

**MINUTES OF THE
REGULAR MEETING HELD
March 20, 2017**

The regular meeting of the Butler Township Board of Commissioners was held on March 20, 2017 at 6:30 p.m. at the Butler Township Municipal Building, 290 S. Duffy Road, Butler, PA 16001. The following commissioners were present: Pres. Dave Zarnick, Vice-Pres. Sam Zurzolo, Commis. Joe Wiest, Commis. Charles M. Nedz and Commis. Jim Lokhaiser, Jr.

Also present were Manager Ed Kirkwood, Asst. Manager Cheryl McNeill, Solicitor Rebecca Black, Zoning Officer Jesse Hines, and Superintendent of Public Works Thomas Knights.

Pres. Zarnick called the meeting to order followed by a moment of silence and the pledge of allegiance to the flag.

Pres. Zarnick stated that anyone taping the meeting is required to state their name and address at the beginning of the meeting. There was no one taping the meeting.

Pres. Zarnick asked if there were any corrections or additions to the minutes of the March 6, 2017 meeting. There being none, the minutes will stand as presented.

Pres. Zarnick noted receipt of the monthly Fire/Zoning report.

Commis. Nedz had nothing to report.

Commis. Lokhaiser reported that there is a tour of Preston Park scheduled for Saturday, April 22nd at 1:00 PM.

Commis. Lokhaiser reported that the Fire Commission meeting was canceled due to lack of agenda items. The next Fire Commission meeting will be held on May 17, 2017.

Commis. Lokhaiser reported that tickets for the Butler Fireman's Association Gun Raffle are on sale. He also reported on the South Butler VFD fish dinners.

Commis. Zurzolo reported that he attended the Police Department retirement party.

Commis. Zurzolo reported that he has been receiving good feedback on the Citizen's Police Academy.

Commis. Wiest had nothing to report.

Solicitor Black had nothing to report.

Zoning Officer Hines reported that the township has received notice from the Pennsylvania Liquor Control Board that they have approved the township's request to be exempt from the noise control ordinance. The exemption will be valid until March 2020.

Zoning Officer Hines presented a proposal from Rich Grossman, Township Planning Consultant, to update the Township Zoning Ordinance to amend the Transitional

Neighborhood Development (TND) section to create a controlled process to allow development of more flexible housing options. The estimated fees for Mr. Grossman's work on the amendment should not exceed \$2,300.00. The intent of the amendment would create opportunities for townhomes and patio homes to be constructed on parcels where it is currently not cost effective to develop as single family housing plans. He requested direction from the board as to how they would like to proceed. This item will be on the agenda in April.

Manager Kirkwood had nothing to report.

Public Works Superintendent Knight recognized Scott Fehl, a Road Department employee, for his many years of participation in the career days at Center Avenue School. He volunteers his time to go and talk with the student about commercial truck driving but he is also a very good representative of the township. Commissioner Zarnick commented that he has received a note from the school acknowledging Mr. Fehl's participation and how attentive the students are to his presentations.

Asst. Manager McNeill reported that she attended the Citizens Police Academy and found it very educational and eye opening about what goes on in the police department.

Commis. Zarnick reported that he attended a "Farm to Table" dinner sponsored by the Penn State Extension.

Commis. Zarnick asked for public comment on agenda items. There was none.

Commis. Lokhaiser invited each of the three Fire Departments to come forward and make their presentations to the board concerning how they spent and plan to spend their township allocations. The presenters for each department were: Kevin Smith, president of South Butler VFD; Ron Kastelic, president of Mercer Road VFD; and Dave Bestwick, Assistant Chief of Butler Township VFD 3. A discussion followed each presentation. The fire departments were thanked for taking the time to prepare and make their presentations. They were also thanked for all of their time that they give to the township and surrounding areas through emergency services, training, meetings and fundraising.

Commis. Lokhaiser stated that the total budgeted Fire Department allocations for 2017 are \$348,424.00.

Motion by Commis. Lokhaiser to set the Fire Department Allocation percentages as follows: Butler Township VFD 3 at 56%; Mercer Road VFD at 22%; and South Butler VFD at 22%. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Zoning Officer Hines presented information on the Thompson Greene Bond Reduction. The development is on North Duffy Road. There are still a few items to be completed and Senate Engineering is in favor of reducing the bond from \$750,523.81 to \$15,598.00.

Motion by Commis. Nedz to reduce the Thompson Greene Improvements Bond from \$750,523.81 to \$15,598.00. Seconded by Commis. Lokhaiser. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Zoning Officer Hines presented information on the PA American Water Bond Release. The bond is for the new pump station on Greenwood Drive. Gateway Engineers recommends releasing the bond in the amount of \$135,575.00, contingent upon receipt of an 18-Month Maintenance Bond in the amount of \$18,487.50.

Motion by Commis. Nedz to release the PA American Water Company's Amenities Bond in the amount of \$135,575.00, contingent upon receipt of an 18-Month Maintenance Bond in the amount of \$18,487.50. Seconded by Commis. Lokhaiser. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Asst. Manager McNeill presented for the record the notice of abstention from Commis. Wiest for agenda item five, 2017 Road Paving Project.

Asst. Manager McNeill opened the bids for the 2017 Road Paving Projects. There were six bids received.

