# APPROVED 01/03/2017

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



Anthony Amendolea, Secretary/Treasurer
Michael Gallagher, Solicitor
Olsen & Associates, Engineer
Patrick Gauselmann, Zoning Officer

Center Township Board of Supervisors

Regular Meeting Minutes

December 14, 2016

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 Alan Smallwood; Supervisors Ronald Flatt, Kenneth Frenchak and Philip Wulff; Township Solicitor Michael Gallagher; Township Engineer Ronald Olsen and Township Secretary/Treasurer Anthony Amendolea.

The meeting adjourned at 6:31 to discuss personnel matters. The meeting reconvened at 6:40 p.m. with no action taken.

### **PUBLIC TO BE HEARD:**

- 1. Robert Brennan, Brennan Builders: Mr. Brennan discussed Duffy Highlands at the meeting held on Monday, December 12, 2016. Township Solicitor Gallagher suggested using Adams Township Planned Residential Development ordinance as a base. The Township may do a Planned Residential Development as an overlay or as a permitted use in the R-2, Multi-Family Residential District. Latuska motioned authorizing the release of the former Planned Residential Development ordinance to Mr. Robert Brennan, Township Solicitor Gallagher and Township Engineer Olsen. Smallwood seconded. Motion carried.
- 2. Mr. Ronald Bole, 140 La Ray Drive: Mr. Bole talked to Mr. Charles Moorhead to determine if the Township worked within the easement. Mr. Moorhead confirmed the Township placed Rip Rap and pipe. Latuska motioned authorizing Township Engineer Olsen to prepare a plan to make the necessary corrections. Frenchak seconded. Motion carried.
- 3. Mr. Philip Mennor, 112 Elise Drive: Mr. Mennor stated he met with Township Engineer Olsen, George Allen and Steve Jaeger of Rite Aid. They agreed to do the repairs on his property.

- 4. Irene Amendolea, 117 Brooksedge Drive: Ms. Amendolea thanked the Board for paying down the debt.
- 5. Nathan Wulff, 5168 McCandless Road: Mr. Wulff presented the Unionville Volunteer Fire Department Fire Calls for November 2016 as:

Type of Calls	Number of Calls
Motor vehicle accidents	13
Automatic fire alarms	6
Service calls	8
Structure fires	2
Medicals	3
Brush fires	2
Dive calls	0
Vehicle fires	0
CO Activation	0
Technical rescues	0
HazMat	0
Total	34

He reported that were no weather related accidents. The new engine committee finalized the specs to request bids. On Saturday, January 28, 2016 (tentatively), the Fish and Boat Commission will hold a boat safety class.

#### **MINUTES:**

- 1. Budget Workshop November 7, 2016: Latuska motioned approving the minutes of the Budget Workshop held on Monday, November 7, 2016. Flatt seconded. Motion carried.
- 2. Agenda Setting Meeting November 7, 2016: Latuska motioned approving the minutes of the Agenda Setting Meeting held on Monday, November 7, 2016. Frenchak seconded. Motion carried.
- 3. Regular Meeting November 9, 2016: Latuska motioned approving the minutes of the Regular Meeting held on Wednesday, November 9, 2016. Flatt seconded. Motion carried.

## TREASURER'S REPORT:

- 1. November 2016: Latuska motioned approving the November 2016 Treasurer's Report. Frenchak seconded. Motion carried.
- 2. Warrant List 16-11-22: Latuska motioned approving Warrant List 16-11-22. Flatt seconded. Motion carried.
- 3. Warrant List 16-12-23: Latuska motioned approving Warrant List 16-12-23. Wulff seconded. Motion carried.
- 4. Adopt 2017 Tax Levy Resolution No. 2016-12-19: The real estate tax millage rate for 2017 remains at 2.75 mills General Fund, 2.5 mills Debt Service, and 1.8 mills Fire Protection Fund. Latuska motioned adopting the 2017 Tax Levy Resolution No. 2016-12-19. Flatt

### seconded. Motion carried.

5. Adopt 2017 Budget: The Board of Supervisors reviewed the 2017 proposed budget at their workshop meeting held on Monday, November 7, 2016. The 2017 budget reflects a balanced budget of \$1,956,700 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 Sunday, November 20, 2016 Butler Eagle edition. Latuska motioned adopting the 2017 Budget. Smallwood seconded. Motion carried.

