

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



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

CENTER TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Minutes  
December 11, 2013  
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 Kenneth Frenchak; Supervisors Andrew Erie, Edward Latuska and Philip Wulff; Township Solicitor Gallagher; Township Engineer Olsen; Public Works Director Lauer and Township Secretary/Treasurer Anthony Amendolea.

**PUBLIC TO BE HEARD (3 MINUTE LIMIT):** None

**MINUTES:**

1. 2014 Budget Meeting – November 12, 2013: *Latuska motioned approving the minutes of the 2014 Budget Meeting held on November 12, 2013. Erie seconded. Frenchak abstained. Motion carried.*
2. Agenda Setting Meeting – November 12, 2013: *Latuska motioned approving the minutes of the Agenda Setting Meeting held on November 12, 2013. Erie seconded. Frenchak abstained. Motion carried.*
3. Regular Meeting – November 13, 2013: *Latuska motioned correcting, New Business, Item 5 to read “Frenchak thinks”, the minutes of the Regular Meeting held on November 13, 2013. Erie seconded. Motion carried unanimously.*
4. Special Meeting – November 20, 2013: *Latuska motioned approving the minutes of the Special Meeting held on November 20, 2013. Erie seconded. Frenchak abstained. Motion carried.*

**TREASURER'S REPORT**

1. November 2013: *Frenchak motioned approving the November 2013 Treasurer's Report. Latuska seconded. Motion carried unanimously.*
2. Warrant List 13-11-22: *Erie motioned approving Warrant List 13-11-22. Frenchak seconded. Motion carried unanimously.*
3. Warrant List 13-12-23: *Erie motioned approving Warrant List 13-12-23. Flatt seconded. Motion carried unanimously.*
4. Adopt 2014 Proposed Budget: The Board of Supervisors reviewed the 2014 proposed budget at their workshop meetings held on October 7, 2013 and November 12, 2013. The 2014 budget reflects a balanced budget of \$1,707,550 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 20, 2013 Butler Eagle edition. *Flatt motioned adopting the 2014 Budget. Erie seconded. Motion carried unanimously.*
5. Adopt 2014 Tax Levy Resolution No. 2013-12-17: The real estate tax millage rate for 2014 remains at 2.75 mills General Fund, 2.5 mills Debt Service, and 1.8 mills Fire Protection Fund. *Flatt motioned adopting 2014 Tax Levy Resolution No. 2013-12-17. Erie seconded. Motion carried unanimously.*

**ZONING REPORT:** November 2013: Construction costs were \$703,482.00 fees collected were \$1,757.20.

**SUBDIVISION & LAND DEVELOPMENTS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:**

1. Adopt Fire Hydrant Ordinance No. 2013-12-08: The Unionville Volunteer Fire Department requested the Board considered adopting an ordinance that property owners are required to maintain a three (3) foot unobstructed clearance around fire hydrants on their property. The "Intent to Adopt" ad appeared in the Tuesday, December 3, 2013 Butler Eagle edition. *Flatt motioned adopting Fire Hydrant Ordinance No. 2013-12-08. Wulff seconded. Motion carried unanimously.*
2. Relocated Manufacture Housing/Proper Handling of Factory Built Houses Training Session Reimbursement: Building Code Official/Zoning Officer Round requests reimbursement for the registration fees of \$130.00 for attending "Relocated Manufactured Housing – Habitability and Installation" (\$65.00) and "Proper Handling of Factory Built Houses and Buildings" (\$65.00) on Wednesday, November 13, 2013. *Erie motioned reimbursing Building Code Official/Zoning Officer Round \$130.00 for attending the training held on Wednesday, November 13, 2013. Latuska seconded. Motion carried unanimously.*

3. Release Consultant Fees: Township Secretary/Treasurer requests the following consultant fees be released:

Development	Type	Approval	Instrument Number	Amount
Baxter MHP	Land Development	09/12/2012	201211090032517	\$873.25
Hull Plan	Lot Line Revision	08/14/2013	201309040025681	\$362.75
Glasgow/Kiser	Lot Line Revision	8/14/2013	201309250027901	\$406.50

***Flatt motioned releasing the consultant fees as requested by Township Secretary/Treasurer Amendolea. Erie seconded. Motion carried unanimously.***