Bidder's Name	Bid Bond	Bid Price
Glenn O. Hawbaker	Yes	\$1,043,888.65
Protect Asphalt Inc.	Yes	\$978,127.09
Wiest Asphalt Products	Yes	\$861,684.10
A. Liberoni, Inc.	Yes	\$912,916.83
Mele & Mele & Sons, Inc.	Yes	\$962,624.68
Youngblood Paving Inc.	Yes	\$899,349.50

Motion by Commis. Nedz to table the bids on the 2017 Road Paving Project for review and recommendation. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Abstain; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Asst. Manager McNeill presented the request from Summit Township for financial assistance to pave Bonnie Drive. A portion of Bonnie Drive is in Butler Township. A discussion followed.

Motion by Commis. Wiest to authorize the manager to look into how the township can assist Summit Township with the paving of Bonnie Drive. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Asst. Manager McNeill presented the bids on the sale of property, located near the Comfort Inn, which were opened during the March 6th meeting. Both bids were in order and the township is required to sell the property to the highest bidder, which was Dennis Baglier in the amount of \$306,000.00.

Motion by Commis. Zurzolo to accept the bid from Dennis Baglier in the amount of \$306,000.00 for the sale of property. Seconded by Commis. Nedz. A discussion followed. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Asst. Manager McNeill presented the proposed resolution authorizing the destruction of various township records as set forth in the Municipal Records Manual.

Motion by Commis. Zarnick to pass Resolution 17-09, authorizing the disposition of public records, as presented. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Asst. Manager McNeill presented the letter received from the Butler County Tax Claim Bureau concerning the sale of real property from the Butler County Repository. The referenced property is Tax Parcel No. 052-37-D15-000, 85 Pittsburgh Road. The Board must authorize consent to the sale of this property. At this time the township has a lien filed against the property and is awaiting information from the Housing Authority in regards to the lien. A discussion followed. Manager Kirkwood recommended tabling the decision until the township has had the opportunity to discuss the sale with the Housing Authority. The decision was tabled until the next board meeting.

Asst. Manager McNeill presented the invitation for the commissioners and zoning officer to attend the Butler County Association of Township Officials 102nd Annual Spring Convention on Thursday, May 18, 2017 at the Butler Country Club. The registration fee is \$28.00 per person.

Motion by Commis. Zarnick to authorize any commissioner and the zoning officer to attend the Butler County Association of Township Officials 102nd Annual Spring Convention on Thursday, May 18, 2017 at the Butler Country Club at a cost of \$28.00 per person. Seconded by Commis. Zurzolo. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Commis. Lokhaiser presented the nomination of Charles Savannah as the Citizen Representative on the Fire Commission to fill the vacancy created when William O'Brien resigned. Mr. Savannah has submitted a letter of intent with the township to be considered for this appointment. The term will expire in December 2017.

Motion by Commis. Lokhaiser to appoint Charles Savannah to the Fire Commission as the Citizen Representative with a term to expire December 2017. Seconded by Commis. Nedz. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Public Works Superintendent Knights presented the request for William Schollaert to complete the testing for Right of Way Herbicide Spraying Certification. The exam will be held on April 20, 2017 at the Westmoreland County Conservation District. The cost of the exam is \$60.00 and a township vehicle will be used. There will also be \$7.80 in Turnpike tolls that will need to be reimbursed.

Motion by Commis. Zarnick to authorize William Schollaert to complete testing for the Right of Way Herbicide Spraying Certification at a cost of \$67.80. Seconded by Commis. Wiest. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Commis. Zarnick reported that he, Manager Kirkwood, Asst. Manager McNeill and Chief Hays will be attending the PELRAS Conference in State College, PA for the remainder of this week.

Commis. Zarnick presented his request to attend the Pennsylvania Municipal League Conference on April 7 – 9, 2017 at Seven Springs Resort. Butler Township has received the Banner Community recognition and the award will be presented during this conference.

Motion by Commis. Nedz to authorize Commis. Zarnick to attend the Pennsylvania Municipal League Conference, as presented. Seconded by Commis. Wiest. The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Manager Kirkwood presented the request from the Commonwealth for the township to issue a letter requesting an extension on the grant funding deadline for the proposed Matt Clement sports complex. The grant is set to expire on March 31, 2017. A discussion followed.

Motion by Commis. Nedz to authorize Manager Kirkwood to send the letter requesting that the grant be extended. Seconded by Commis. Wiest. A discussion followed.

Commis. Zarnick asked for public comment on this non-agenda item. There was none.

The vote was Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; and Zarnick: Yes. Motion carried.

Assistant Manager McNeill reviewed the bills report and the following totals were noted: General Fund - \$174,420.99; Highway Aid Fund - \$14,391.48; Park Development Fund - \$632.01; General Fund (added after February Bills Report) - \$39,211.51; Payroll Fund (prior month) - \$252,664.21.

Motion by Commis. Lokhaiser to pay the bills as per the bills report, seconded by Commis. Nedz. The vote was: Lokhaiser: Yes; Nedz: Yes; Wiest: Yes; Zurzolo: Yes; Zarnick: Yes. Motion carried.

There was no correspondence.

Commis. Zarnick asked for public comment on any item of concern.

Mark Hemphill, 310 Whitestown Village Apartments, Apartment 2, commented on the chemical treatments used on the township lawns and requested that it be discontinued.

Questions were taken from the media.

Motion was made by Commis. Nedz to adjourn the meeting at 7:58 p.m. and carried unanimously.

Theresa Guesley