**ZONING REPORT:** November 2016: Construction costs were \$1,000.00 fees collected were \$225.00.

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

- 1. Jiffy Mart Lot Line Revision No. 2016-11-12, Final, Expires 02/13/20017: Mr. James Day presented. Mr. Gill proposes removing the lot lines between Center Township Map 060-S4-5, Center Township Map 060-S4-15 and Center Township Map S4-16. Township Engineer Olsen Comments are, as follows:
  - a. This proposed project will involve the consolidation of three separate lots owned by Jiffy Mart, Inc. and a re-subdivision into new Lot A and new Lot B.
    - 1) The Applicant should submit a separate Application for a Minor Subdivision Plan/Lot Consolidation Plan that will use Drawing SUB-1 as its plan for recording purposes.
    - 2) For clarity, the Applicant should prepare a Land Development Plan that indicates proposed land development activities on proposed Lot A and proposed Lot B (this Land Development Plan may show activities combined as one concurrent Land Development Plan but it should include separate acknowledgements and signature blocks, perhaps located on a revised Land Development cover sheet.)
  - b. Proposed Lots A & B are within the C-1 Retail and Service Commercial Zoning District. Proposed use of Lot A is a self-service fuel station with convenience store. Since the prior use of the parcel is a fuel dispensing station, we are of the opinion that a new conditional use hearing will not be required by the Zoning Officer. New fuel tanks are not permitted in front yards but the existing fuel tanks in the front yard will be re-used.
  - c. The new pump canopy is permitted to overhang the front yard to within 20' of the road right of way so the canopy as depicted on drawing C-4 is acceptable as scaled from the drawing. The Applicant should add building set back lines to the Site Plan C-5
  - d. Depicted parking on the Lot A site may not be of sufficient number. Zoning Ordinance Article XV, section 20-1601 E.6. states that "in the case of mixed uses, the total requirements of off-street parking spaces shall be the sum of the requirements for the various uses computed separately." Full service stations for autos need 2 spaces per pump (10 X 2 = 20) plus 13 spaces for convenience retail space for a total of 33 spaces. My interpretation of this requirement should be discussed at the public Planning Commission meeting.
  - e. The parking geometry arrangement on Lot A does not appear convenient;
    - 1) The vehicles parked perpendicular along the front of the building may not have sufficient space to pull out without interfering with cars being fueled at the fuel

islands. The Applicant should describe how vehicles will pull up to the pumps and in which directions. Perhaps the canopy and fuel pumps could be moved farther from the building.

- 2) Parking spaces proposed along the eastern property line are diagonal to the curb line which may result in drivers parking in those spots assuming that they must circle the building to exit. If so, this may conflict with traffic on the west side of the building.
- f. This plan will need a Highway Occupancy Permit from PennDot (as acknowledged by a note on drawing SUB-1). This permit will address driveway access as well as drainage. The Township may be required by PennDot to be a co-permittee on the PennDot permit.
- g. The Applicant may need to submit a PaDEP Sewage Facilities Planning Module and pay a fee to the Butler Area Sewer Authority for increases in sewage flows above 800 gallons per day.
- h. A land disturbance exceeding 1 acre requires the Applicant to submit an application for an NPDES Permit to the PaDEP/Butler County Conservation District. No stormwater management plan or Erosion & Sediment Control Plan has been submitted to Center Township for review.
- i. The Bituminous Pavement Detail on Drawing C-7 has the superpave 9.5 millimeter mix and 25-millimeter mix reversed on the proposed courses.
- j. The Applicant has shown non-specific details of a proposed retaining wall which will be used on the project. Walls above 4' in total height meet the definition of a structure requiring a separate building permit under the Uniform Construction Code. Any approval of this Land Development should be conditioned upon a separate building permit application being filed for this wall.
- k. A pedestrian safety fence should be designed to be installed at the top of the proposed retaining wall.
- l. Guiderail should be designed to be installed at the top of the retaining wall at locations susceptible to vehicular traffic on proposed Lot B.
- m. Bufferyard/screening meeting an opaque screen Type A must be shown to be installed east of the new parking lot in front of the existing office building on proposed Lot B as required by Chapter 20, Article XIII paragraph 20-1366 and screening Table in Appendix A.
- n. The submitted stormwater report should be revised to include stormwater volume calculations, including a table.
- o. Infiltration testing should be provided for the two-proposed bio- retention areas.
- p. The submitted stormwater report should be revised to include a conveyance system analysis.
- q. A separate stormwater management plan set along with required notes, signature blocks, and soils information should be submitted.
- r. Easements should be proposed on the plans for the proposed stormwater facilities or a "blanket" easement note placed on the drawing granting the Township unlimited access to stormwater management features.
- s. The expected project schedule should be added to the stormwater report.

