00 fees collected were \$50,818.20.

#### **SUBDIVISION & LAND DEVELOPMENTS:**

1. POS Future Land Development No. 2015-11-18, Final, Expires 02/15/2016: Mr. Jonathan Garczewski, The Gateway Engineers, Inc, presented. Mr. Giles proposes increasing parking lot POS Future (Center Township Map 060-S4-19) with separate access from State Route 8 (SR-0008) and Sunset Drive (T-442). Construction has begun prior to approval of the plan. Butler County Planning Commission has not submitted a review letter. Township Engineer Olsen had the following comments (*Mr. Garczewski's comments are italicized*):
  - a. The Applicant may have to designate additional parking spaces as handicap- accessible because current ADA requirements state 1 handicapped per 25 spaces. The maximum slope across a handicapped space is 2%. (*The applicant has revised the plans to provide an additional ADA space at the mid-level parking area behind the existing building; please refer to the revised set of plans.*)
  - b. Stormwater management must conform to the Township's Act 167 Stormwater Management Ordinance and the Project Engineer appears to be designing to meet provisions of the ordinance, which states that proposed gravel or proposed paved driveways must be assumed to be impervious in computations. Therefore, if the plan is approved, the Applicant may pave his parking lots in the future without providing a new land development application to the Township. (*Comment noted.*)
  - c. The lower portion of the proposed parking area entrance to Sunset Drive will flow uncontrolled to Sunset Drive. The Applicant should compute the peak rate of runoff from this uncontrolled area during a 5-minute duration during the 1, 2, 5, 10, 25 and 100-year storms and subtract this from the allowable release rates from the detention pond. This will result in the pond necessarily being increased slightly in size. (*The above comment has been accounted for in the revised stormwater management report included in this resubmission.*)
  - d. The Applicant has shown a gate valve on his detention basin outlet structure. We recommend that this be discussed in the Planning Commission meeting so that all parties understand how this valve will be used. (*This item was discussed at the Planning Commission meeting; no further action*

is required.)

- e. Proposed curbs around the lower parking lot should end at the edge of the Sunset Drive shoulder rather than the edge of pavement so that these are not hit by snow plows. *(The proposed driveway connection to Sunset Drive has been revised as requested; please refer to the revised set of plans.)*
- f. Although the Applicant's grading plan shows proposed parking lot spot elevations in order to prevent bypass of runoff, we are concerned that the paver will not follow this exactly, and much of the parking lot runoff will run directly to Sunset Drive instead of to the detention pond. We therefore recommend that the Applicant install a "speed bump" flow diverter across the driveway, directed to the pond. *(The grading of the driveway and parking lot have been revised to allow for a more concentrated design and capture of the stormwater runoff by the storm sewer conveyance system and basin; please refer to the revised set of plans.)*
- g. The Applicant has not shown how the proposed driveway entrance to Sunset Drive will be profiled; whether it will be sloped away from the edge of pavement toward an established ditch line, or whether a culvert is to be installed under the new driveway. If a culvert is to be installed, it may be connected to the Township inlet near the Terwilliger property line. If it is to be a shoulder slope, the flatness of grade may require the shoulder to the Township inlet to be paved. *(The proposed driveway is designed to tie into the shoulder and slope down to the shoulder to allow for stormwater along Sunset Drive to flow as it currently does today; please refer to the revised set of plans.)*
- h. The Applicant's Engineer must prepare a cost estimate for post construction stormwater management items, including basins, outlet structures, inlets, piping, revegetation and a landscape buffer. A Performance Bond or other type of security will need to be posted by the Applicant in an amount equal to 110% of the estimated costs. *(A cost estimate for bonding has been included for your review.)*
- i. A Stormwater Management Operations and Maintenance Agreement (which can be found online at the Township website) must be executed by the Applicant and recorded at the Courthouse to guarantee perpetual maintenance. *(Comment noted; the O&M agreement will be prepared upon receiving approval from the Board of Supervisors.)*
- j. As stated to the Board previously on similar projects, we do not recommend that the Township require perpetual bonds from the Applicant (which is an option on the PaDEP's sample O&M Agreement form). *(Comment noted.)*

The Planning Commission recommended, contingent on (1) items a,b,c,e,f,g,h and i per Township Engineer Olsen's review letter dated November 13, 2015 and (2) receipt of Butler County Planning Commission's review letter, granting final approval of the POS Future Land Development No. 2015-11-18. The Butler County Planning Commission had no comments per review letter dated November 19, 2015. Frenchak warned Mr. Giles to follow the Township ordinances on any future development.