4. Eagle Scout Project – South Benbrook Road Cemetery: The Board received a request from Mr. Zachary E. Fischer, 164 South Benbrook Road to permit him to clean up the cemetery located south of 164 South Benbrook Road (Center Township Map 3F43 7DB) as an Eagle Scout project. Township Solicitor Gallagher reviewed the “Waiver of Liability and Hold Harmless Agreement”. He recommends amending Item 1 to read “it’s elected and appointed officials” and remove “me” in Item 3. ***Latuska motioned, based on Township Solicitor Gallagher’s recommendation, authorizing Zachary E. Fischer to clean up the South Benbrook Road cemetery as an Eagle Scout project. Erie seconded. Motion carried unanimously.***
5. No Parking Ordinance: At the meeting held on November 13, 2013, Latuska discussed the situation of landscaping vehicles being parked on Glenwood Way and blocking one lane of traffic. The Board asked that Building Code Official/Zoning Officer Round to study, and make a recommendation to the Board, the feasibility of a “No Parking” ordinance. Round asks the Board to consider the following:
- Contractors working in tight neighborhoods where parking is limited.
  - Excavation contractors working in the front yard or along the street.
  - Family situations (Holidays, Funerals, etc.) in tight neighborhoods where parking is limited.
  - Yard sales
  - Landscapers doing yard work for the physically impaired (elderly or handicapped citizens) in tight neighborhoods where parking is limited.
  - Special events at places such as New Haven.
  - If the Township were to give case by case approval to park on a street, and an accident would occur because of the Township approved vehicle being on the street, I assume the Township could be named in legal action (consult with Solicitor).
  - The ordinance does not give the Zoning Officer authority to have the violation immediately corrected (vehicle removed), only to fine the owner of the vehicle (if vehicle has legible signage). Keep in mind, the Zoning Officer does not have access to vehicle ownership through vehicle registration

***Flatt motioned tabling the “No Parking” ordinance for further review. Wulff seconded. Frenchak opposes a “No Parking” ordinance. Motion carried.***

6. Property Maintenance – 171 South Benbrook Road: The Board was notified that the property at 171 South Benbrook Road (Center Township Map 3F43 13A) is inhabitable

and in disrepair. ***Latuska motioned authorizing Flatt to coordinate and investigate with Building Code Official/Zoning Officer Round. Frenchak seconded. Motion carried unanimously.***

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

1. Award Contract for Anti-Skid: The Township will purchase approximately 3,000 tons of Anti-Skid material for 2014. The following bids were received:

Company	Bid Bond	Amount
Glacial Sand & Gravel Company PO Box 1022 Kittanning, PA 16201	Yes	\$12.85
Three Rivers Aggregates 1807 Shenago Rd New Gallilee, PA 16141	No	\$14.55

***Flatt motioned awarding the 2014 Anti-Skid Contract, to Glacial Sand and Gravel Company, in the amount of \$12.85 per ton. Erie seconded. Motion carried unanimously.***

2. Sale of Plow: Public Works Director Lauer received a request from Oakland Township if we wanted to sell one of our extra plows. Lauer received the scrap value of the plow (\$156.00). The assessed value is between \$400.00 and \$500.00. ***Wulff motioned authorizing the sale of the plow to Oakland Township for \$350.00. Flatt seconded. Motion carried unanimously.***
3. Release Allegheny Wood Products Road Bond (Rider Church Rd (T-502) & Gallagher Rd (T-642): Allegheny Wood Products completed their timber harvesting operations at Rider Church Road (T-502) and Gallagher Road (T-642). They request the release of their road bond in the amount of \$13,750. ***Erie motioned, based on Public Works Director Lauer's recommendation, releasing Allegheny Wood Products' road bond in the amount of \$13,750.00. Latuska seconded. Motion carried unanimously.***

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

1. Township Property (419 Sunset Drive): Flatt reported a price has been negotiated with McDonalds based on the appraised value. McDonalds requests both sites are redrawn and the stormwater retention area be marked reflecting the forty percent (40%) reduction in size at Township's expense. ***Flatt motioned authorizing Township Engineer Olsen to contact Nicklas King McConahy to perform an appraisal of the property with and without encumbrances and, if necessary, involve Township Solicitor Gallagher. Latuska seconded. Motion carried unanimously.***
2. Sheetz/Pharmacy Traffic Impact Study Summary: Per Ms. Rachel Meyers, Wooster and Associates, the Traffic Impact Study for the proposed Sheetz project requires:
  - a. Currently, the southbound left turn lane along Rt 8 has protected/permissive phasing (green arrow and then green ball).