- t. A summary table for the facility maximum return period design data should be added to the report.
- u. A summary table for water quality depth and volume requirements should be added to the report.

The Planning Commission recommended granting final approval of the Jiffy Mini Mart Lot Line Revision No. 2016-11-12.

Flatt motioned, based on the Planning Commission and Township Engineer Olsen's recommendation, granting final approval of the Jiffy Mart Lot Line Revision No. 2016-11-12. Latuska seconded. Motion carried.

### **OLD BUSINESS:**

1. Ratify Administrative Assistant Hire: The Board received seven (7) applications for the casual administrative assistant position. Four (4) interviews took place. The successful individuals are Mr. Edward Fair and Ms. Danielle Freedline. They are being trained for a month to fill in when Township Secretary/Treasurer Amendolea is absent. Latuska motioned ratifying the hiring Mr. Edward Fair and Ms. Danielle Freedline at \$13.50 per hour with no benefits to fill in during Township Secretary/Treasurer Amendolea's absence. Smallwood seconded. Frenchak and Wulff against. Motion carried 3 to 2.

## **NEW BUSINESS:**

- 1. State Representative Nesbit's Lease: State Representative Nesbit leases office space in the Municipal office on Thursday of each week. The lease is for two (2) years at \$100.00 per month. Latuska motioned to renew State Representative Nesbit's lease agreement for two (2) years at \$100.00 per month. Frenchak seconded. Motion carried.
- 2. Collective Bargaining Agreement: The Collective Bargaining Unit has tentatively accepted the proposed three (3) year contract. Latuska read the following statement:

The Center Township Supervisors reached a tentative 3 year Agreement beginning January 1, 2017 with the United Mine Workers, who represents the road employees and the bookkeeper.

The Agreement calls for a 3.7% raise in 2017, a 3.6% raise in 2018 and a 2.3% raise in 2019. For a road worker this means a base rate of \$20.96 in 2017, \$21.71 in 2018 and a base rate of \$22.21 in the final year. The bookkeeper's base rate is 16.52 in 2017, 17.27 in 2018 and a base rate of 17.77 in the final year.

Because of a previously negotiated contract provision which allows the Township and the Union members to aggressively shop the insurance market to mitigate increasing insurance costs, the health benefits package remains in place with no change, that is to say without employee contribution.

There are 6 road employees and 1 bookkeeper represented by UMW. Their vote to ratify should be held later this month.

On behalf of the Supervisors, I want to express my thanks to the UMW and the employee negotiators for their willingness to keep the taxpayers' interests in mind. I think I speak for the Board when I say that our employees are second to none.

Latuska motioned to ratify the Collective Bargaining Agreement and as part of the

negotiations employees will retain their positions in accordance to the specifics of the contract for a minimum of twenty-six (26) weeks. Flatt seconded. Motion carried.