***Latuska motioned, contingent on Township Engineer Olsen's recommendation of (1) execution and recording of a Stormwater Management Operation and Maintenance Agreement and (2) post a Performance Bond in the amount of \$24,695.00, granting final approval to the POS Future Land Development No. 2015-11-18. Frenchak seconded. Motion carried.***

2. J T Butler Land Development Modification No. 2015-01-03, Final, Expires, 1/22/2016: Mr. John Heyl presented. J T Butler submitted a modification to the original land development, approved by the Board of Supervisors at their meeting held on Wednesday, April 8, 2015, to accommodate the stormwater runoff required by the Butler County Conservation District. Township Engineer Olsen comments are (*Mr. Heyl's comments are italicized*):
- a. Revise the "Rite Aid Plan of Subdivision," dated October, 2015, to better show that lot lines of former Tax Map Parcel 60-S2-CAB are being deleted and record the subdivision drawing. The approved drawing must show the new lot consolidation, proposed easements, and include the traffic signal maintenance easement being dedicated to Center Township. (*The revised Subdivision Plan includes the proposed traffic signal easement. In addition a drainage easement has been provided across Lot No.1 to facilitate conveyance of runoff to the stormwater detention basin.*)
  - 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). (*The Butler County Conservation District is in the process of reviewing the NPDES permit application. A copy of the PADEP NPDES permit will be provided to the Township upon receipt.*)
  - c. Both JT Butler and Rite Aid must separately sign (with notary) an Operations and Maintenance Stormwater management Agreement (previously provided) and record these at the Butler County Courthouse along with exhibits consisting of 11" x 17" size copies of Post Construction Stormwater Management Drawings. (*Noted, the developer will execute the Operations and Maintenance Stormwater management Agreement upon final approval of the Development by the Township.*)
  - d. A copy of the private storm sewer easement through lands of Phillip B. Mennor and Donna L. Mennor should be provided to the Township by JT Butler (Chapter 14, Section 14-403.f). (*The developer is in the process of getting the storm sewer easement recorded. A copy of the recorded easement shall be provided to the Township upon receipt.*)
  - e. JT Butler must submit a geotechnical report certifying that the proposed 1 vertical to 1 horizontal slope will be stable. (*The geotechnical Investigation report prepared by ACA Engineering provided recommendations for reinforced earth slopes. The reinforced slope will be contracted as a design build contract. The Developer will provide a reinforced earth slope design, sealed by a registered professional engineer, to the township for review prior to the start of the wall construction.*)
  - f. JT Butler must prepare a revised Estimate of Construction Costs for Township required improvements including post construction stormwater management (channels, detention basin, storm sewers, inlets, restoration of Mennor driveway, earthwork, revegetation, as-built drawings), the 1:1 slope 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 in its cost estimate. These are under the authority of the Butler County Conservation District rather than the Township. (*An estimate of probable construction cost has been include with this submission.*)
- g. We had previously requested that JT Butler LLC provide a cost estimate for the traffic signal replacement, which we are uncertain if this must be revised. This cost estimate should include the new UPS system that Jarrod Crosby of David E. Wooster & Associates (Wooster) acknowledged by email. (*The developer will provide a copy of the bonding information that has been prepared as part of the PennDot HOP permit to the Township under separate cover.*)
  - h. Once cost estimates are submitted and 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). *(The developer shall post the necessary bonds prior to construction once final approval is granted.)*