- 1) The data collected indicates that the southbound left turn lane along Rt. 8 currently warrants a protected/prohibited phase (green arrow only). This does not involve the proposed development but is simply a function of the traffic volumes that are present at the intersection today.
  - 2) As a result, PennDOT has requested that the main line (Rt. 8) southbound left turn phasing be modified to consist of protected/prohibited phasing (green arrow only). This means that for consistency, the proposed northbound left turn phasing into the proposed development will also need to be protected/prohibited phasing even though it's not warranted.
- b. Two through lanes on Rt 8 in each direction will be maintained.
  - c. In order for the mall driveway and the proposed driveway phases to operate concurrently, the mall driveway lane configurations need to change (the number of lanes present will remain the same).
    - 1) The mall driveway currently consists of an exclusive left turn lane and a shared left turn/right turn lane.
    - 2) With the proposed lane configuration, the exclusive left turn lane will remain but the second lane will be modified to a shared through/right turn lane.
  - d. The proposed driveway, opposite of the mall driveway, will consist of two lanes: an exclusive left turn lane and a shared through/right turn lane.
  - e. With the lane configuration modifications and signal operation modifications listed above (a – d), the overall intersection delay per vehicle will increase more than the allowable 10.0 second threshold set by PennDOT. This is also a typical result of adding an additional approach to the intersection.
  - f. With the recommendations made above, the intersection will still operate well and vehicles will clear the intersection each cycle.

These improvements described above will ensure not only adequate accommodation of the development traffic, but also will increase the vehicular safety at the study intersection. For these reasons, we respectfully request Municipal concurrence with the Marginal LOS Degradation at the intersection of North Main Street Extension (SR 0008) with Mall Access Road / Site Drive A, consistent with the Transportation Impact Study prepared by our firm that has been reviewed by the Center Township Traffic Engineering Consultant.

***Flatt motioned (1) concurring with the Marginal LOS Degradation at the intersection of North Main Street Extension (SR 0008) with Mall Access Road/Site Drive A, consistent with the Traffic Study prepared by Wooster and Associates and (2) change signage from a double left turn to a single left turn and a single right turn. Frenchak seconded. Motion carried unanimously.***

3. Henricks Road: Flatt requested Olsen investigate the possibility of realigning Henricks Road near the new maintenance facility. In 1994, the previous Board negotiated with Clearview Manor Development Company to improve sight distance for a 700 foot section. Township Solicitor Gallagher needs to prepare a road adoption ordinance. This will be added to the Pennsylvania Transportation Improvement Plan.

**SOLICITOR'S REPORT:** None

**MISCELLANEOUS:**

1. Transfer of Funds: *Flatt motioned transferring \$75,000 from the General Fund to the Capital Projects Fund. Latuska seconded. Motion carried unanimously.*

*Erie motioned transferring \$75,000 from the General Fund to the Debt Service Fund and make payment on the principal. Flatt seconded. Motion carried unanimously.*

2. Supervisor Elect Alan Smallwood: Erie congratulated Alan Smallwood for winning the election. Frenchak welcomed Smallwood to the Board.
3. Flatt's Departure: Flatt stated he enjoyed serving on the Board for twelve (12) years, faced several litigations, performed maintenance on the roads and vehicles, leaving the Township in good financial shape, saved \$225,000 on employees' insurance for 2013. Frenchak appreciated working with Flatt.

**ADJOURNMENT:**

The meeting adjourned to an executive session for personnel issues at 7:30 p.m. The meeting reconvened at 8:00 p.m.

*Wulff motioned to adjourn at 8:01 p.m. Flatt seconded. Motion carried unanimously.*

Anthony A. Amendolea Township Secretary/Treasurer	Ronald E. Flatt Chairman
Kenneth J. Frenchak, Jr Vice Chairman	Andrew Erie Supervisor
Edward G. Latuska Supervisor	Philip B. Wulff Supervisor