

Board of Supervisors:
 Ronald Flatt, *Chairman*
 Philip Wulff, *Vice Chairman*
 Edward Latuska, *Supervisor*
 Robert Sloan, *Supervisor*
 Alan Smallwood, *Supervisor*



Anthony Amendolea, Secretary/Treasurer
Michael Gallagher, Solicitor
Gateway Engineers, Engineer
Patrick Gauselmann, BCO/Zoning Officer

Center Township Board of Supervisors
 Regular Meeting Minutes
 December 11, 2019
 6:30 p.m.

CALL TO ORDER:

Chairman Ronald Flatt called the Regular Meeting, of the Center Township Board of Supervisors, to order at 6:31 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 Flatt, present were; Vice Chairman Philip Wulff; Supervisors Edward Latuska and Robert Sloan; Township Solicitor Michael Gallagher; Township Engineer David Heath; and Township Secretary/Treasurer Anthony Amendolea. Supervisor Alan Smallwood was absent.

PUBLIC TO BE HEARD: None

The Board held an executive session on Tuesday, October 22, 2019 from 12:00 p.m. to 1:30 p.m. to discuss the Collective Bargaining Agreement with no action taken.

MINUTES:

- A. 2020 Budget Workshop - November 12, 2019: ***Latuska motioned approving the minutes of the 2020 Budget Workshop held on Tuesday, November 12, 2019. Sloan seconded. Motion carried.***
- B. Agenda Setting Meeting - November 12, 2019: ***Latuska motioned approving the minutes of the Agenda Setting Meeting held on Tuesday, November 12, 2019. Flatt seconded. Motion carried.***
- C. Regular Meeting - November 13, 2019: ***Latuska motioned correcting, Public To Be Heard, Item D, which reads "grants are available Connoquenessing" to read "grants are available for Connoquenessing" the minutes of the Regular Meeting held on Wednesday, November 13, 2019. Smallwood seconded. Motion carried.***

TREASURER'S REPORT:

- A. November 2019: ***Flatt motioned approving the November 2019 Treasurer's Report. Latuska seconded. Motion carried.***
- B. Warrant List 19-11-22: ***Latuska motioned approving Warrant List 19-11-22. Sloan seconded. Motion carried.***
- C. Warrant List 19-12-23: ***Flatt motioned approving Warrant List 19-12-23. Latuska seconded. Motion carried.***

- D. Adopt 2020 Tax Levy Resolution No. 2019-12-10: The real estate tax millage rate for 2020 redistributes the 2.5 millage from the Debt Service as 3.55 mills (increased 0.8 mills) General Fund, 1.5 mills (increased 1.5 mills) Capital Projects Fund, and 2 mills (increase 0.2 mills) Fire Protection Fund. ***Flatt motioned adopting the 2020 Tax Levy Resolution No. 2019-12-10. Wulff seconded. Motion carried.***
- E. Adopt Line Item Adjustment Resolution No. 2019-12-11: 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.*" ***Flatt motioned adopting the Line Item Adjustment Resolution No. 2019-12-11. Latuska seconded. Motion carried.***
- F. Adopt 2020 Budget: The Board of Supervisors reviewed the 2020 proposed budget at their workshop meetings held on Monday, October 7, 2019 and Tuesday, November 12, 2019. The 2020 budget reflects a balanced budget of \$1,955,800 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 Butler Eagle edition for Sunday, November 17, 2019. ***Flatt motioned adopting the 2020 Budget. Latuska seconded. Motion carried.***

ZONING REPORT: October 2019: Construction costs were \$58,500.00 fees collected were \$963.62.

SUBDIVISION & LAND DEVELOPMENTS: None

OLD BUSINESS:

- A. Clearview Mall Associates "BYOB" Conditional Use Request No. 2019-02: The Board held a public hearing on Monday, December 9, 2019 to obtain public comment and testimony from the parties involved in the conditional use application filed by Clearview Mall Associates. The applicant is requesting that Center Township Board of Supervisors consider granting the use of B.Y.O.B within the tenant spaces located within the Covered Mall. The property is owned by Clearview Mall Associates and located at 101 Clearview Circle, Butler, PA 16001 (Center Township Map 060-S18-A1). Per Chapter 20, Article IX, Section 20-904 of the Center Township Codification of Ordinances permits the use with conditions in the "C-1", Retail and Service Commercial District. Public notifications were mailed Friday, November 8, 2019 to all property owners within 300 feet. The Planning Commission recommended approval at their meeting held on Wednesday, November 20, 2019. The notice of the public hearing was published in the Butler Eagle editions on Sunday, November 24, 2019 and Sunday, December 1, 2019. The property was posted on Monday, December 2, 2019. ***Flatt motioned to approving, with the conditions of (1) Clearview Mall Associates/Property Owner(s) and all tenants must comply with the proposed ordinance that shall replace the existing Club/BYOB ordinance, (2) Each tenant within the covered mall that would like to operate a BYOB shall first apply for either an annual BYOB permit or special event permit prior to permitting occupants within the establishment to consume alcoholic beverages within the tenant space and (3) If Clearview Mall Associates/Property Owner(s) or tenant violate any provision within the proposed ordinance, Center Township shall have the right to revoke Clearview Mall Associates/Property Owner(s) Conditional Use Permit without written notice, the Clearview Mall Associates "BYOB" Conditional Use Request No. 2019-02. Smallwood***

seconded. Clearview Mall Associates, Mr. John Brautigam agreed to the conditions per letter dated December 10, 2019. **Motion carried.**

NEW BUSINESS:

- A. Accept Resignations: Gregory W. Brewster submitted a resignation letter on November 14, 2019 effective November 30, 2019 and Jared K. Smith submitted a resignation letter on December 2, 2019 effective December 14, 2019. **Flatt motioned accepting Gregory W. Brewster's resignation effective November 30, 2019 and Jared K. Smith's resignation effective December 14, 2019. Latuska seconded. Motion carried.**
- B. Hire Road Crew Personnel: Smallwood scheduled interviews for Friday, December 13, 2019. **Flatt motioned authorizing placement of an ad in the Butler Eagle if the interviews are not successful. Latuska seconded. Motion carried.**
- C. Transfer Funds from General Fund Reserve to the General Fund: Currently there is a deficit of \$76,218.13 in the General Fund due to transferring \$165,000.00 to the Debt Service to pay off the Maintenance Facility Loan in August and unexpected vehicle and equipment repairs. Township Secretary/Amendolea Amendolea recommends transferring \$130,000.00 from the General Fund Reserve to the General Fund. This will provide a surplus of \$53,781.87. **Flatt motioned authorizing the transfer of \$130,000.00 from the General Fund Reserve to the General Fund. Latuska seconded. Motion carried.**
- D. Collective Bargaining Agreement: The Union employees voted to accept the Collective Bargaining Agreement for the period of January 1, 2020 through December 31, 2023 on Thursday, December 5, 2019. **Flatt motioned, contingent on the confirmation of the Collective Bargaining Unit approval, accepting the four (4) year Collective Bargaining Agreement. Smallwood seconded. Motion carried.**

PUBLIC WORKS:

- A. Driveway Culvert Policy Resolution No. 2019-12-12: The Public Works employees suggest, due to time constraints, property owners should be responsible for the purchase and installation of driveway culverts. **Flatt motioned adopting the Driveway Culvert Policy Resolution No. 2019-12-12. Latuska seconded. Motion carried.**

ENGINEER'S REPORT:

- A. Veterans Administration/Cambridge Stormwater: Township Engineer Heath had nothing to report.

SOLICITOR'S REPORT:

MISCELLANEOUS:

- A. Lions Road Guide Rail: Smallwood requests that Township Engineer Heath review Lions Road to see if a guide rail should be installed.
- B. Agenda Setting Meeting: The Board of Supervisors Agenda Setting Meeting for January 6, 2020 Reorganization/Regular is scheduled for Monday, December 30, 2019.

ADJOURNMENT:

The meeting adjourned to an executive session at 7:15 p.m. to discuss personnel and litigation. The meeting reconvened at 8:15 p.m. with no action taken.

Latuska made a motion to adjourn at 8:30 p.m. Smallwood seconded. Motion carried.

Anthony A. Amendolea
Township Secretary/Treasurer

Ronald E. Flatt
Chairman

Phillip B. Wulff
Vice Chairman

Edward G. Latuska
Supervisor

Robert M. Sloan
Supervisor

Absent
Alan H. Smallwood
Supervisor