- i. 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 by JT Butler directly to PennDot in the amount of 115% of estimated construction cost. PennDot will also require a financial guarantee of maintenance of materials and workmanship for at least two years. *(The developer will provide a copy of the bonding information that has been prepared as part of the PennDot HOP permit to the Township under separate cover.)*
- j. JT Butler LLC should provide one copy of the Temporary Highway Occupancy Permit to the Township once it is approved by PennDot. The Board has already 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, unless this has already been done. *(Noted. The developer shall provide the Township with the HOP documents once they have been issued by the Department.)*
- k. Project drawings indicate that JT Butler LLC will be replacing the off-site storm sewers system along and across Elise Drive. It will be assumed that the Developer will supply and install all materials unless this is further negotiated by the parties. *(Noted.)*
- l. 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 for their own storm sewer work necessary to convey water to the detention basin. 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 may be that Rite Aid is using the same site work contractor as JT Butler LLC, and work will be done concurrently, it could be very easy for Rite Aid to finalize E&S drawings for its own proposed earth disturbance activities 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. It is our understanding that the BCCD has scheduled a pre-application meeting that will be attended by both of these parties. *(A meeting was held with the BCCD. Both Sheetz and Rite Aid will be Co-Permittees to the NPDES permit issued by the BCCD. Sheetz and Rite Aid will submit minor modifications to the NPDES permit to address the installation of additional storm sewers and inlet filters as discussed with BCCD.)*
- m. It is our understanding that the HOP for the new traffic signal is being submitted in the name of Center Township. The Township will adopt the traffic signal O&M easement within the Sheetz and Rite Aid site if the easement has been dedicated to the Township as part of the revised JT Butler LLC subdivision I lot consolidation plan. The Township will continue to pay for electric service to the intersection as it is currently. We suggest that 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 any faulty materials or workmanship. This provision can be part of a Developer's Agreement. *(Noted.)*
- n. 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 JT Butler and the Township. *(Noted.)*
- o. Rite Aid and Sheetz have granted review time extensions to the Township. We suggest that their approvals follow that of JT Butler. *(Noted.)*

Township Engineer Olsen, per letter dated November 9, 2015, reviewed Mr. Heyl's comments which are:

- a. The lot lines of land now or formerly Natili must be shown on the subdivision plan and labeled as "to be extinguished." This Natili lot will be consolidated into the lot that Rite Aid will be buying. The traffic signal easement should be labeled "dedicated to Center Township."
- b. Regarding the NPDES Permit, I verified with the PaDEP that Center Township can give final approval of the Land Development plan without receiving a copy of the permit. The Township is not to issue a building permit for the project until the NPDES Permit is issued by the PaDEP I Conservation District.
- c. The Township can give final approval to the Plan conditioned on execution of the Stormwater Management Operation and Maintenance Agreement.
- d. The Applicant has stated that the Stormwater Drainage Easement through property of Mennor is in the process of being recorded. The easement must be recorded prior to the Township's granting Final Approval.

Exception : If the Solicitor verifies that the easement has been granted by Mennor to J.T. Butler, the Township may grant Final Approval conditioned on the recording of the easement.

- e. Regarding the 1:1 reinforced earth slopes, the Applicant has stated that these will be contracted as a design/build project with the design to be certified by a registered professional engineer prior to construction. We therefore declare the reinforced earth slopes to meet the definition of a "wall structure" per the Unified Construction Code, and the Applicant will be required to apply for a Building Permit for this wall independently from the Land Development Application. A copy of this letter should be provided to John Nath, Township Building Permit Officer, to assure future compliance.

If, as suggested, the wall structure is moved to a Building Permit issue, the Land Development approval can be made without having the wall be part of the Land Development approval process.

- f. J.T. Butler has submitted a revised Estimate of Construction Costs for Post Construction Stormwater Management Controls. It must be revised to include the cost of Elise Drive saw-cutting and pavement restoration. It should also include a cost for a rock riprap stilling apron or basin at its Elise Drive discharge point.

The Applicant has not submitted a cost estimate for project earthwork and wishes to discuss this issue with the Supervisors and Solicitor at the Supervisors meeting.

- g. We have reviewed a copy of the cost estimate for public improvements (traffic signal) and it is acceptable.
- h. Performance Security in the amount of 110% of Township required improvements (as addressed in comment 6 above) must be posted to the Township by the Applicant within 90 days of receiving Final Approval. Otherwise, the Final Approval shall be considered null and void.
- i. As a condition of condition of Final Approval, the Township requires that Performance Security for public improvements (Traffic Signal work) be posted to the Township or to PaDOT within 90 days of Final Approval. Otherwise, the Final Approval shall be considered null and void.
- j. The issuance of a PaDOT Highway Occupancy Permit for this project is a "3rd Party Approval" that will not affect the Township's acting upon Final Approval of this Land Development. A statement has been affixed to the subdivision plan that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (PL 1242, No. 428) known as the "State Highway Law" before driveway access to a state highway is permitted. This satisfies the

Township's administrative obligations.

