

## 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  
 December 10, 2014  
 6:30 p.m.

**CALL TO ORDER:**

Supervisor Kenneth Frenchak called the Regular Meeting, of the Center Township Board of Supervisors, to order at 6:31 p.m. The meeting was held at the Center Township Municipal Building, 419 Sunset Drive, Butler PA 16001.

**ROLL CALL:**

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

**PUBLIC TO BE HEARD:** None

**MINUTES:**

1. Budget Workshop - November 10, 2014: *Frenchak motioned approving the minutes of the November Budget Workshop held on November 10, 2014. Latuska seconded. Motion carried.*
2. Agenda Setting Meeting - November 10, 2014: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on November 10, 2014. Smallwood seconded. Motion carried.*
3. Regular Meeting - November 12, 2014: *Latuska motioned, correcting Public Works Director, Item 2, which reads "establish" to read "established" and "motioned" to read "motion", the minutes of the Regular Meeting held on November 12, 2014. Erie seconded. Motion carried.*

**TREASURER'S REPORT:**

1. November 2014: *Frenchak motioned approving the November 2014 Treasurer's Report. Latuska seconded. Motion carried.*
2. Warrant List 14-11-22: *Latuska motioned approving Warrant List 14-11-22. Wulff seconded. Motion carried.*

3. Warrant List 14-12-23: ***Latuska motioned approving Warrant List 14-12-23. Frenchak seconded. Motion carried.***
4. 2015 Tax Levy Resolution No. 2014-12-18: The real estate tax millage rate for 2015 remains at 2.75 mills General Fund, 2.5 mills Debt Service, and 1.8 mills Fire Protection Fund. ***Latuska motioned adopting the 2015 Tax Levy Resolution No. 2014-12-18. Frenchak seconded. Motion carried.***
5. Adopt 2015 Budget: The Board of Supervisors reviewed the 2015 proposed budget at their workshop meetings held on Monday, October 6, 2014 and Monday, November 10, 2014. The 2015 budget reflects a balanced budget of \$1,797,700 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 Wednesday, November 19, 2014 Butler Eagle edition. ***Erie motioned adopting the 2015 Budget. Frenchak seconded. Motion carried.***

**ZONING REPORT:** November 2014: Construction costs were \$88,000.00 fees collected were \$954.12.

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

1. First United Methodist Church Land Development No. 2014-11-10, Preliminary, Expires 02/16/2015: Mr. Jonathan Garczewski, The Gateway Engineers, presented. First United Methodist Church proposes constructing a 13,400 square foot addition on the existing structure located at 1802 North Main Street Extension (Center Township Map 060-2F104-4). Butler County Planning Commission has not submitted any comments. Township Engineer Olsen comments are as follows (*First United Methodist Church comments are italicized*):
  - a. The proposed use is a conditional permitted use in the C-1 Commercial Zoning District. The Solicitor should be consulted regarding the need for a conditional use hearing and the approval process from the Planning Commission and Board of Supervisors. We recommend that parking and buffering of Shady Lane Farms residential properties to the north will be part of the hearing discussions.
  - b. The Post Construction Stormwater Maintenance is consistent with provisions of the Center Township Act 167 Stormwater Management Ordinance. The Applicant is required to enter into an Operation and Management Agreement for stormwater facilities. A copy of the standard agreement form is attached. Certain stormwater management controls are shown on property not currently owned by the Applicant. Property transfers as part of the subdivision I land development must be completed prior to execution of the agreement, and the solicitor may have to modify the standard agreement if separate multiple properties are involved. (*Plans will be submitted to subdivide property from Center Township Map 060-2F104 4D and 4DA*)
  - c. The proposed facilities are shown to be served by a proposed private pump station, which will convey sewage to collector lines of the Butler Area Sewer Authority (BASA) located in the Shady Lane Plan of Lots. The system should be designed as approved by the BASA, with odor controls as appropriate. (*Engineer is consulting with Butler Area Sewer Authority*)
  - d. Since the facility will be served by public water that will not be affected by normal occasional power outages, the private sewage pump station should be served by a stand-by power system or an oversized sewage holding tank to prevent sewage releases during power outages.