3. Transfer of General Fund Surplus: Currently, there is a General Fund surplus of \$105,058.95. Flatt suggests transferring \$70,000.00 from the surplus to the Capital Projects Fund and \$70,000.00 from the General Fund Reserve to the debt Service Fund to apply to the principal by December 31, 2016. Latuska motioned transferring (1) \$70,000.00 from the General Fund surplus to the Capital Projects Fund and (2) \$70,000.00 to the Debt Service Fund to be applied to the principal no later than December 31, 2016. Frenchak seconded. Motion carried.

# **PUBLIC WORKS:**

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

Company	Bid Bond	Amount (per ton)
Three Rivers Aggregates 1807 Shenango Road New Gallilee, PA 16141	Yes	\$15.00
Wolf Creek Holding Company 270 Hemlock Rd Grove City, PA 16127-6834	Yes	\$19.47

Three Rivers Aggregate's sample did not meet the specifications requested. Therefore, Latuska motioned disqualifying the Three Rivers Aggregate bid due to not meeting the specifications. Smallwood seconded. Motion carried.

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

- 2. Franklin Township Request to Store Equipment: Franklin Township Supervisors are requesting we store a grader during the winter. A hold harmless agreement should be signed for liability purposes. Latuska motioned contingent on receipt of a Hold Harmless agreement, authorizing the storing of Franklin Township's grader until the Spring of 2017. Frenchak seconded. Motion carried.
- 3. 2005 International Truck Pump Replacement: The pump is wearing out. Walsh Equipment quoted a price of \$4,000.00 to repair. Step Up Foreman Brewster will take the truck to Keystone Springs for an estimate.
- 4. Release Clearwater Construction Road Bond (Glenwood Way): Clearwater Construction requested release of the road bond for Glenwood Way. Latuska motioned not to release Clearwater Construction's road bond until Step Up Foreman Brewster inspects the road. Smallwood seconded. Motion carried.

# **ENGINEER'S REPORT:**

1. Lakewood Drive/Hull Lake Repair: Township Engineer Olsen met with Mr. Brad Cavaliero.

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Mr. Cavaliero has not received anything from the Department of Environmental Protection. Step Up Foreman Brewster questioned if pipe could be placed prior to collapsing the road and concrete culvert for rebuild. Trees and stumps needs to be removed to prevent damage to the dam. Township Engineer Olsen and Township Solicitor Gallagher will prepare an agreement with the Hull Plan Association to split costs of repairs.

## **SOLICITOR'S REPORT:**

- 1. Cypher Insurance Claim: Flatt, Wulff and Mr. and Mrs. Cypher met on Tuesday, October 11, 2016. A meeting will be set with Township Engineer Olsen to see what will work to solve the situation. Olsen contacted PennDot for old maps of storm drains on Sunset Drive (T-442). Township Solicitor Gallagher will provide Flatt and Wulff the agreement for signatures. Latuska motioned to approve the agreement with Dr. Cypher, Dr. Harvey and Mr. John Giles, contingent on their signatures. Flatt seconded. Motion carried.
- 2. Holding Tank Ordinance: Township Solicitor Gallagher and Sewage Enforcement Officer, Doug Duncan, are developing a "Holding Tank" ordinance for another municipality. Duncan suggests the Township amend the existing ordinance. Latuska motioned authorizing Township Solicitor Gallagher to advertise the proposed "Holding Tank" ordinance. Flatt seconded. Motion carried.

#### **MISCELLANEOUS:**

1. Frenchak stated that he would not seek reelection in 2017. He has served the Township since 2008.

# **ADJOURNMENT:**

The meeting adjourned to an executive session to discuss personnel at 8:10 p.m. The meeting reconvened at 8:39 p.m. with no action taken.

# Latuska made a motion to adjourn at 8:40 p.m. Smallwood seconded. Motion carried.

Anthony A. Amendolea	Edward G. Latuska
Township Secretary/Treasurer	Chairman
Alan H. Smallwood	Ronald E. Flatt
Vice Chairman	Supervisor
Kenneth J. Frenchak Jr	Phillip B. Wulff
Supervisor	Supervisor