- k. The plans that have been submitted to the Township show that J.T. Butler will be installing a new storm sewer across Elise Drive. This has been acknowledged by the Applicant.
- l. The response letter states that Sheetz and Rite Aid will be Co-Permittees to the J.T. Butler NPDES Permit. This is acceptable.
- m. Traffic signal maintenance is proposed to be by the Township with the provision that J.T. Butler will reimburse the Township for any correction of faulty materials or workmanship during the PaDOT-required 2 year maintenance period. This provision should be made part of the Developer's Agreement.
- n. The Applicant agreed that a Developer's Agreement will be prepared by the Solicitor to formalize any of the issues addressed in this letter as well as our letter dated October 26, 2015.
- o. Rite Aid and Sheetz have independently granted time extensions for their Land Development submissions, which are dependent on the J.T. Butler submission being resolved.

The Planning Commission recommended, contingent on the completion of the abovementioned Township Engineer Olsen's letter dated October 26, 2015, granting final approval of the J T Butler Land Development No. 2015-01-03.

Supervisor Elect Flatt represented Ms. Osman addressing her concern of the shared sewer line and driveway for the property. Mr. Astleford agreed to correct the situation.

***Latuska motioned, contingent on (1) posting of the Performance Bond in the amount of \$197,021.00; (2) receipt of a copy of the PennDot Highway Occupancy Permit and (3) completion, to the satisfaction of Township Engineer Olsen, of Ms. Osman's sewer line and driveway, granting final approval of the J T Butler Land Development Modification No. 2015-01-03. Latuska seconded. Motion carried.***

- 3. Sheetz Land Development Modification No. 2015-06-13, Final, Expires 12/22/2015: Mr. David Mastrosfefano presented. He provided a brief overview of the project. At the Board of Supervisors meeting held on Tuesday, November 10, 2015, the Board took no action until J.T. Butler met the contingencies of Township Engineer Olsen's letter dated October 26, 2015.

***Latuska motioned, contingent on posting of the Performance Bond, granting final approval of the Sheetz Land Development No. 2015-06-13. Smallwood seconded. Motion carried.***

- 4. Rite Aid Land Development No. 2015-06-14, Final, Expires 12/17/2015: Mr. Paul Dunn presented. At the Board of Supervisors meeting held on Tuesday, November 10, 2015, the Board took no action until J.T. Butler met the contingencies of Township Engineer Olsen's letter dated October 26, 2015.

***Latuska motioned, contingent on posting of the Performance Bond and completion, to the satisfaction of Township Engineer Olsen, of Ms. Osman's sewer line and driveway, granting final approval of the J T Butler Land Development Modification No. 2015-01-03. Frenchak seconded. Motion carried.***



**OLD BUSINESS:**

1. Purchase Alcohol/Drug Test Swabs: Kristopher Goas did not receive any information from Dr. Dennis Demby's office.
2. Ratify Donation for F Michael Schenck: Mr. F Michael Schenck passed away on Monday, November 9, 2015. He was the husband of former Supervisor Beverly Schenck. A donation of \$50.00 was made to St. Judes Hospital per the family's request. ***Latuska motioned ratifying the donation of \$50.00 to St. Judes Hospital in memory of Mr. F. Michael Schenck. Frenchak seconded. Motion carried.***

**NEW BUSINESS:**

1. Award Bid for Township Municipal Office: With the office moved to 150 Henricks Road, the Board authorized the sale of the old municipal building. The following bid was received:

Name	Total Bid
Troy Douthett	\$15,000

***Latuska motioned to reject the bid received from Mr. Troy Douthett in the amount of \$15,000.00. Smallwood seconded. Motion carried.***

2. Williams Agricultural Security Request: Mr. Greig Williams submitted an application for the Agricultural Security Area. The consensus, based on Township Solicitor's advice, of the Board was to reject Mr. Williams application.
3. Regional Police Force: Mayor Tom Donaldson met with the Board on Monday, December 8, 2015 to discuss the possibility of creating a Regional Police Force. ***Latuska motioned appointing Frenchak and Smallwood to meet with Butler City to further investigate the possibility of a Regional Police Force. Wulff seconded. Motion carried.***
4. Starlight Theater/Giles Property Signal: Mr. John Giles is expanding POS Future next to the Starlight Theater. There is a possibility of developing the property to enter State Route 8 (SR0008) at the existing signal. ***Latuska motioned appointing Supervisor Elect Flatt and Wulff to discuss with Mr. Giles, Mr. Manson, Starlight Theater owner, and PennDot the possibility of using the existing signal. Frenchak seconded. Motion carried.***

**PUBLIC WORKS:**

1. Award Contract for Antiskid: The following bids were received:

Company	Bid Bond	Amount (per ton)
Allegheny Mineral Corporation PO Box 1022 Kittanning, PA 16201-5022	Yes	23.00
Wolf Creek Holding Company 270 Hemlock Rd Grove City, PA 16127-6834	Yes	19.47