We recommend Preliminary Approval of the plan, but Final Approval requires the following items being received by the Township from the Applicant:

- a. PaDEP Sewage Facilities Planning Module Approval
- b. A letter of service from the Butler Area Sewer Authority
- c. A letter of service from the Pennsylvania American Water Company
- d. A review letter from the Butler County Planning Commission
- e. A letter of approval of an NPDES Permit from the PaDEP
- f. Proof that properties shown as part of this submittal have been properly subdivided and are under the ownership of the Applicant
- g. The execution of the O&M Agreement described in 2 (above)
- h. Performance Security that has been posted by the Applicant, which guarantees 110% of the estimated cost of construction of Stormwater Management Facilities and any other Township-required improvements as determined by the Township Solicitor. The Applicant's engineer must submit estimated construction costs to the Township for approval.
- i. The verification that Conditional Use has been granted by the Township, and that this approval is beyond the date subject to any appeals of the decision (*approved December 10, 2014*)

The Planning Commission, based on Township Engineer Olsen's recommendation, recommended at their meeting held on Wednesday, November 17, 2014 preliminary approval, contingent on showing light levels, waive the green space requirement for existing parking areas and items a through i requirements for final approval.

***Frenchak motioned, based on Township Engineer Olsen's recommendation, granting preliminary approving of the First United Methodist Church Land Development No. 2014-11-10. Wulff seconded. Motion carried.***

#### **OLD BUSINESS:**

1. First United Methodist Church Conditional Use Request: The Board of Supervisors held a public hearing on Monday, December 8, 2014 to obtain public comment and testimony from the parties involved in the conditional use application filed by First United Methodist Church. The applicant proposes constructing a 13,400 square foot addition to the existing structure. The property is located at 1802 North Main Street Extension (Center Township Map 060-2F106-4B), Butler PA 16001. Chapter 20, Article IX, Section 20-904B of the Center Township Codification of Ordinances permits churches and other places of worship, including parish houses, educational buildings and parking as a conditional use in the "C-1", Retail and Service Commercial District.

Public notifications were mailed Friday, November 21, 2014 to all property owners within 300 feet. The Center Township Planning Commission recommended approval at their

meeting held on Wednesday, November 19, 2014. The notice of the public hearing was published in the Butler Eagle editions of Sunday, November 23, 2014 and Sunday, November 30, 2014. The property was posted on Tuesday, November 25, 2014.

***Frenchak motioned approving the First United Methodist Church Conditional Use request. Latuska seconded. Motion carried.***

2. Pennsylvania Townships Health Insurance Cooperative Trust Ordinance No. 2014-12-05: The Trustees Insurance and Retirement Services adopted changes to the governing trust documents. Pennsylvania State Association of Township Supervisors requires adoption of an ordinance to re-confirm our participation in the Trust. ***Latuska motioned adopting the Pennsylvania Townships Health Insurance Cooperative Trust Ordinance No. 2014-12-05. Erie seconded. Motion carried.***
  
3. PSATS Unemployment Compensation Group Trust Ordinance No. 2014-12-06: Pennsylvania State Association of Township Supervisors adopted changes to the Unemployment Trust Agreement which requires participating townships to reaffirm its participation. ***Latuska motioned adopting the PSATS Unemployment Compensation Group Trust Ordinance No. 2014-12-06. Erie seconded. Motion carried.***

**NEW BUSINESS:**

1. Volunteer Firefighter Initiative: Butler County Fire Chiefs, Cranberry Township Community Chest and Butler County Community College are raising funds to establish scholarships for volunteer fire fighters and purchase of a new training trailer. ***Latuska motioned donating \$1,500.00 to the Cranberry Township Community Chest Fire Fighter Initiative. Smallwood seconded. Motion carried.***
  
2. BonTon/Dick's Sporting Goods Business Privilege Receipts: With the closing of BonTon effective January 31, 2015 and the possibility of Dick's Sporting Goods moving to Butler Township, there was a concern on the loss of Business Privilege receipts. The following information is provided:

Store	2010	2011	2012	2013	2014 (YTD)
BonTon LST (\$52)	\$499.00	\$2,048.00	\$2,107.00	\$2,024.00	\$1,098.00
BonTon BPM	\$2,696.77	\$2,543.89	\$2,304.71	\$2,176.38	\$1,925.18
BonTon BPM License	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00
Dick's Sporting Goods LST (\$52)			\$564.00	\$654.00	\$622.00
Dick's Sporting Goods BPM	\$3,893.85	\$3,730.88	\$3,736.65	\$3,856.33	\$3,792.96
Dick's Sporting Goods BM License	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00

3. Authorize Ad for Zoning Hearing Board Vacancy: The Zoning hearing Board will have a vacancy effective December 31, 2014. ***Frenchak motioned authorizing advertising in the Butler Eagle for a Center Township resident to fill the vacancy. Erie seconded. Motion carried.***

4. Appoint Part Time Employee: Public Works Director Lauer requests expanding the causal part time pool from one (1) to five (5). Interviews were conducted on December 4, 2014 through December 9, 2014 by Latuska, Smallwood and Lauer. The Board will convene to an executive session at the end of the meeting to review the candidates.
5. Butler Area School District Consolidation Plan Resolution No. 2014-12-19: Mr. Ronald Flatt presented a resolution opposing the transportation of Center Township Elementary School students to the Butler Junior High School. ***Smallwood motioned adopting the Butler Area School District Consolidation Plan No. 2014-12-19. Erie seconded. Motion carried.***

#### **PUBLIC WORKS DIRECTOR:**

1. Award Bid for 2006 Ford Escape XLT: The following bids were received:

Individual	Amount
Jessica Galida	\$1,000.00
Edward Latuska	\$1,700.00
Pat McGrady	\$4,600.00
Mark Stutz	\$2,195.99
Jeffrey Winchester	\$2,011.00

***Frenchak motioned awarding the bid of the 2006 Ford Escape XLT to Pat McGrady in the amount of \$4,600.00. Erie seconded. Motion carried.***

2. Award Contract for Antiskid: No bids were received. ***Latuska motioned authorizing the re-advertisement of 3,000 tons of antiskid in the Butler Eagle. Wulff seconded. Motion carried.***
3. 2003 Ford Utility Truck: Public Works Director Lauer reported the 2003 Ford Utility truck has an engine problem. To replace the injectors, pump and labor will cost approximately \$4,500.00. ***Frenchak motioned authorizing the replacement of the injectors, pump and labor in the amount of \$4,500.00. Wulff seconded. Motion carried.***

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

1. McDonald's Restaurant Bond Release: McDonald's Restaurant requests their bond be released. They corrected the entrance and exits per approved plan. ***Erie motioned, based on Township Engineer Olsen's recommendation, releasing the McDonald's Restaurant Performance Bond in the amount of \$62,403.33. Smallwood seconded. Motion carried.***
2. Sheetz/Rite Aid Development: Mr. Terry Astleford is meeting with two (2) residents on Elise Drive to discuss the possibility of getting an easement to enhance the drainage for the Sheetz/Rite Aid development. Township Engineer Olsen requests permission to attend the meeting. ***Erie motioned authorizing Township Engineer Olsen to attend the meeting with Mr. Terry Astleford and the two (2) residents. Frenchak seconded. Motion carried.***
3. Maintenance Facility Site Distance: ***Frenchak motioned authorizing Township Engineer***

***Olsen to meet with Public Works Director Lauer and Wulff to verify site distances at the existing gated entrance, location of proposed gate location and the entrance of the leaf drop area. Smallwood seconded. Motion carried.***

**SOLICITOR’S REPORT:**

1. Clearview Mall Tax Assessment Appeal: Clearview Mall has filed for an appeal. The hearing is set for March 2015.
2. Federal Emergency Management Agency Buy Out Program: Mr. Larry Vicario, 707 Oneida Valley Road, has sustained flood damage since 2002. He filed several claims with the Federal Emergency Management Agency (FEMA). FEMA suggests the Township submit a "Letter of Intent" for the possible buyout of the property for green space. Township Solicitor Gallagher stated that his research is a possibility of a volunteer program. Consensus of the Board is not to pursue at this time and suggested Randy Brown, Emergency Management Coordinator contact the property owner of the Board's decision.

**MISCELLANEOUS:**

1. Meeting Location: Unionville Volunteer Fire Company has offered the use of their facility to the Township for meetings, if needed.
2. Frenchak's Tenure: Frenchak served the Township from July 2000. His term as Supervisor terminates December 31, 2015. He is not seeking re-election.

**ADJOURNMENT:**

The meeting adjourned to an executive session to discuss personnel at 7:57 p.m. The meeting reconvened at 8:20 p.m.

***Smallwood motioned sending Bryan Blakeley, Christian Dowling, Michael Iscrupe and Brent Michael for pre-employment physicals. Wulff seconded. Motion carried.***

The meeting re-adjourned to an executive session to discuss personnel at 8:22 p.m. The meeting reconvened at 9:29 p.m.

***Frenchak motioned to adjourn at 9:30 p.m. Latuska seconded. Motion carried.***

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Anthony A. Amendolea  
Township Secretary/Treasurer

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Edward G. Latuska  
Chairman

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Alan Smallwood  
Vice Chairman

\_\_\_\_\_  
Andrew Erie  
Supervisor

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Kenneth J. Frenchak Jr  
Supervisor

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Phillip B. Wulff  
Supervisor