***Latuska motioned awarding the Antiskid Contract to Wolf Creek Holding Company in the amount of \$19.47 per ton. Wulff seconded. Motion carried.***

2. Release KU Resources, Inc Road Bond (Jamisonville Road (T-832): Ku Resources, Inc requests release of their road bond for Jamisonville Road (T-832) in the amount of \$7,102.00. ***Latuska motioned, based on Step Up Foreman Brewster's recommendation, releasing KU Resources, Inc road bond for Jamisonville Road (T-832) in the amount \$7,102.00. Smallwood seconded. Motion carried.***
3. Transfer Funds to Capital Projects Fund for Purchase of Bobcat S750: Smallwood suggested purchasing a Bobcat S750 T4 Skid-Steer Loader with 74" Heavy Duty Bucket, 24" High Flow Planer, 24" Fast Cut Drum and 42" Pallet Fork Teeth in the amount of \$64,126.06. The cost to rent the same equipment for 2015 was \$22,000.00. ***Latuska motioned transferring \$65,000.00 from the General Fund to the Capital Projects Fund. Frenchak seconded. Motion carried.***

***Latuska motioned authorizing (1) purchasing a Bobcat S750 T4 Skid-Steer Loader 74" Heavy Duty Bucket, 24" High Flow Planer, 24" Fast Cut Drum and 42" Pallet Fork Teeth (State Contract No. 4400011419) in the amount of \$64,126.06 and (2) Smallwood to sign any and all necessary paperwork. Frenchak seconded. Motion carried.***

4. Mini Excavator Tracks: Smallwood reported that the tracks on the mini excavator are wearing and cracking. A set of new rubber tracks costs \$2,400.00 per pair. ***Latuska motioned authorizing the purchase of a pair of rubber tracks at the cost of \$2,400.00 for the mini excavator. Frenchak seconded. Motion carried.***
5. Glenwood Way Railroad Crossing: The rubber mat at the Glenwood Way railroad crossing needs repaired. The Canadian National Railroad has been notified but no action has been taken. Smallwood or Step Up Foreman Brewster will contact the railroad for repairs.

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

1. Codification of Ordinances: Ms. Karen Pierce is working on the Codification of Ordinances and is nearing completion. Once completed, Township Solicitor Gallagher and the Board will review.
2. Floodplain Ordinance: Although the State budget impasse has halted work on the Floodplain Ordinance, the Mach 2016 deadline has not been extended.
3. Tax Increment Financing: The Tax Increment Financing plan will increase the tax base through commercial development. The Township will meet with Pennsylvania American on Friday, December 11, 2015 at 1:30 p.m. On Wednesday, December 16, 2015, there is a meeting with the Butler Area Sewer Authority. Township Engineer Olsen will schedule meetings with West Penn Power and PennDot. ***Latuska motioned authorizing Township Engineer Olsen to prepare estimates for construction costs within the proposed Tax Increment Financing area. Frenchak seconded. Motion carried.***

**SOLICITOR’S REPORT:**

- 1. Proposed Economic Resource Overlay District: Township Solicitor Gallagher provided a proposed Economic Resource Overlay District ordinance to be presented to the Planning Commission on Wednesday, December 23, 2015. Township Engineer Olsen suggested minimum lot size should be three (3) acres. Township Solicitor Gallagher suggests removing "R-1A" to permit the overlay district in other areas of the Township.

**MISCELLANEOUS:**

- 1. House Bill 1155: Supervisor Elect Flatt stated that House Bill 1155, if passed, requires municipalities to post meeting agendas on line twenty-four (24) hours prior to the meeting without deviating from the posted agenda.
- 2. Community Leaders Roundtable: Frenchak reported that there will be a meeting on Monday, December 21, 2015 at 5:30 p.m. with U.S. Representative Mike Kelly to discuss the current VA Health Care Center project. The meeting will be held at the American Legion Post 778, Lyndora.

**ADJOURNMENT:**

*Latuska made a motion to adjourn at 8:00 p.m. Wulff seconded. Motion carried.*

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Anthony A. Amendolea  
Township Secretary/Treasurer

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Edward G. Latuska  
Chairman

\_\_\_\_\_  
Alan H. Smallwood  
Vice Chairman

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Kenneth J. Frenchak Jr  
Supervisor

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Phillip B. Wulff  
Supervisor